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

**Date:** **Week One: Tuesday 6 - Friday 9 October 2020,**  
**Week Two: Monday 12 - Thursday 15 October 2020**

**Time:** **9.30am**

**Meeting Room:** **Main Hall**

**Venue:** **Warkworth Masonic Hall,**  
**3 Baxter Street, Warkworth**

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## **SUBMISSIONS**

### **MULTIPLE SITES BETWEEN WARKWORTH AND NORTH OF TE HANA**

### **WAKA KOTAHI - THE NEW ZEALAND TRANSPORT AGENCY**

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#### **COMMISSIONERS**

**Chairperson** **Kitt Littlejohn**  
**Commissioners** **Kim Hardy**  
**Juliane Chetham**  
**Nigel Mark-Brown**

**Paulette Kenihan**  
**SENIOR HEARINGS ADVISOR**

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**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**

At the start of the hearing, the Chairperson will introduce the hearing panel and council staff and will briefly outline the procedure. The Chairperson may then call upon the parties present to introduce themselves to the panel. The Chairperson is addressed as Mr Chairman or Madam Chair.

Any party intending to give written or spoken evidence in Māori or speak in sign language should advise the hearings advisor at least five working days before the hearing so that a qualified interpreter can be provided.

Catering is not provided at the hearing. Please note that the hearing may be audio recorded.

### **Scheduling submitters to be heard**

A timetable will be prepared approximately one week before the hearing for all submitters who have returned their hearing attendance form. Please note that during the course of the hearing changing circumstances may mean the proposed timetable is delayed or brought forward. Submitters wishing to be heard are requested to ensure they are available to attend the hearing and present their evidence when required. The hearings advisor will advise submitters of any changes to the timetable at the earliest possible opportunity.

### **The hearing procedure**

The usual hearing procedure is:

- 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
- The relevant local board may wish to present comments. These comments do not constitute a submission however the Local Government Act allows the local board to make the interests and preferences of the people in its area known to the hearing panel. If present, the local board will speak between the applicant and any submitters.
- Submitters (for and against the application) are then called upon to speak. Submitters may also be represented by legal counsel or consultants and may call witnesses on their behalf. The hearing panel may then question each speaker. The council officer's report will identify any 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
- Submitters wishing to present written information (evidence) in support of their applications or submissions should provide the number of copies indicated in the notification letter
- Only members of the hearing panel can ask questions about submissions or evidence. Attendees may suggest questions for the panel to ask but it does not have to ask them. No cross-examination - either by the applicant or by those who have lodged submissions – is permitted at the hearing
- After the Requiring Authority and submitters have presented their cases, the chairperson may call upon council officers to comment on any matters of fact or clarification
- When those who have lodged submissions and wish to be heard have completed their presentations, the Requiring Authority or their representative has the right to summarise the application and reply to matters raised by submitters. Hearing panel members may further question the Requiring Authority at this stage
- The chairperson then generally closes the hearing and the Requiring Authority, submitters and their representatives leave the room.



- The hearing panel will then deliberate “in committee” and make a decision on the resource consent application and a recommendation to the Requiring Authority on the Notice of Requirement. 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 both decisions separately, the reasons for the decision and what your appeal rights are
- The decision on the resource consent component is usually available within 15 working days of the hearing closing.

**Notice of Requirement and Resource Consent application**  
**Multiple sites between Warkworth and north of Te Hana**  
**Date: Week One: Tuesday 6 - Friday 9 October 2020**  
**Week Two: Monday 12 - Thursday 15 October 2020**

**A NOTIFIED DISCRETIONARY RESOURCE CONSENT APPLICATION BY WAKA KOTAHI - THE NEW ZEALAND TRANSPORT AGENCY.**

**AND**

**A NOTIFIED NOTICE OF REQUIREMENT TO THE AUCKLAND COUNCIL UNITARY PLAN RODNEY SECTION BY WAKA KOTAHI - THE NEW ZEALAND TRANSPORT AGENCY.**

**APPLICANT / REQUIRING AUTHORITY: WAKA KOTAHI - THE NEW ZEALAND TRANSPORT AGENCY**

**JOINT SUBMISSIONS ON THE RESOURCE CONSENT AND NOTICE OF REQUIREMENT**

<b>JOINT SUBMISSIONS ON THE RESOURCE CONSENT AND NOTICE OF REQUIREMENT</b>		
Page 7	JS1	David Mason and Dianne McCallum
Page 137	JS2	First Gas Limited c/- Nicola Hine
Page 140	JS3	Royal Forest and Bird Protection Society of New Zealand Inc. c/- William Jennings
Page 149	JS4	Watercare Services Limited c/ - Shane Morgan & Lindsay Wilson
Page 163	JS5	Federated Farmers of New Zealand (Auckland Province) Incorporated c/- Richard Gardner
Page 169	JS6	Andrew David Miller
Page 174	JS7	Director General of Conservation c/- Graeme Silver & Michelle Hooper
Page 190	JS8	Angela and Geoffrey Still
Page 192	JS9	Dando Family Trust c/- Edwin and Toni Dando
Page 202	JS10	Amanda and Erdem Oguz
Page 209	JS11	Katrina Todd
Page 213	JS12	Donnellan Family

<b>SUBMISSIONS ON RESOURCE CONSENT:</b>		
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Page 219	RC2	Northland Regional Transport Committee c/- John Bain
Page 221	RC3	Greg van der Loeff
Page 223	RC4	Richard Hanson
Page 225	RC5	Susan Rowbotham
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Page 229	RC7	Joshua Don
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**Notice of Requirement and Resource Consent application**  
**Multiple sites between Warkworth and north of Te Hana**  
**Date: Week One: Tuesday 6 - Friday 9 October 2020**  
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Page 235	RC10	Rhiannon Morris
Page 237	RC11	Corinne Callinan
Page 239	RC12	Derek Russell Smith
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Page 247	RC14	Infrastructure New Zealand, c/- Lennart Trouborst
Page 251	RC15	Northland Regional Council, c/- Councillor John Bain
Page 253	RC16	Terrence McCarthy
Page 255	RC17	Cecilia Prasad
Page 257	RC18	Bruce and Joy Drower
Page 264	RC19	Fit Ltd. c/- Martin Boakes
Page 266	RC20	Christine Beale and Lance Adamson
Page 271	RC21	NZ Walking Access Commission - Ara Hikoi Aotearoa, c/- Dorothy M Dalziell,
Page 282	RC22	Heather Jean Arnold
Page 287	RC23	Joanne Hawke
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Page 294	RC25	Pamela Chestnut
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Page 309	RC29	Hōkai Nuku, c/- Gena Moses-Te Kani
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Page 391	RC37	Brenten Walton
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Page 400	RC39	Independent Northland Business and Residents, c/- Des Mclean and Anthony Brodie
Page 405	RC40	Heidi Downey
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**Notice of Requirement and Resource Consent application**  
**Multiple sites between Warkworth and north of Te Hana**  
**Date: Week One: Tuesday 6 - Friday 9 October 2020**  
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<b>SUBMITTERS ON NOTICE OF REQUIREMENT:</b>		
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Page 410	NoR2	Spark New Zealand, Attn: Graeme McCarrison, CC: Chris Horne
Page 414	NoR 3	Transpower New Zealand Limited, Attn: Kate Searle
Page 428	NoR4	Warkworth Area Liaison Group, Attn: Roger Williams
Page 448	NoR5	The Friends of Streamlands
Page 451	NoR6	Silver Hill Trust - Greg and Ingrid McCracken, Attn: Burnette O'Connor
Page 462	NoR7	One Warkworth, Attn: David Stott
Page 464	NoR8	Wendy Patricia Court
Page 468	NoR9	Auckland Transport, Attn: Katherine Dorofaeff
Page 476	NoR10	Puriri Springs Trust, Attn: Denise Civil
Page 480	NoR11	Southway, Attn: Denise Civil
Page 484	NoR12	Sunnyheight Nurseries Ltd, Attn: Terra Nova Planning Ltd (Shane Hartley)
Page 488	NoR13	One Warkworth Business Association Attn:David Hay
Page 492	NoR14	Heritage New Zealand Pouhere Taonga, Attn: Susan Andrews
Page 498	NoR15	National Road Carriers, c/- Paula Rogers
Page 502	NoR16	Waste Management NZ

## Amy Cao

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**From:** NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz  
**Sent:** Thursday, 25 June 2020 2:45 PM  
**To:** Central RC Submissions  
**Cc:** warkworth-wellsford@nzta.govt.nz  
**Subject:** BUN60354951 [ID:10641] Submission received on notified resource consent  
**Attachments:** Submission- combined - FINAL\_20200625143506.747.pdf

We have received a submission on the notified resource consent for Land between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hoteo River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana. .

## Details of submission

### Notified resource consent application details

**Property address:** Land between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hoteo River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana.

**Application number:** BUN60354951

**Applicant name:** Waka Kotahi - New Zealand Transport Agency

**Applicant email:** warkworth-wellsford@nzta.govt.nz

**Application description:** Waka Kotahi - The New Zealand Transport Agency has applied for a Notice of Requirement to amend the Auckland Unitary Plan and applied for associated Regional Resource Consents to enable the construction, operation and maintenance for a new four lane state highway. Key components of the proposal include a four lane dual carriageway, three interchanges, twin bore tunnels under Kraack Road, a viaduct over the existing SH1 and Hoteo River, a bridge over Maeneene Stream, a series of cut and fills across the project area and changes to local roads. Resource consents are required in relation to earthworks, vegetation removal, structures and associated temporary works in, on, under or over watercourses and wetlands, diversion of streams and ground water, discharge to air, and stormwater management including the on-going stormwater discharge from the road surface.

### Submitter contact details

**Full name:** David Mason and Dianne McCallum

**Organisation name:**

**Contact phone number:** 099450550

**Email address:** karen@bll.nz

**Postal address:**

211 Kaipara Flats Road RD1 Warkworth 0981  
Warkworth  
Auckland 0981

### Submission details

**This submission:** opposes the application in whole or in part

**Specify the aspects of the application you are submitting on:**  
see attached submission

**What are the reasons for your submission?**

see attached submission

**What decisions and amendments would you like the council to make?**

see attached submission

**Are you a trade competitor of the applicant?** I am not a trade competitor of the applicant.

**Do you want to attend a hearing and speak in support of your submission?** Yes

**If other people make a similar submission I will consider making a joint case with them at the hearing:** Yes

**Supporting information:**

Submission- combined - FINAL\_20200625143506.747.pdf

**Submission to the Notice of Requirement of Land to be designated and Resource  
Consent applications  
for Ara Tūhono Puhoi to Wellsford project – Warkworth to Wellsford section**

This submission is from Better Living Landscapes Ltd on behalf of David Mason and Dianne McCallum—the owners and occupiers of 211 Kaipara Flats Road. RT reference Lot 2 DP 495090.

The submission applies equally to the resource consent and designation consent applications.

**Application number**

BUN60354951

LUC60354952, LUS60354955, WAT60354953, WAT60355184, WAT 60356979, DIS60354954,  
LUC60355185, DIS60355186; and the

Notice of Requirement as notified Warkworth to Wellsford

**Contact Details**

**Karen Pegrume**

**Director**

**Better Living Landscapes Ltd**

[karen@bll.nz](mailto:karen@bll.nz)

**021836070**

**David Mason and Dianne McCullum**

**211 Kaipara Flats Road**

**RD1 Warkworth 0981**

**david.b.mason@xtra.co.nz**

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## 1. Introduction

This submission is from David Mason and Dianne McCallum—the owners and occupiers of 211 Kaipara Flats Road. Our property is adjacent to the proposed designation with our northern and eastern boundaries and much of our southern boundary on the proposed designation boundary. Our residence is located approximately 40m from the boundary at the nearest point to the mainline of the proposed road. Apart from residences near the tie-ins, we are probably the nearest residence to the mainline.

The proposal will have a range of adverse effects on us including amongst others changes to our outlook, construction traffic, air pollution, noise and vibration, and ongoing operational noise. These are all more than minor. We are facing very substantial consequences for having done nothing! We are an affected party.

We are surprised and somewhat disappointed that the NZTA has made no effort to liaise with us as directly adjacent neighbours regarding the effects instead only communicating with a handful of high-level letters.

It is our view that the AEE does not adequately identify the project's adverse effects—neither the direct effects on our property and us as residents, nor on the wider environment associated with this project during and post construction. Often, it fails to describe effects in 'real-world' terms, and it fails to adequately assess the impact of any design changes that might occur after the project is consented. It also fails to consider the cumulative effects imposed upon neighbours (such as us) from the wide range of technical areas that it does identify. The AEE also fails to provide adequate mechanisms for resident's voices to be heard during construction.

There is significant concern that the future Designation and Outline Plan of Works will rely on Management Plans that have not had adequate assessment of effects within the application process.

We have also noted inconsistencies and errors in the AEE that impact on our ability to provide a full submission. We reserve the right to provide further submissions once these matters are addressed. (These are annotated as appropriate in the body of this submission.)

Given our property has not been included within the NoR designation area the only recourse we have as Landowners is via this RMA process and do not have the Public Works Act to rely on.

In addition to being an affected party to this proposal, the area we live in is currently impacted by the construction of the Puhoi to Warkworth stage of Ara Tūhono. As such we, and friends, have observed issues and at times interacted with the contractor of that project. Parts of this submission are based on those observations and interactions.

We understand that the development of national infrastructure is necessary and that, at the right time, this project forms part of that development. But we do not accept that the project as described makes an adequate attempt at identifying and either avoiding or mitigating effects that any

reasonable person would consider important to us as directly adjoining neighbours —with a house that is by anyone’s standards close enough to experience a significant change to the existing rural environment that we currently enjoy.

We have concluded that the effects of this Project on us and our property are clearly more than minor, and we do not believe that the construction effects can be mitigated to point where they become minor (or less) whilst construction remains viable given the likely location of the Roads within the Designation as they relate to our property. Despite major reservations, the only way forward that we can see is for our property to be included within the designation. We submit as part of this overall submission that 211 Kaipara Flats Road should be included into the Designation Boundaries as part of the NoR process.

The submission below has been set out to enable straight forward referencing to the documents that have been lodged with the NoR and resource consents.

- A separate set of submission points is also made regarding consent conditions as they relate to the proposed conditions lodged with the application.
- Plans have been attached that are referenced in this report.
- A location Plan of the property can be seen on an attached plan that also includes the notated bush features as they relate to the Ecological Assessment.

**Submission**

Apart from the final section of this submission (that discusses the proposed draft conditions) all references regarding conditions are to the recommendations made in the AEE and Assessments.

Topic	Document Reference	Document Quote	Submission Point
<b>2. Future Project</b>			
			<p>This project is not intended to start construction for maybe 10 years. As such care is required that all conditions imposed now are flexible enough to address changes in the environment—including allowing for changes that nearby residents may ordinarily choose to do had the project not been conceived.</p> <p>Where conditions will adversely impact nearby residents, it should be made very clear both in information packs provided to the potentially affected residents what issues may arise. Situations where this applies would include noise, vibration, dust, changes to outlook etc and include advice that warns of the potential effects of the project’s construction and/or operation adversely impacting legitimate developments such as new buildings.</p> <p>Conditions should not allow a different design with different effects to the consent that is issued.</p> <p>Conditions also need to have a cohesive form and be edited to ensure that conditions—such as Traffic Safety Plans and other Traffic conditions are found in a single block of consent conditions</p>
<b>3. Corridor and Business Case</b>			
Corridor Selection	AEE Section 7		The AEE discusses at a high level the alternative corridors considered including the overall corridor and various refinements mainly in the

	AEE P419	<p><i>Section 171(1)(b) of the RMA requires the consent authority to have particular regard to whether the to alternative sites, routes and methods of undertaking the work...</i></p>	<p>Southern section regarding the Warkworth interchange and the tunnel location.</p> <p>But nowhere does it provide details around the scoring system used both in regard to how to assess a category (i.e. what merits +++, ++, +, 0, -, -- and ---), how to aggregate the various individual scores (e.g. can one add ++ and - to get + as per simple arithmetic), and whether the overall category weightings are equal (e.g. whether a score for “Safety and Personal Security” is weighted lower, the same or higher than the same score for “Value for Money”).</p> <p>Some additional detail is included in the Detail Business Case (not part of the AEE) but insufficient to answer the above matters. As a consequence, we do not understand how the chosen corridor minimises the effects on ecology and social effects amongst other things.</p> <p>Put another way—we do not know how the AEE compares apples with oranges and more importantly through the “detailed design” process whether parts of the other options could come back on the table.</p> <p>We contend that the consent authority cannot establish that the alternatives have been adequately considered as required by S171(1)(b) of the RMA.</p>
Return on Investment			<p>The return on investment calculation in the Detail Business Case is problematic. Two examples are—</p> <ul style="list-style-type: none"> <li>• The only costs it identifies are direct costs to the NZTA. In doing so it omits any reference to indirect costs such as those imposed on neighbours—most notably the reduction in property values. This should be compared with the benefits side which is made up exclusively of indirect benefits accruing to the wider community.</li> <li>• It does not make sense to discount the build cost since it is already expressed in 2018 terms.</li> </ul>

<b>4. RMA Duties</b>	
AEE P335	<p>This Standard is based upon the BPO approach and aligns with the duty to avoid unreasonable noise under section 16 of the RMA.</p> <p>(where “this Standard” refers to NZS 6806.)</p>
AEE P256	<p>There will be a degree of temporary disturbance and alteration to the amenity of the area. These effects should be to an acceptable degree for most people, who will be able to continue with normal activities albeit with some temporary disturbance.</p>
AEE P334	<p>It is considered that with the proposed mitigation in place the road traffic noise associated with the operation of the Project will be reasonable and comply there will be significant change to the acoustic amenity in some areas.</p>

This appears to be the only reference to RMA duties within the AEE and assessments. It is important to highlight the duty to avoid unreasonable noise under s16, then it should also be important to highlight s17—the duty to avoid, remedy, or mitigate adverse effects.

Although the AEE claims in many places to avoid, remedy and/or mitigate adverse effects, the results upon our property and our lifestyle identified throughout this submission show that this duty has not been fulfilled in relation to our property as well as the wider environment. Further, the AEE specifically identifies in many places that there will be adverse effects—generally using wording around amenity. We have included in this submission point two key examples. Both clearly identify a loss of amenity which can only be construed to mean that there remain adverse effects.

Both s16 (Duty to avoid unreasonable noise) and s17 (Duty to avoid, remedy, or mitigate adverse effects) must be adhered to. If they are not the effects will be more than minor on our property and ourselves as residents of our property.

<b>5. Indicative vs Actual Alignment</b>	
Lock in Alignment	<p>The final design of the Project may move anywhere within the proposed designation boundary, and design features may change. The assessment of effects on the environment for this project has been sensitivity tested, where relevant, as follows:</p> <p>...</p> <ul style="list-style-type: none"> <li>• Consideration was given as to how the assessment of effects might change if the alignment (and ancillary components such as soil disposal sites or stormwater treatment devices) were to move horizontally or</li> </ul>
AEE P165	<p>The AEE proposes to build the road using any design anywhere within the designation. This is extremely open-ended—so much so that it is not possible for submitters to gain a full comprehension as to what could happen let alone provide a meaningful submission that covers all potential eventualities.</p> <p>Several technical assessments include sensitivity tests around horizontal alignment changes. Mostly these are too generic to be useful to individual residents. And nothing in the wording of the application requires that potential changes even fall within the range of sensitivity tested scenarios. Worse there is no sensitivity testing of vertical changes—an area that would likely cause significant</p>

The AEE proposes to build the road using any design anywhere within the designation. This is extremely open-ended—so much so that it is not possible for submitters to gain a full comprehension as to what could happen let alone provide a meaningful submission that covers all potential eventualities.

Several technical assessments include sensitivity tests around horizontal alignment changes. Mostly these are too generic to be useful to individual residents. And nothing in the wording of the application requires that potential changes even fall within the range of sensitivity tested scenarios. Worse there is no sensitivity testing of vertical changes—an area that would likely cause significant

		<p><i>vertically within the proposed designation boundary</i></p>	<p>different additional effects for us. We do not support such an open-ended design process.</p> <p>In P2W, changes made by the contractor after consent resulted in a significant loss of wetlands beside SH1. Whilst this was presumably allowed it created a situation that was unlikely to have been foreseen by most submitters. W2W should not be allowed to create similar situations whereby post-consent changes adversely impact the ecology or effects on residents (such as construction/operation noise, construction vibration noise and changes to outlook).</p> <p>The only way that a fair outcome can be delivered for submitters is for the alignment as documented in the application and as modified within the consent process to be locked in.</p> <p>Fixing the alignment and the design must NOT be a condition of the consent but must be <u>part of this consent application</u></p>
<p>Alternative if not locked in</p>			<p>Should locking in the alignment not be possible then there needs to be an alternative approach to ensuring fairness to the environment and affected residents.</p> <p>There needs to be a requirement that any changes to the design do not cause new or increased effects to be generated. And an independent review should be mandated to confirm this.</p> <p>The contracting processes used by NZTA are quite varied but common to them all is an implicit focus on construction price. Lower build prices will always have an advantage in the evaluation process. As such tenderers will always be looking for more efficient (i.e. cheaper and quicker) ways to undertake the project. Their focus is on dollars—not environmental effects. A mechanism is required to ensure that any changes do not to the extent practicable have adverse effects and that those effects are mitigated to the same degree as in the consent process.</p>

			<p>We suggest that any changes be subject to an assessment of environmental effects that describes in similar detail to this application the situations where adverse effects are greater than as consented along with proposed mitigations. This should be considered by a Commissioner. The Commissioner—</p> <ul style="list-style-type: none"> <li>• must consult with residents where any adverse effects exceed, or in the Commissioner’s opinion, have the possibility of exceeding limits within the consent conditions,</li> <li>• may call for independent expert reports to assist deliberations,</li> <li>• may accept, modify or reject any of the changes in whole or in part.</li> </ul>
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**6. Construction Methodology**

Alternative Methods	AEE p419	<p><i>Section 171(1)(b) of the RMA requires the consent authority to have particular regard to whether the requiring authority has given adequate consideration to alternative sites, routes and methods of undertaking the work..</i></p>	<p>The statement from p419 is incorrect in suggesting that s171(1)(b) has been complied with.</p> <p>The application discusses a potential construction methodology but states in multiple places that it is up to the contractor to determine their own design and methodology. This has the potential to cause significant adverse effects that are not anticipated during the consent process.</p> <p>Further, even if the design and alignment are fixed, the contractor’s ability to select their own method could have significant adverse effects whilst still fulfilling the conditions. For example, they could utilise a method that causes (directly or indirectly) an adverse effect that is in some sense qualified (e.g. is “if practicable” or “generally compliant”) whereas an alternative method does not cause the adverse effect.</p> <p>To avoid such additional adverse effects either the location, design and methods are locked-down or qualified conditions are voided.</p> <p>We agree with this. But the concept of staging should go further. In addition to the benefits with erosion and sediment control identified in the AEE, there are significant additional benefits to be gained both</p>
Staging	AEE P95	<p><i>A key erosion and sediment control (ESC) principle will be to minimise the area and length of time that particular areas of ground are open through staging</i></p>	

Nearby Residences	and sequencing of works and progressively stabilising open earthworks areas to reduce the potential for erosion to occur.	<p>in terms of the duration of adverse effects upon residents and the early restoration of the landscape. Conditions should be in place that—</p> <ul style="list-style-type: none"> <li>• Require the project to be staged in a manner that all works (preceding the laying of final pavement) that are within 500m of any residence to be undertaken in the shortest practicable period of time</li> <li>• All landscape and mitigation plantings adjacent to any section completed to pre-pavement level are undertaken in the next planting season</li> </ul>
AEE P264	<p><i>Long term construction staging areas should be separated from PPFs as much as practicable and should not be located in the vicinity of occupied PPFs on Kaipara Flats Road</i></p>	<p>Construction yards create a very significant change to the environment—both visually and in terms of adverse noise effects (at least). Although temporary in nature, for this project that means seven years—sufficiently long to consider them more akin to permanent features. These are discussed in sections 9 and 15 of this submission.</p> <p>Their exact location within the designation is not generally important—they can move some distance within the project's overall footprint and still achieve their purpose. Plus the designation contains vastly more land than is needed by the alignment. There is lots of scope to 'refine' the location of yards.</p> <p>The AEE does indicate that they should be located away from residences (especially in the Kaipara Flats Road area) but there is no specific recommendation that requires this.</p> <p>However, in terms of effects on existing residences all construction compounds (including offices, parking lots, equipment and materials storage, parking and maintenance sites) should be—</p> <ul style="list-style-type: none"> <li>• located at least 400m from all residences</li> <li>• visually screened from all residences</li> <li>• noise screened from residences within 400m</li> </ul>
Construction Compounds	Figure 5-2 AEE P91	Figure 5-2 (and 5-3 and 5-4 for the other project sections) indicates a range of locations where construction compounds could be located.



		<p>Many of these locations appear to be problematic and several create adverse effects—</p> <ul style="list-style-type: none"> <li>• Areas of native bush and wetlands are included</li> <li>• Some parts are too close to residences</li> <li>• Some parts are inaccessible (due to crossing bush or roads including W2W as it progresses)</li> <li>• One part is in the floodplain</li> <li>• Some parts are relatively steep</li> </ul> <p>The first two points have the ability to cause unnecessary adverse effects on significant natural features and receiving environments. As such these must be avoided to the extent practicable.</p> <p>NZTA should provide an updated version of Figure 5-2 (and 5-3 and 5-4) that refines the available areas for construction yards to those that are realistic given the various constraints identified.</p> <p>Locations must avoid areas of bush and wetlands and be at least 400m from residences.</p>
Tunnel as Haul Road	AEE P90	<p><i>Should surplus structural material from the Central section be used to meet the shortfall in the South section, the preferred haul route would be through either one of the bored tunnels. ...</i></p> <p>The Construction Traffic Assessment refers to the possibility of using the tunnel as part of a haul road to import fill from the central to the southern section. According to the AEE and the Construction Traffic Assessment this is required in years 3 ,4 and (maybe) 5. But the likely timetable required to build the tunnels suggests that it is unlikely to be available until late in that timeframe. In particular, the tunnel(s) would need to be fitted out with all necessary health and safety requirements for use by non-tunnelling personnel before being used as a haul road. It is not clear how the tunnel will or could be used.</p> <p>Unless NZTA can confirm that the tunnel(s) can be used the required timeframe, adjustments are required in the Construction Traffic Assessment regarding importation of fill.</p>

<b>7. Ecology Assessment</b>	
Issues	

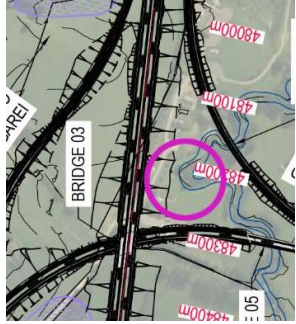
<p>Incorrect Site Assessment WN_T_Mahu_02</p>	<p>P33</p> <p><i>Totara canopy interspersed with kahikatea and rimu. Canopy height is approximately 15 m and the DBH of the canopy trees ranges between approximately 40 – 60 cm. While kauri is noted as a component of ecosystem type WF11 (Singers et al., 2017), no kauri was observed during the site walkover.</i></p>	<p>See the Location Map in Appendix B.</p> <p>This assessment is incorrect at least with regard the western portion of this block which backs on to our property. It contains a mix of kauri, rimu, kahikatea, totora trees maybe 20-25m tall with DBH mostly in the range 40-100cm. Some of the large trees are (all DBH)—two totora over 1.6m, one kahikatea and one puriri ~1.0m, and one kauri and one rimu ~0.9m. Two of the kauri are visible from our house. This is mature bush—not the recovering bush described in the Assessment.</p> <p>The portion that we believe was assessed in the Ecology Assessment is already covenanted and based on our observations and the facts noted above we conclude that the western portion must also meet the covenanting criteria. It should therefore also meet the SEA criteria. As a non-complying activity within the rural zone an assessment of this this should have been expected.</p> <p>Over the last couple of years, we have frequently heard and sometimes sighted kaka in the morning and evening in this block and the tall trees immediately west. We consider that they are using this block as a roost.</p> <p>Whilst it is one pocket of bush amongst many it already meets the criteria for SEA and we are concerned that by not identifying this section as mature bush, the ecological value of the entire block is devalued, and as a consequence, inappropriate decisions have been made around the location of the indicative alignment and the locations of corridor replanting.</p> <p>We believe that the alignment can and should be further east providing a greater area contiguous with the mature portion. Because the indicative alignment crosses the widest portion of this block, this also means that less bush need be removed. The treatment of the batters vs walls should also be addressed to reduce impact on mature bush areas.</p>
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Incorrect Site Assessment WN_T_Mahu_03	P227	<p>Extract from Table—</p> <ul style="list-style-type: none"> <li>• Habitat <i>broadleaved forest</i> “<i>Kauri, podocarp,</i></li> <li>• Notes <i>“Not surveyed”</i></li> <li>• Ecological Values <i>“Moderate”</i></li> </ul>	<p>Also, specific corridor planting should be provided to enable this block to link with other sites. See the Location Map in Appendix B.</p> <p>This assessment is not correct. This loosely describes the road reserve portion of the block, but the remainder of the block which abuts our boundary is mature kahikatea with a very small percentage of rimu and kauri. Until 2019 stock had grazed the understory, but by excluding stock (and maybe a little weed control) this should rapidly recover.</p> <p>This block should be rated as high value due to the rareness of stands of kahikatea. It is either (subject to site survey) MF4 or WF8—both of which are cited as critically endangered within Singer et al 2017. It is both ecologically significant and forms part of an important area of visual amenity to our property.</p> <p>We are concerned that by realigning Kaipara Flats Road, this block will be largely destroyed. We cannot see any reason why Kaipara Flats Road needs realigning in a manner that destroys so much of this bush—if realignment is necessary there is plenty of grassland to the north. See section 20 of this submission.</p> <p>We also have concerns around losing much of the primary part of our outlook. See section 15 of this submission. See the Location Map in Appendix B.</p>
Missing Wetland			<p>There is an unidentified wetland located in the northern portion of the “Jackson” property at 83 Carran Road. This wetland adjoins WN_T_Mahu_02.</p> <p>The wetland has been assessed as significant by Better Living Landscapes—based on the Schedule 3 terrestrial criteria as all indigenous wetland qualify. This wetland is dominated by indigenous vegetation and as the RMA determines that all wetlands are</p>

Significant indigenous vegetation	AEE P425	<i>Development of the Project has had regard to areas of significant indigenous vegetation and significant habitats of indigenous fauna.</i>	<p>significant and Part 2 (6), it follows that this should be given an Ecological Value of “High”.</p> <p>There are a number of wetlands on the corridor route that are likely to have not been identified as well as significant stands of bush that are now being impacted. This may, in part, be due to changes in the proposed designation since the start of the assessment process for ecological impacts.</p> <p>It is also noted that Kauri Snail occupy large areas of the pines as well as the native bush areas through the route within the Dome</p> <p>As discussed in the above points, there are two incorrectly rated blocks and one wetland entirely missing in the area near our residence. It is likely that there are more elsewhere in the project.</p> <p>On this basis, it is incorrect to state that the project has had proper regard for significant indigenous vegetation. As P425 is in reference to statutory obligations under Section 6 of the RMA, further work is required before these obligations can be considered to have been met.</p>
Impact of Incorrect Assessments			<p>As a result of the above incorrect and missing site assessments discussed we are very concerned that the indicative alignments (of the mainline and of Kaipara Flats Road) are inappropriate. We believe that both alignments could readily be moved to lessen the ecology effects without creating significant adverse effects.</p>
Bird Count	Table 39 Page 191		<p>The bird count at WN_T_Mahu_02 (column ARD15) identifies five species of which only three are native. This falls vastly short of what we experience. On a daily basis we see (or hear) amongst others fantails, moreporks, pukeko, harriers, paradise shelducks, tui, kereru, kaka, silver eye, grey warblers, swallows and kingfishers along with a wide range of introduced species.</p> <p>The bird life much more abundant than the bird count suggesting that the local bush and in WN_T_Mahu_02 in particular is of real value to the birdlife.</p>

Dust effects	P61	<i>Disturbance from heavy machinery and vegetation removal associated with construction of the road could result in disturbance to bats from light, noise, vibration and potentially dust.</i>	<p>Apart from one brief comment on p61 regarding a potential impact on long-tail bats at site DVF_T_Koura_02 there is no discussion around the effects of dust on terrestrial flora and fauna. Such an analysis is missing despite the Air Quality Assessment referring to there being such an analysis in the Ecology Assessment.</p>
Mitigation Generally			<p>Mitigation planting is the predominant mechanism to make good the projects adverse ecological effects. We have several concerns with this approach—</p> <ul style="list-style-type: none"> <li>• By setting a 3:1 or 6:1 replanting ratio, instead of making an RMA based decision the contractor simply establishes the costs and benefits of replanting vs the alternative. Typically, this would value a 1ha low-moderate block at around \$150k or \$300k if it were of high ecological value. This is easy and potentially good for the contractor but potentially very bad for the environment.</li> <li>• It does not make any sense to equate mature bush with new plantings. Mature bush contains trees of diverse ages, a wide range of smaller trees and shrubs across all stages of their lifecycles, epiphytes, mosses and ferns as well as decaying leaves and tree trunks—all of which provide a diverse ecosystem for a wide range of native fauna. Compared to this, a planted environment is a distinctly single-faceted environment with most planted species sharing one stage of their lifecycle and only some of the natural colonisers (flora and fauna) present. It would take at least a century to significantly overcome this and many more centuries for the ecosystem to truly mature.</li> <li>• Old bush presents a far more interesting outlook with major differences in both height and texture than a planted block would. This would take decades to overcome.</li> <li>• By the time that a planted block has reached maturity and displays the characteristics above, it's reasonable to assume that transportation technology will have totally changed (and maybe even the need for roads). In this sense by the time that the planting has matured, it's likely that the road's purpose will have long since gone.</li> </ul>

			<p>Whilst it is accepted that some wetland areas and bush may be required to be damaged or destroyed it appears insufficient effort has gone into reducing the loss of wetland and bush habitat as well as stream habitats.</p> <p>When considering bush and wetlands—and mature bush in particular—addressing adverse effects should take the form of avoidance to the greatest extent practicable. Only after that should mitigation be used.</p> <p>There is no additional discussion of this, and no mitigation sought (despite some options being available). See section 19 of this submission.</p>
Lighting	AEE P200	<p><i>The operational phase of the project may result in permanent disturbance to fauna from light and noise from vehicles and ...</i></p>	<p>Neither the AEE nor the Assessment has referenced the Government's Pest Free 2050 program. By not considering that program the result is that different parts of Government are pulling in different directions with regard pest control, and this is compounded by one part of Government funding activities that are being exacerbated by another part of Government (the NZTA with the proposed short-term pest control program).</p>
RMA Other Matters			<p>We believe that as a Government policy Pest Free 2050 should be considered as an "other matter" in accordance with the RMA s17(1)(d).</p>
<b>Changes Sought / Conditions</b>			
Avoid or remedy	AEE p225	<p><i>Mitigation principles</i></p> <ul style="list-style-type: none"> <li>• ...</li> <li>• <i>Mitigation is to respond to adverse environmental effects that cannot be avoided or remedied.</i></li> </ul>	<p>We strongly agree with this principle whereby mitigation is only applicable if the effects cannot be avoided or remedied. But we do not see that it has been followed.</p> <p>The following three points identify situations and solutions where this principle should be followed.</p>
Batters vs Walls - General			<p>The design of the entire project appears to use batters where the road is above or below the natural ground level regardless of the ecological consequences.</p>

		<p>To protect native bush and wetlands, walls should always be used in preference to batters where doing so reduces the ecological cost.</p> <p>We believe that the concept in Urban Design of batters to provide improved flow and connection is secondary to protecting ecology, and should not be a determining criterion. See section 15 of this submission.</p> <p>The P2W alignment has a number of walls that are of an attractive natural construction with a “fake” rock finish. And on rural motorways graffiti hasn’t been demonstrated as a major issue so with good design of walls and protecting existing areas of indigenous vegetation (even areas currently of lesser quality) is a far better outcome.</p> <p>The NZTA should be required to change the design all situations where batters into walls in all situations where batters adversely impact the ecology.</p>
<p>Batter vs Wall - Chainage 48200</p>	<p>Map R-101</p> 	<p>In order to move the indicative alignment further east at WN_T_Mahu_02, there needs to be changes further south (and north). The Indicative Alignment Plan R-101 shows the mainline at having a constraint at chainage 48200m whereby the batter extends almost into the Mahurangi River.</p> <p>If, instead of the batter, a wall was built at that chainage, this would allow the alignment to move as much as 30m east at that point and potentially double that at WN_Mahu_02. This extent may be slightly lessened in order to meet road geometry standards further north.</p> <p>The effect of this is—</p> <ul style="list-style-type: none"> <li>• that a narrower part of WN_T_Mahu_02 is crossed lessening its loss,</li> <li>• a smaller wall (or batter) is required, and</li> <li>• a larger area is provided to support the mature bush to the west.</li> </ul>
<p>Protection for bush and wetlands</p>		<p>Before the P2W project there were numerous wetlands beside SH1 between the tunnels and Schedewey’s Hill. Although generally small,</p>

		<p>in aggregate they were significant. All have been taken for fill disposal or batters. And in the early stages of the project some bush was felled from outside the alignment near the Woodcocks Road / Carran Road corner. This occurred with a total failure to comply with the consent conditions</p> <p>All bush and wetlands not required for the mainline alignment and associated walls (but not batters) should be protected unless there is no alternative.</p> <p>This implies restrictions on the location of project infrastructure (such as offices, yards, and haul roads) and on the location of fill disposal sites.</p> <p>This is consistent with AUP.</p> <p>It is also of concern that existing depleted wetland/flood plain areas are being utilised for fill sites without regard to the potential for these areas on downstream flooding but also for offset areas to restore rather than add to the depletion of wetlands more than is necessary.</p> <p>An independent audit is required before and during/after construction.</p>
Kauri Die-Back	P154	<p>There is kauri die-back in the Mahurangi River area, and there are healthy kauri on WN_T_Mahu_02 and our property.</p> <p>To facilitate proactive management of infestations, the kauri die-back protocols need to include accurate mapping and monitoring of all nearby kauri (to the extent allowed by private landowners).</p> <p>We are concerned about the absence of detail around the recommended pre-construction ecological surveys and assessments for two reasons—the potential for flaws similar to those identified in the initial survey and the extent to which assessment results would be used to inform the final design (especially the alignment).</p>
Pre-Construction Ecological Surveys	P5  P66	<p><i>Mitigation and methods for implementation should be detailed in and guided by Ecological Management Plans that are informed by site specific pre-construction ecological surveys and assessment.</i></p>



		<p><i>Our recommendation is that pre-construction surveys be undertaken to confirm ecological values and any necessary mitigation.</i></p>	<p>The surveys and assessments should be completed and reviewed prior to final design commencing. And there needs to be a mechanism whereby there is an independent review of both the assessment and— importantly—its input to the final design. Assessment after the consent is issued as a consent condition is likely to identify effects that should be assessed up front and not after the fact in order to avoid remedy or mitigate in a manner that fully addresses those effects.</p>
<p>Weed and Pest Control</p>	<p>AEE P225</p> <p>AEE P374</p> <p>Page153</p>	<ul style="list-style-type: none"> <li>• <i>Mitigation is to respond to adverse environmental effects that cannot be avoided or remedied. It is one tool that can be used. Offsetting and compensation can also be used where loss cannot be reasonably mitigated.</i></li> <li>• <i>Weed and pest control at mitigation sites for 5 years from completion of the Project</i></li> </ul> <p><i>The objective of the Pest Animal and Plant Management Plan is to reduce the abundance and harmful effects of pest animals and weeds caused by the Project, during both the construction phase and during the establishment phase of planting at the mitigation sites.</i></p>	<p>It is inappropriate to have a weed and pest control program solely to assist the establishment of plantings—and then walk away. Doing so merely creates an environment in which the pests can thrive once control ceases. And it does nothing to address the long-term threat caused by the road becoming a pest highway.</p> <p>These programs should be in perpetuity and cover existing bush and wetlands and both mitigation and landscape planting. A program equivalent to that used by Auckland Council for covenanted land should be required. In the case of existing bush and wetlands this program should commence from the time that the Requiring Authority first gains access to the site.</p> <p>Further, offsets should be provided covering (stepping stone) blocks of bush, wetlands and rivers beyond the designation with the objective of providing enhanced corridors through both the weed and pest control. Offsets are briefly discussed in the AEE as a tool but are not actually recommended anywhere. An offset programme should look at opportunities along but also outside of the corridor to have maximum effects.</p> <p>A trust fund could be established that is then utilised to manage the areas of offset as well as mitigation planting. This fund should also include pest management otherwise the motorway becomes a pest corridor.</p> <p>There is no recognition of the Government sponsored Pest Free 2050 program. This should be considered as part of this road corridor.</p>

Maintenance Planting	AEE P374	<ul style="list-style-type: none"> <li>Ongoing management and maintenance of mitigation planting for 5 years from the completion of the project</li> </ul>	<p>It is inappropriate to plant and after a few years just walk away. Further, this should cover all planting—including landscape plantings. There is a range of situations that could compromise the plantings including drought, fire, vehicles running off the road and diseases (like myrtle rust and kauri die-back). On the basis proposed there is a high risk that the ecological mitigations proposed will be just transitory and the long-term goals not achieved.</p> <p>Require that all plantings be maintained in perpetuity.</p> <p>The AEE recommends that no piers be built within the Mahurangi River bed but is silent as to whether any work (temporary or permanent) is allowed in the river bed.</p> <p>A condition is required that prohibits any work in the bed of the Mahurangi River.</p>
Mahurangi River bed	AEE P227 Table 9-12	<p>Area: Mahurangi River (Left Branch) floodplains (Area A, EM1 Volume 3 : Drawing Set)</p> <p>Mitigation: Design to incorporate bridges to avoid intrusion into the river and existing riparian margins (SEA) and...</p>	

## 8. Heritage Assessment

			<p>The “Old Coach Road” crosses the proposed designation along the ridge that separates the Mahurangi and Kourawhero catchments. Part of its remains are visible at the south eastern boundary of our property immediately adjacent to the designation boundary. This is not recognised in the Assessment.</p> <p>Although we have never found anything such as discarded artifacts it is possible that such will exist within the designation boundary.</p>
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## 9. Construction Noise and Vibration Assessment

Ambient Noise	P 5-8, Appendix A P38-46		<p>Appendix A appears to be identical to that presented in the Operational Noise Assessment, and the assessment (p5-8) covers a subset of the same information but differently presented.</p> <p>As with the Operational Noise Assessment there are differences between the ambient noise reported for all but two residences in the text and that shown in the Appendix chart. For our residence</p>
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			(211 Kaipara Flats Road) the text shows 24dB and the chart 30dB. We believe that 24dB is more correct.												
Vibration Standard	P12-13		This is discussed primarily in section 14 of this submission. The assessment discusses rule E25.6.30 of the AUP but chooses to follow NZTA's own guide <sup>1</sup> which it identifies as having a more refined process. Unstated is that it also allows substantially higher vibration levels. For occupied buildings—												
			<table border="1"> <thead> <tr> <th></th> <th>Day mm/s</th> <th>Night mm/s</th> </tr> </thead> <tbody> <tr> <td>AUP</td> <td>2</td> <td>0.3</td> </tr> <tr> <td>NZTA Guide</td> <td>Category A</td> <td>0.3</td> </tr> <tr> <td></td> <td>Category B</td> <td>1</td> </tr> </tbody> </table>		Day mm/s	Night mm/s	AUP	2	0.3	NZTA Guide	Category A	0.3		Category B	1
	Day mm/s	Night mm/s													
AUP	2	0.3													
NZTA Guide	Category A	0.3													
	Category B	1													
Equipment Noise	Table 7 – P18	Table showing typical noise levels at 10m for various equipment	The AUP rules require advising residents of works and they also allow increased vibration but only for short duration activities. This table is fine as far as it goes. But it does not recognise the impact of reversing alarms (potentially large at maybe 97dB albeit with dynamic levels and directional). As they are proposed to be used, their effects must be identified.												
Road Noise			Whilst it may be built in to the levels in Table 7 for machinery working at a specific location, there appears to be no assessment of road noise (on both public and private haul roads). With the potential for significant use of haul roads, these effects must be identified.												
Sundry Noise			There appears to be no assessment of noise from sundry sources typically found around equipment parks and maintenance yards, car parks and offices. And there is no assessment of backing alarms.												
Predicted Noise levels	P18	<i>On this basis we estimate that the range of construction activities associated with this Project should comply with noise criteria within the following distances, without specific mitigation:</i>	On this basis any work within 64m of our boundary (which is 36m from our house) would likely be non-compliant. Likewise the evening criterion at 164m from our boundary would also be non-compliant. But there is no prediction nor assessment of—												

<sup>1</sup> NZTA – State Highway Construction and Maintenance Noise Vibration Guide. (Quotes here from version 1.1 dated August 2019)

		<ul style="list-style-type: none"> <li>• Weekday/Saturday daytime criterion (70 dB LAeq) 100 metres</li> <li>• Weekday evening criterion (65 dB LAeq) 200 metres</li> </ul>	<ul style="list-style-type: none"> <li>• either the likelihood or frequency of such work</li> <li>• the degree with which criteria will be exceeded</li> <li>• the real-world impact of those exceedances</li> </ul> <p>These assessments are required.</p> <p>This raises several issues—</p> <ul style="list-style-type: none"> <li>• The noise effects will be more than minor—but there is no indication as to how much more. We believe that the effects will be very much more than minor.</li> <li>• Clearly amenity will be compromised even at compliant levels (p37). The Assessment appears to accept that adversely affecting our amenity is acceptable and this is considered reasonable. We do not. Based on the application there will be considerable times that living in our house and enjoying our property even based on complying noise and vibration will be untenable.</li> <li>• Compliance will <u>not</u> be achieved. It is described as being “generally” achieved and “broadly consistent” with the AUP. It will fail the AUP standards.</li> <li>• But the Assessment does not point out the degree to which compliance is not achieved. There is no discussion about this level of effects.</li> <li>• There are differences between the quotes about the level of effects on residents. One suggests that only “minor adjustments” are required whereas the second clearly identifies that there will be issues for outdoor activities.</li> </ul> <p>And what these quotes do not identify is that at:</p> <ul style="list-style-type: none"> <li>• “65 to 70 dB LAeq People would not want to spend any length of time outside, except when unavoidable through workplace requirements.”</li> <li>• “70 to 75dB LAeq Outdoor activities would experience considerable disruption”.</li> </ul> <p>These are quoted from an assessment done by Styles Group for Auckland Council into noise levels for the consenting of the</p>
Noise effects	<p>AEE P 264</p> <p>AEE P265</p> <p>P31</p> <p>P31</p>	<p>... On this basis people should be able to continue their normal activities with temporary alterations to their amenity. This temporary disturbance is considered acceptable and minor.</p> <p>Based on the findings of the Construction Noise and Vibration Assessment, and with adherence to relevant construction noise and vibration criteria (where practicable) and the implementation of the CVNMP, it is considered that noise effects from construction of the Project will be more than minor and vibration effects from the project will be minor.</p> <p>...Noise and vibration will often be significantly above existing ambient levels and will cause some disturbance and alteration of the rural amenity during relevant construction periods. However, on the basis of this assessment noise and vibration levels can be managed to generally maintain compliance with relevant criteria. As such, the effects should be acceptable for most people who should be able to continue normal activities with minor adjustments.</p> <p>From this figure it is clear that even compliance with the daytime construction noise criterion (70 dB LAeq) may still result in noise levels above those desirable for noise sensitive activities such as conversations, relaxation or concentration, particularly for people outside. However, most normal domestic activities could continue inside, and most people would be able to adapt their routines to accommodate a degree of</p>	

	P37	<p><i>disruption from the construction activities, if levels remain in compliance with the noise limits most of the time.</i></p> <p><i>To assess construction noise and vibration effects of the Project, criteria have been proposed that are the same as previously used for numerous other current and recent state highway construction projects, and are broadly consistent with rules in the AUP(OP).</i></p> <p><i>Construction activity in compliance with the noise and vibration criteria will cause a degree of disturbance and alter the amenity in the area during relevant construction periods. However, these effects should be to an acceptable degree for most people, who will be able to continue with normal activities subject to some adjustments.</i></p>	<p>Matakana Link Road<sup>2</sup>. The noise levels at our house are in both these ranges.</p> <p>We moved to a rural environment many years ago to facilitate an outdoor lifestyle and (apart from diversions such as submitting on motorway proposals) we spend a lot of time outside. Is the intention of this Assessment that we move our inherently outdoor activities indoors, close our windows and doors and live under air-conditioning? This would represent a fundamental change to our lifestyle! It appears that the writers of this assessment have not considered the rural context of our living environment—both with respect to construction and post construction.</p> <p>Mitigation is required to enable us to continue our lifestyle more-or-less as it is now.</p>
Vibration effects	AEE P265	<p><i>Based on the findings of the Construction Noise and Vibration Assessment, and with adherence to relevant construction noise and vibration criteria (where practicable) and the implementation of the CVNMP, it is considered that noise effects from construction of the Project will be more than minor and vibration effects from the project will be minor.</i></p> <p><i>...Noise and vibration will often be significantly above existing ambient levels and will cause some disturbance and alteration of the rural amenity during relevant construction periods. However, on the basis of this assessment noise and vibration levels can be managed to generally maintain compliance with relevant criteria. As such, the effects should be acceptable for most people who should be able to continue normal activities with minor adjustments.</i></p>	<p>The Assessment says in Table 10 that at Category A (1mm/s)—</p> <ul style="list-style-type: none"> <li><i>It is likely that vibration of this level in residential environments will cause complaint.</i></li> </ul> <p>And at category B (5mm/s)—</p> <ul style="list-style-type: none"> <li><i>that people generally should not be unduly disturbed if forewarned of the activity, and</i></li> <li><i>for vibration up to the Category B criteria although vibration may be clearly perceptible, people generally should not be unduly disturbed if forewarned of the activity.</i></li> </ul> <p>To be clear, we are in a residential environment albeit of only one residence. If Category A is likely to cause complaint, then the two descriptions offered around Category B substantially understate the adverse effects.</p>
P37			

<sup>2</sup> Styles Group Matakana Link Road memo is attached as Appendix C.

	<p>P31-32</p> <p>Table 10 P32</p>	<p><i>Even if these are exceeded at times, for vibration up to the Category B criteria although vibration may be clearly perceptible, people generally should not be unduly disturbed if forewarned of the activity.</i></p> <p>Vibration level 1 mm/s</p> <p>Effect <i>It is likely that vibration of this level in residential environments will cause complaint, but can be tolerated if prior warning and explanation has been given to residents</i></p>	<p>Another description that I have read describes the effect at 5mm/s as "vibrations annoying to people in buildings". This seems more likely—we will be annoyed.</p> <p>The assessment indicates on P31 that the project will <i>generally maintain compliance</i> or put another way—Category B <u>will</u> be exceeded. There is no discussion around the amount of exceedance, the frequency of exceedance nor around a description of its effects.</p> <p>But the AEE also says that the vibration effects will only be minor! This is at odds with the information in the Assessment.</p> <p>Based on the Assessment we cannot assess whether a cup of tea would vibrate across the table towards the floor. Regardless, it is clear that limits will be exceeded and that living with these vibration levels is unlikely to be a pleasant experience.</p>
<p>Vibration Damage</p>	<p>P 32</p> <p>P31</p>	<p><i>The Category A vibration criteria are set at a level that should maintain a good level of ... and should avoid any building damage</i></p> <p><i>However, on the basis of this assessment noise and vibration levels can be managed to generally maintain compliance with relevant criteria</i></p>	<p>The comment that Category A criteria should avoid any building damage is probably correct, but there is no discussion around damage at the proposed Category B 5mm/s level and the likelihood of exceedances thereof.</p> <p>5mm/s is recognised (including by the NZTA guide<sup>3</sup>) as the threshold for cosmetic damage. And because the assessment says that the standard will "generally" be met there is clearly the potential for damage.</p> <p>Further assessment is required regarding the likelihood of building damage and the point at which to require contractor funded building surveys for our property.</p>
<p>Noise and Vibration Uncertainty</p>			<p>There is no specific discussion around uncertainty of either noise or vibration. Rather there is a general discussion around managing the nature of work and the number of vehicles working near residences.</p>

<sup>3</sup> NZTA - State Highway Construction and Maintenance Noise Vibration Guide. Version 1.1 dated August 2019

			<p>Reading the Assessment leads to the clear view that there is a very large margin of error in the predictions with appropriate work patterns being established by trial-and-error. Uncertainty can arise from a wide range of sources including—location of work, specific equipment and its standard of maintenance, ground composition / land contours, use of backing alarms etc.</p> <p>An analysis is required of this uncertainty and the probable outcomes of suggested mitigations to assist in understanding the degree to which managing the nature work can be successful. For example, much weight is placed on reducing the amount of equipment at a sensitive location but nothing is said about how little equipment would be needed before compliance is achieved (and whether doing such is sensible from the contractor’s perspective).</p> <p>We are concerned that to achieve compliance would require the contractor to make changes that may not be practicable (or economic) for the contractor, and that this could trigger “if practicable” or “best practicable option” clauses leaving the project non-complying with criteria and having serious effects on us and our property.</p>
Reasonable Noise	AEE P335  P32	<p><i>This Standard is based upon the BPO approach and aligns with the duty to avoid unreasonable noise under section 16 of the RMA.</i></p> <p><i>(where “this Standard” refers to NZS 6806 that addresses operational noise.)</i></p> <p><i>Due to the low existing noise levels of the wider Project area, even though compliance with limits will generally be achieved, at times during the construction period the noise levels experienced at PPFs would be considerably higher than the existing ambient levels and there will be a change in amenity during relevant construction periods. To some extent this effect is unavoidable, but it is kept within reasonable extents by</i></p>	<p>There is no way that 70dB can be considered reasonable for our living environment especially in light of the Styles Group quotes above.</p> <p>Based upon the AEE quote, “reasonable” in the Operational Noise Assessment appears to be set based upon the NZS 6806 criteria. For our residence this is 57dB. How can “reasonable” have a different definition here?</p> <p>It could be argued that very short duration activities (under a week) could support a different definition but this project is going to last for years.</p>

		<i>the criteria that result in the most intense activity occurring in core weekday, daytime hours.</i>	
<b>Changes Sought / Conditions</b>			
Liaison and Communication		<i>Public liaison and communication is a critical management measure, even when noise and vibration is fully compliant with limits.</i>	<p>I agree but note that communication is not of itself a form of mitigation – the adverse effects still exist.</p> <p>And for it to be useful the conditions are required that any associated measures (such as “please go out tomorrow”) have to work within the context of the residents’ lifestyles and require our agreement. Such a proposal is not reasonable for us and consideration must be provided that includes us to be relocated from our property for a duration of the project to enable us to maintain our mental well-being.</p> <p>Although alluded to under Liaison and Communications there is no complaints process. (See section 23 in this submission.)</p> <p>A condition is required to minimise road noise especially on haul roads. This should specify that the roads are maintained in good condition (including being smooth and free of potholes) and specify a maximum speed of 15kph. (This also helps reduce dust problems)</p> <p>There several references where the potential for noise (and dust) from the rock crusher is identified and several references to the appropriate geology only occurring north of bridge (in the southern section) but no requirement that the rock crusher be located near the source. Doing this would avoid all identified noise and dust adverse effects from the rock crusher.</p> <p>Require that the rock crusher be located north of Bridge 22 when in the southern section.</p> <p>We agree that where required these should be used in preference to tonal alarms. But this does not mitigate the predicted noise in-as-much as that prediction does not include backing alarms. Additional mitigation is required to cover backing alarms.</p> <p>Should there be advances in technology that provide essentially silent alarms then these must be used instead. (e.g. It may be that a</p>
Complaints			
Road Noise			
Rock Crusher Noise			
Backing Alarms		<i>Broadband reversing alarms should be used on all vehicles and equipment;</i>	



			system using RF beacons and personalised headset receivers for all people on site becomes practical)
Noise Limits			Require that the NZS 6803 limits be followed (and not just treated as guidelines)
Vibration limits			Require the AUP vibration limits be followed rather than those in the NZTA Guide.
Blasting Advice			Require a 3 day warning. Any blasting requiring temporary evacuation to be with agreement of the occupier.
Blasting Limits	Table 5 p15		Require the limits in Category A of Table 5 be followed.
Modelling			Require that the contractor keeps a model that predicts the likely noise and vibration levels at all residences where levels have the potential of being within 50% of the maximum criteria. Note: Site experience may require additional residences to be added to the model during the project.
Building Surveys			Require that the contractor funds a building survey for any residence (occupied or otherwise) that modelling predicts (or complaints result in further work that predicts) levels will be at least 50% of the maximum vibration criteria at our residence at the very least.  The building survey must be exclusively evidence based with all pre-existing issues documented.  The building survey can only proceed if the owner (and occupier if different) is agreeable. It is to be funded by the contractor and a copy provided to the owner/occupier and the owner/occupier must agree before formal acceptance.
Night Time Noise	P21		As the assessment is quite clear on p21 that it will be difficult to maintain night time criteria, there should be a condition that prohibits night work except where no practicable alternative exists.  (In practise this is intended to limit night work to the tie-ins where daytime work would be too disruptive for existing SH1 traffic.)
	P31		
			<i>Other than quieter ancillary construction activities and construction in remote areas such as tunnelling in the Central Section, compliance with the night-time noise criteria generally cannot practicably be achieved.</i>  <i>To comply with noise and vibration criteria construction activity will need to be significantly limited at night such that sleep disturbance effects should be avoided.</i>

Monitoring	AEE P260	<p><i>... If levels exceed those of Category B, management of vibration effects may still be possible, but will require vibration monitoring of levels and effects.</i></p> <p><i>Noise and vibration levels should be monitored when specific equipment is first used to confirm compliance with criteria, and to refine predictions of future construction noise and vibration levels. Additional monitoring should be made at PPFs when significant works such as bridge piling are occurring in the vicinity;</i></p>	<p>The AEE proposes monitoring only once Category B is exceeded. But how can this be determined unless monitoring is already in place—the Category B criterion is a specific vibration rate that can only be measured by specialised equipment. And not having monitoring already in place puts residents in a very difficult position with the only solution seeming to be to pay for monitoring ourselves. This is totally inappropriate.</p> <p>Noise and vibration monitoring is to be undertaken whenever heavy machinery is working within 400m of residences.</p> <p>This monitoring should at a minimum be continuous, retain a long-term log of measurements, provide remote data access, and automated alerts (eg email or text) when defined thresholds are reached. It should be undertaken at a sufficient number of residences with exact locations as described by the standards (vibration – foundation of residence, noise 1m from residence façade) to obtain a good understanding of the noise/vibration levels of all potential receivers.</p>
Exceedances of Criteria	P33	<p><i>At times during construction of the Project, construction activities will occur in close proximity to PPFs and in some instances there is the potential for noise and/or vibration levels to temporarily exceed the criteria, after the best practicable option for mitigation has been implemented. For most large – scale construction projects, minor temporary exceedances of the noise and vibration criteria are common, and practices are in place to address adverse effects of those exceedances. These practices vary on a case – by – case basis but may include consultation with affected parties, provision of respite and potentially temporary relocation. With this management, adverse</i></p>	<p>We also note that whilst the vibration may meet the standard it will quite possibly be untenable for us to be able to maintain a sense of normality especially if the vibration continues for sustained periods.</p> <p>A condition is required that any exceedances are subject to the prior agreement of any affected occupiers. And this agreement will include mitigations (which may require relocation of us from our residence).</p> <p>Another condition is required whereby all accidental and unplanned exceedances are brought to the occupier’s attention as soon as is practicable and no further exceedances occur until agreement is reached with the occupier. Repeat unplanned exceedances will require work to stop until the issues and mitigations are assessed by an independent engineer and the occupier is advised of the outcome.</p>

Temporary Relocation	P35	<p><i>noise effects arising from exceedances of the criteria should remain acceptable for most people.</i></p> <p><i>Temporary relocation should be offered to residents where other practicable mitigation measures have been implemented and levels of noise or vibration are still predicted to exceed the criteria for a period of time. Such a measure should be considered generally as a last resort.</i></p>	<p>Any relocation must have the agreement of the occupier (and if different the owner).</p> <p>For very short-term relocations, this is potentially OK as a reactive measure. But any longer term relocation would require time to organise.</p> <p>Either this mitigation is changed to require relocation always be in place before exceedances, or full compliance must be achieved for the period reasonably required whilst the residents are relocated to a situation acceptable to them.</p> <p>And the contractor is to provide assistance to enable relocation and pay all the resident's reasonable costs.</p>
Blasting	P35	<p><i>Initial blasting should use small charges to confirm site parameters, and then charge sizes should be limited so that criteria are achieved as far as practicable;</i></p>	<p>Initial blasting must to the extent practicable be very distant from residences.</p> <p>All blasting (initial and ongoing) within 400m of residences must have vibration monitoring in place. As with "regular" vibration monitoring, this must be at locations determined by the standards and measurements permanently logged. It need not have automated alarms (as it is expected that the data must be inspected after each blast).</p>
Best Practicable Option	AEE P264	<p><i>The BPO will be applied to the management and mitigation of construction noise and vibration.</i></p>	<p>The RMA s2 defines Best Practicable Option as applying "in relation to a discharge of a contaminant or an emission of noise" but the AEE also includes vibration.</p> <p>The BPO approach is not identified in the RMA as being available to deal with vibration and so should not be used. The effects of vibration need to be properly mitigated.</p> <p>Note: This issue also exists in a range of other areas. See section 21 of this submission.</p>
Management Plan			

10. Air Quality Assessment	
Issues	
Specific Mitigation	
Figure 2 P27	
P38	<i>The HSRs identified as being nearby (i.e. within 50 m) and downwind of potential dust producing activities are residential properties 74 Wyllie Road and, 130,131 and 211 Kaipara Flats Road.</i>
P39	<p><i>Those HSRs we have identified as being potentially adversely affected by dust from construction are: ...</i></p> <ul style="list-style-type: none"> <li><i>74 Wyllie Road, 130,131 and 211 Kaipara Flats Road, 145 Kraack Rd, Dome Forest, and one property within the designation boundary (161 Kraack Rd, Dome Forest (Central and Southern Section) (Figure 9 and Figure 10 in Appendix D) — due to their proximity to any construction activity occurring within the proposed designation boundary;</i></li> </ul>
P50	<i>We recommend a set of general mitigation measures for construction air quality effects across the Project Area, and some specific HSR locations which will require mitigation from dust generating activities that occur within the proposed designation boundary. These specific locations are 74 Wyllie Rd, Streamlands, 211 Kaipara Flats Rd, 130 Kaipara Flats Rd, 161 Kraack Rd, Dome Forest, 145 Kraack Rd, Dome Forest, 177 Rustybrook Rd, Wellsford, 47 Borrowers Rd, Wellsford, 35 Vipond Road, Wellsford, 704 SH—1, Wellsford, 542 SH—1, Topuni, 490 SH—1, Wellsford, 131 Kaipara Flats Rd, 139 Vipond Road, 129 Vipond Road, 17 Maeneene Rd, Wellsford and 33 Maeneene Rd, Wellsford</i>
P52	

The Assessment recommends that “specific mitigation” apply to only a few of the properties identified on Page 52 within 200m of the designation. The reason for this is not stated but it appears to be exclusive to those east of the mainline. Therefore, it would appear that this follows the wind analysis showing that over a year the prevailing wind is westerly (which we agree with). Of concern is our property has not been identified.

But analysing the same NIWA Cliflo data in more detail shows that during February and March the prevailing wind is strongly easterly (actually ESE) and over the wider summer-autumn period the prevailing wind is split largely 50:50 between the eastern and western quarters. This is the peak construction season meaning that properties on both sides of the alignment would be impacted more-or-less equally.

Specific mitigation should be required for all residences identified in the Assessment as Potentially adversely affected by dust—not just those identified on page 52.

		<p><i>Specific mitigation measures are likely to be required at HSRs locations and we make the following recommendations based on the assessment of construction effects:</i></p> <ul style="list-style-type: none"> <li>• <i>Adopt a range of measures from those listed and adaptively manage as necessary to minimise dust particularly where activities are scheduled to occur within 50 m of HSR and in particular the following properties:</i> <ul style="list-style-type: none"> <li>○ <i>129 and 139 Vipond Road;</i></li> <li>○ <i>127, 145 and 161 Kraack Road;</i></li> <li>○ <i>130 and 131 Kaipara Flats Road;</i></li> </ul> </li> </ul>	
Rainfall	P37	<p><i>The Warkworth area has a relatively high rainfall compared to other parts of Auckland therefore ground could be expected to be damp and dust less likely to be elevated in ambient air.</i></p>	<p>Whilst the statement in the Assessment is true overall, the Warkworth area can have very long summer dry spells—including the drought in early 2020. The impact of this has been underestimated. Dust has been an ongoing issue in the Carran/Woodcocks work area of the existing alignment construction.</p> <p>The Assessment provides for visual monitoring of dust and taking weather observations to determine the likelihood of dust being lifted. In addition, it proposes monitoring complaints—which suggests that instead of being proactive in avoiding dust problems it is proposed to assess on-the-fly how much it can get away with. This approach is reactive and unacceptable.</p> <p>A program should be in place to proactively monitor not just environmental conditions but also the actual air borne dust to facilitate mitigation treatments before any problems arise beyond the boundary.</p>
Monitoring	P53	<p><i>Dust monitoring is recommended to assist in the management of dust risk and air quality effects from construction. Three methods of monitoring are recommended:</i></p> <ul style="list-style-type: none"> <li>• <i>Visual inspection and record keeping on a daily basis;</i></li> <li>• <i>Weather observations; and</i></li> <li>• <i>Dust complaint investigation and reporting.</i></li> </ul> <p><i>Monitoring of wind speed, wind direction, air temperature and rainfall is recommended to assist with decision making for applying the appropriate level of controls and to assist with complaint investigation</i></p>	<p>The management plan approach is problematic for residents in a number of regards. See section 21 of this submission.</p>
Management Plan	P53	<p><i>Based on experience with dust management and the MfE Dust Guide (2016), we recommend that a Construction Air Quality Management Plan (CAQMP) be developed for the Project once the construction</i></p>	

Air borne dust	P25	<p><i>activities and associated areas are at a more detailed design stage.</i></p> <p><i>For construction effects, winds above 5 m/s will start to give rise to air-borne dust from exposed surfaces, particularly after extended periods without rainfall, as noted in the MFE Dust Guide (2016). High wind speeds above 10 m/s have the most potential for excessive dust generation if winds are blowing towards the direction of HSRs.</i></p>	<p>The Assessment discusses wind and its role in giving rise to airborne dust. But it doesn't provide any information on how fast construction dust settles and therefore distances at which dust may travel. And it does not discuss dust raised in low wind situations which can drift suspended in the air for quite long distances.</p> <p>The P2W project does have dust problems in its northern sector. During dry periods we have seen air borne dust (both blowing in the wind and hanging suspended) and we are aware of ongoing complaints to NX2 from a property owner west of and at a similar distance to the P2W mainline as we would be to the W2W mainline. (See also section 23 in this submission on complaints.) Whatever measures that NX2 has in place are unsatisfactory.</p>
Health	<p>P6-7</p> <p>p36</p> <p>P36</p>	<p><i>The potential effects of air quality during the Project construction will be health effects from exposure to inhalable particulate matter, and dust which has the potential to affect amenity and be considered offensive or objectionable to the extent that there is an adverse effect (for example excessive dust deposits on houses, cars or washing).</i></p> <p><i>Roof water collection systems may be affected by excessive dust causing increased suspended solids in the water supply. Increased suspended solids (turbidity) are more of an aesthetic than a health concern.</i></p>	<p>The assessment identifies some potential health effects but provides no information on the magnitude, medically accepted safe thresholds or the likelihood of those effects on us nor does it consider existing health conditions likely to be exacerbated by dust and other particulates (diesel and machinery fumes) on us.</p> <p>Regarding construction dust, it refers to but doesn't elaborate upon potential health effects from suspended dust in roof sourced water. Clarity is required. We question the lack of commentary regarding the effects of air-borne dust on those with respiratory conditions.</p> <p>Regarding particulate matter (both construction and operation) we are concerned about the potential for health effects. This includes exhaust emissions from construction vehicles operating under heavy engine loads.</p> <p>Fine dust is a known cause of respiratory problems. Of particular concern to us is any potential for particulate matter and/or dust to impact people with existing respiratory conditions.</p>

				Further information is sought on the above matters to enable us to complete our submission into air quality.
Nuisance	P36	... and dust which has the potential to affect amenity and be considered offensive or objectionable to the extent that there is an adverse effect (for example excessive dust deposits on houses, cars or washing).		Although there is reference to adverse effects of dust deposits, there is no discussion around the likelihood of dust reaching our house. And other effects such as our ability to keep windows open and to sit outside without becoming covered in a fine layer of dust are not mentioned.
Water Supply	P36	<i>Given the rural nature of the Project Area, dwellings may rely on roof water collection for their water supply. Roof water collection systems may be affected by excessive dust causing increased suspended solids in the water supply. Increased suspended solids (turbidity) are more of an aesthetic than a health concern.</i>		There is no discussion around what the actual effects on collection systems might be. We would expect these to include sediment build-up at the base of the water tanks and/or clogging of filters.
Flora and Fauna	P9	<i>The potential sensitivity of ecological receptors to dust has been identified by the ecologists and assessed in the Ecological Assessment Report.</i>		This Assessment briefly identifies on page 36 some effects of dust deposition on flora and fauna and states that dust effects are discussed in the Ecology report. But I cannot find any reference in that report beyond the effect of dust in streams. One or other Assessment needs to provide this.
	p14	<i>The potential sensitivity of ecological receptors to dust has been identified by the ecologists and assessed in the Ecological Assessment Report.</i>		
	p36	<i>Vegetation (flora) near a dust source may also be affected from dust deposition including reduced photosynthetic potential (reduced growth and crop yield), reduced effectiveness of pesticides and increased potential for diseases and pests. As the effects of dust are generally related to deposited dust, the effects are generally restricted close to the dust source. In turn, fauna living in any impacted vegetation would also be affected. Some fauna is understood to be more susceptible to dust or other air quality changes. The effect of dust deposition on ecological receptors has been assessed in the Ecology Assessment Report.</i>		We note that at the Carran Road construction site of the P2W construction area that dust has layered itself onto the Mahurangi River vegetation as well as battered slopes all of which is ending up in the river and is choking the trees that are plastered in the dust.
<b>Changes and Conditions</b>				
General Mitigation	P51			All general mitigation measures to be required

Dust Minimisation			Additional conditions are needed around dust suppression activities that that identify specific trigger levels(s) at which construction work must be halted until dust suppression is undertaken. (See below.)
Monitoring	P53		Additional conditions are required that when work is being undertaken in the vicinity of residences that automated monitoring is undertaken of the weather conditions, surface moisture levels and the actual air borne dust (using short duration measures). The monitoring equipment should at a minimum retain a continuous log of results, and provide electronic alerts (eg text or email) as soon as any trigger level is reached. The monitoring equipment must be appropriately located according to weather conditions. Require a comprehensive set of quantitative trigger levels in support of the monitoring. This is to include monitoring of short duration airborne dust and ground moisture.
Trigger Levels			The recommendations relating to cleaning services for residences need changing. We would be unhappy with a high-pressure house cleaning (i.e. water blasting) service as offered by NX2 but would accept a low-pressure approach in line with what we do now—soft wash with slightly soapy (kitchen detergent) water followed by hosing. House cleaning during pre-drought and drought periods would need to use externally sourced water.
Household Cleaning	P52		Add a condition that addresses any issues with contaminated drinking water. There are multiple potential solutions but the appropriate solution would need to be determined on a case-by-case basis. For example, the provision of trucked-in water is OK provided a solution is also in place to divert the contaminated roof water away from the tank(s). Alternatively (and our preference) is to replace our filter more regularly and have our tanks cleaned at the completion of the project.
Drinking Water			The condition must provide for agreement with individual owners as to the best solution.
Rock Crusher	AEE P274		It is clear that the rock crusher has the potential to emit quantities of dust and both the Assessment and the AEE propose a separation of 100m but offers no reasoning or evidence in support of this distance.



		<p><i>separation distance of a minimum of 100 m from HSRs is recommended.</i></p> <p><i>Southern Section — anywhere in cut areas between the southern portal of the tunnel and Bridge 22 as Pakiri Formation rock will be encountered in these cuts.</i></p> <p><i>In addition to this standard mitigation, a minimum separation distance to HSRs of 100 m is recommended.</i></p>	<p>In addition there are known adverse health effects of dust and as a consequence current international practise is to require quarries with rock crushing equipment to be at least 500 m from any residences. The rock crusher proposed for this Project has exactly the same risks.</p> <p>Based on the information provided on page 36, there is no need for the rock crusher to be as close as 100m to any residences in the southern section. Have a condition that locates it as in the section described on page 36. Alternatively requiring it at least 500m away from residences in the southern section achieves a similar result.</p>
Wheel Wash Facilities	AEE P273	<p><i>Provision of vehicle wheel wash facilities for construction vehicles accessing the site off sealed roads should be provided (when departing the construction area), particularly when construction traffic is using...</i></p>	<p>We agree with this but it needs to be extended in two regards—</p> <ul style="list-style-type: none"> <li>• It must apply to <u>all</u> site egress points</li> <li>• It must also cover road crossings (such as used by P2W on Woodcocks Road that facilitates off-road traffic movements from one side of the road to the other.)</li> </ul> <p>See also section 18 of this submission.</p>

**1.1. Construction Traffic Assessment**

<b>Issues</b>		
NX2 use of local roads		<p>In the early stages of the P2W project Kaipara Flats Road and Carran Roads were used heavily (both directions) by large NX2 truck and trailer units. This created a number of problems—</p> <ul style="list-style-type: none"> <li>• Carran Road is too narrow to allow any vehicle to readily pass an oncoming a truck and trailer</li> <li>• These trailers (but not the towing trucks) would sometimes cross the centreline mainly on the S bends in the northern section of Carran Road (which provide very limited forward visibility) and near the 90° bend outside 1.1.1 Kaipara Flats Road.</li> <li>• Delays at the one-way bridge</li> <li>• These vehicles totally incapable of staying in lane at the Carran Road and Kaipara Flats Road intersection</li> </ul>

			<p>We were almost pushed off the road due to a trailer crossing into our lane on the Carran Road S-bends.</p> <p>After complaining and not gaining a satisfactory conclusion, we and friends commissioned a traffic report (by David Mitchell of HGT2 included in Appendix D) that backed up our concerns. With this in hand we were able to meet with the relevant NX2 staff and make our case. To their credit their heavy traffic has since been substantially moderated and now only travels counter-clockwise</p> <p>The CTMP and SSTMP required for P2W were insufficient to avoid the above. A more robust process is required.</p> <p>The proposed construction traffic will be substantially higher than the levels when we complained to NX2 and with no proposal (either in this project or separately) to upgrade any of the problem locations it is clear that there need to be substantial restrictions on use of Carran Road and Kaipara Flats Road.</p>
<p>Traffic Management</p>	<p>Section 2 p5-7 Section 3.2 p10 Section 4 p12-20</p>		<p>The temporary traffic management used for the P2W project at the corner of SH1 and Kaipara Flats Road / Goatley Road has created a situation that in our view is both dangerous and contrary to specific provisions of the CoPTM.</p> <p>It has created a situation where small (i.e. low) vehicles turning right onto SH1 from Kaipara Flats Road have no visibility of SH1 northwards and hence makes it very hard to judge whether there is a safe gap in which to cross into. Further, traffic on SH1 turning right into either Kaipara Flats Road (from the south) or Goatley Road (from the north) causes following traffic to (illegally) undertake them whilst waiting. This potentially creates further problems for traffic waiting to turn onto SH1.</p> <p>We have complained to NX2 but ultimately reached an impasse.</p> <p>See also section 23 of this submission.</p>

Work near roads			<p>The SH1/Kaipara Flats Road intersection at times has heavy vehicles operating immediately behind the TTM barriers. This is clearly safe for the workers but due to the location of the barriers relative to the Stop sign “holding line” for traffic exiting Kaipara Flats Road creates sightline difficulties for those drivers. This is unsafe.</p> <p>We have complained to NX2 and at the time of writing this submission await a response.</p> <p>This option is untenable due to the volumes of traffic being diverted on Carran Road and the already predicted congestion in the area.</p> <p>All problems identified above (under NX2 use of local roads) would be dramatically magnified.</p>
Traffic Management - realign Carran Rd	P17	<p><i>An alternative option is to close Woodcocks Road within the extents of construction to allow uninhibited haulage across Woodcocks Road (no temporary signals or stop/go operation required). Traffic would require bypassing around the closed portion of Woodcocks Rd using the existing local road network, likely via the realigned Carran Road and Kaipara Flats Road.</i></p>	
Traffic Management – realign Kaipara Flats Road	P18	<p><i>Traffic on Kaipara Flats Road is forecast to increase significantly by 2036. A detour is available if necessary via Carran and Woodcocks Roads and the existing SH1, but any detouring would need to be carefully managed to mitigate traffic impacts on those roads and coordinated with any works on these other roads so that there isn't an accumulation of effects.</i></p>	Ditto previous point.
SH1 / Kaipara Flats Rd capacity	P11	<p><i>The southern section of the route, which includes Warkworth and uses the existing SH1 as a potential haulage route, is the area where construction traffic has the most potential to have adverse impacts on the existing road network. For this section, SIDRA intersection analysis has been carried out to model the impacts of construction traffic at the intersections of the existing SH1/Hudson Road and the existing SH1/future Matakana link road and inform the recommended mitigation measures.</i></p>	<p>There is no analysis of the capacity (or safety) of the SH1/ Kaipara Flats Road/Goatley Road intersection despite an analysis being done for the two intersections immediately south—Matakana Link Road and Hudson Road. During the P2W consent process this intersection was identified as an issue and a condition was put in place requiring it to be upgraded. That was when traffic levels were circa 12,000 AADT.</p> <p>We have not seen either the final design nor predicted traffic levels used by NX2 in that design but looking at what is currently being built, the critical issue underpinning the P2W submission (the ability of traffic to safely turn right from Kaipara Flats Road onto SH1) does not appear to have been addressed.</p>

		<p>When W2W is proposed to be constructed, SH1 will have around 25,000 AADT. With P2W online well before this, there will be a constant stream of north-bound traffic leaving the P2W tie-in roundabout (rather than the current traffic light induced pulses). This will make it very difficult for traffic to turn right from SH1 southbound onto Kaipara Flats Road and likewise for traffic turning right from Kaipara Flats Road onto SH1 southbound. Similar problems arise for Goatley Road northbound.</p> <p>We do not believe (and have not seen) evidence that this intersection can cope with these volumes with or without construction haulage. A thorough capacity analysis of this intersection is required.</p> <p>By way of comparison, the P2W SAP south of Perry Road carries something like 24,000 AADT without additional local traffic using it, and it has very substantial traffic management features. This intersection will be significantly more difficult due to the substantial side road traffic.</p>
SH1 / Kaipara Rd visibility		<p>Following on from the previous point, trucks turning right from SH1 into Kaipara Flats Road will queue on SH1. We believe that they will have a holding lane in which to do this (hopefully safely). The consequence is that traffic on Kaipara Flats Road waiting to turn right onto SH1 southbound will lose visibility of oncoming southbound traffic behind the queued truck(s) meaning that they will be unable to safely turn until after the truck(s) have turned.</p> <p>Although this restriction broadly follows the road code, any opportunities for small vehicles to quickly turn whereas a large truck cannot (because of the additional time it requires to cross) will be lost. We are concerned that people will resort to unsafe turns.</p> <p>A thorough safety analysis of this intersection is required.</p>
SH1 / Kaipara Rd safety	AEE p20	<p>As discussed above we have not seen the final design for this intersection. A preliminary design showed holding bays (for traffic departing SH1) but no acceleration /deceleration lanes (for traffic</p>

		<p><i>on SH1. The lack of appropriate acceleration and deceleration lanes increases the potential for conflicts between state highway traffic and local traffic.</i></p>	<p>entering SH1). The footprint of works currently underway suggests that there is insufficient room for acceleration and deceleration lanes in addition to holding bays.</p> <p>As discussed in the AEE the lack of acceleration and deceleration lanes increases the potential for conflicts—and this project will exacerbate the risk.</p> <p>A thorough safety analysis of this intersection is required (for this reason as well as reasons identified above.)</p> <p>Both Kaipara Flats Road and Woodcocks Road have one lane bridges on the route proposed for construction traffic. But their capacities (PM column in Table 4) are listed as 2,100 and 2,700 vph respectively—rates achieved on free flowing two-way roads. The effect of the one-lane bridges will be to substantially reduce capacity—maybe to 500 vph especially if heavy traffic travels against the “Give Way” signs.</p> <p>This is a problem because of the statement in the Assessment that Kaipara Flats Road is forecast to be congested without identifying its one-lane bridge.</p> <p>The road capacity analysis requires updating to reflect this issue.</p> <p>Note: There is a vph table in Appendix E of the Operational Transport Assessment that includes peak flows on these roads and if pro-rated between 2016 and 2046, the usage at time of construction could be estimated. But it contains nonsensical data. As a consequence we are unable to undertake any further analysis to assist in understanding this problem</p>
<p>One way bridges</p>	<p>Table 4 p30 P9</p>	<p><i>If the planned (but not committed) projects are in place, less traffic is expected to travel along Matakana Road, Hudson Road, Kaipara Flats Road, and northbound on the existing SH1 south of the Western Collector. While these roads are forecast to be congested in the 2036 model, the planned projects are predicted to lead to significant decreases in delays on these roads, due to the provision of additional infrastructure</i></p>	<p>This map (Figure 6) shows that in the evening peak, pre-project capacity on the proposed local road haul loop is—</p> <ul style="list-style-type: none"> <li>• Kaipara Flats Road 157%</li> <li>• Carran Road 69%</li> <li>• Woodcocks Road 98%</li> <li>• Falls Road and Mansell Drive not stated</li> </ul>
<p>Local Roads- capacity</p>	<p>P28 Figure 6 p29</p>	<p><i>V/C ratios over 85% indicate that breakdowns in traffic flow are more likely to occur resulting in delays and queuing.</i></p>	<p>This map (Figure 6) shows that in the evening peak, pre-project capacity on the proposed local road haul loop is—</p> <ul style="list-style-type: none"> <li>• Kaipara Flats Road 157%</li> <li>• Carran Road 69%</li> <li>• Woodcocks Road 98%</li> <li>• Falls Road and Mansell Drive not stated</li> </ul>

	Table 4 p30	<ul style="list-style-type: none"> <li>Hudson Road (in two sections) 105% / 119% where anywhere over 85% is considered congested.</li> </ul> <p>This is problematic—in 2036 almost the entire route is already congested without any construction traffic.</p> <p>And Table 4 has a quite different view in its PM columns with—</p> <ul style="list-style-type: none"> <li>Kaipara Flats Road 29%</li> <li>Carran Road 42%</li> <li>Woodcocks Road 33%</li> </ul> <p>These percentages do not allow for the one way bridges but regardless, it is not clear why they differ from Figure 6. Once allowing for the one-way bridges we expect that both Kaipara Flats Road and Woodcocks Roads would be congested.</p> <p>Clarity is required around the 2036 predicted capacities of local roads—both without the project and with the project.</p> <p>Heavy traffic on Kaipara Flats Road near our property often makes a clanging (or ringing) sound when it passes over a point where seal levels change. This is particularly true of empty trucks and trailers. With NX2 trucks being the predominant heavy traffic on Kaipara Flats Road this is at times a material effect</p>
Local Roads - smoothness		<p>With the arrival of NX2 heavy traffic, we have noticed significantly more road damage on Kaipara Flats Road and Carran Road than previously. This takes the form of slumping within the wheel tracks and/or pavement being broken up.</p> <p>Traffic typically avoids potholes and areas of slumping creating a potential danger for oncoming traffic. In the case of empty heavy vehicles the alternative is a clanging noise as discussed above.</p> <p>Although NX2 is not the only operator of heavy traffic, their large usage and vehicle weights have caused much of the problem.</p> <p>Until the issues raised above are resolved, it is not possible to complete a submission on the sensitivity of traffic to changes in the local roads around Warkworth.</p>
Local Roads – potholes and seal failures		
Sensitivity Testing		

TTMs everywhere		<p>Because of our location, we pass through P2W TTMs virtually everywhere we travel. And with W2W it will be the same. That's a total of 12 years—5 years for P2W and potentially 7 years for W2W. With such lengthy projects TTMs should be set up to minimise the effects on road users.</p> <p>An example of where this has been done well is the P2W SAP immediately south of Perry Road. Unfortunately this treatment appears only to apply selectively.</p>
Project Office	Figure 5 p25	<p>The Assessment identifies that there will be many vehicle trips to and from the site office particularly at the start and end of the working day thus compounding predicted pre-project congestion in the Warkworth area (especially around Matakana Link Road/SH1 intersection) and the excess of traffic choosing to use Kaipara Fats Road and Carran Road instead.</p> <p>The siting of the project office is potentially critical. Its office hours will more-or-less coincide with the existing morning and evening peaks, and if it is located anywhere on the Kaipara Flats Road/Carran Road/Woodcocks Road haul loop then these roads will become congested (if not already so).</p> <p>The Assessment does suggest some mitigations such as staggered start/end times and buses to/from the site. There is no assessment of how much difference these measures would make.</p> <p>Modelling is required of the predicted no-project congestion, and with the project office impact layered on top.</p> <p>See also section 6 of this submission.</p>
Over burden		<p>The amount of heavy vehicle movements in the southern sector may increase once the removal of overburden is allowed for. This is two-fold—</p> <ul style="list-style-type: none"> <li>• Trucks to remove overburden</li> <li>• Trucks to bring in additional fill</li> </ul> <p>These have not been identified and hence not assessed.</p>

Haul Roads - noise			<p>The effects of noise on haul roads does not appear to have been included either here or in the Construction Noise and Vibration Assessment. See section 9 of this submission.</p> <p>There are substantial differences in the numbers of heavy vehicle movements in the southern section.</p> <table border="1"> <tr> <td>AE*</td> <td>Fill (year 3,4, 5)</td> <td>Aggregate (year 6,7)</td> </tr> <tr> <td></td> <td>12 or 16</td> <td>14</td> </tr> <tr> <td>Construction Traffic**</td> <td>12 or 16</td> <td>52 or 26</td> </tr> <tr> <td>Air Quality</td> <td colspan="2">287 to 752 vpd</td> </tr> </table> <p>* Loads per hour 2 way  ** Loads per hour doubled to adjust from 1-way to 2-way</p> <p>There is a very big difference between these numbers. Clarification is required as to the likely numbers of heavy vehicles—both average and likely maximums.</p> <p>The vehicle numbers above are described in the AEE as averages. But there will be periods where the actual traffic levels may be significantly higher than stated. Apart from the Air Quality Assessment, the AEE gives no indication as to how much higher the peaks might be.</p> <p>An assessment is required as to the upper end of construction traffic levels, and the road capacity analyses need to include these estimates in sensitivity tests.</p> <p>A condition is required so that variations in construction traffic levels are not allowed to cause or add to road traffic congestion or safety issues.</p> <p>Section 7 identifies a number of steps suggested to provide for safety around schools and on SH1. And it assumes that because pedestrian and cycle traffic is low on the rural roads proposed to be used by the project, it doesn't consider that there is an overall increase in risk.</p> <p>There are several problems with this—</p>	AE*	Fill (year 3,4, 5)	Aggregate (year 6,7)		12 or 16	14	Construction Traffic**	12 or 16	52 or 26	Air Quality	287 to 752 vpd	
AE*	Fill (year 3,4, 5)	Aggregate (year 6,7)													
	12 or 16	14													
Construction Traffic**	12 or 16	52 or 26													
Air Quality	287 to 752 vpd														
Construction vehicles - heavy	Construction Traffic Assessment P27 AE P97 Air Quality Assessment p35														
Construction vehicles – variability															
Pedestrian and cyclists	Section 7 P41-42														



			<ul style="list-style-type: none"> <li>As with most rural roads, ours have no footpath and mostly the verge is impassable. The carriage way doubles as a footpath</li> <li>People do walk and cycle on these roads—they always have but more so since the COVID lockdown. Occasionally people ride horses as well</li> <li>Their blind spots, corners and in places narrow widths leave no room for slow traffic when two vehicles approach</li> <li>There is no discussion around pedestrian and cyclist safety at traffic management barriers (which looking at SH1/Kaipara Flats Road and Carran Road/Woodcocks Road traffic management suggest that pedestrians and cyclists were not considered)</li> </ul> <p>We are concerned (and see no evidence) that the proposed project inductions—“Tool kit” sessions and CTMP and SSTMPs will adequately address these problems.</p>
<b>Conditions and Changes Sought</b>			
Continuous Access			See section 12 of this submission
Road Safety			Conditions are required covering the safety of all road users—including light vehicles, pedestrians, cyclists and horses. A condition is required to establish the safety of all local roads (i.e. non state highways). This should take the following form—
Safety Audits—roads			<p>Before any use by project heavy vehicles—</p> <ul style="list-style-type: none"> <li>All roads proposed for heavy traffic use be audited by an independent traffic engineer (member of Engineers NZ). This audit is to include at least— <ul style="list-style-type: none"> <li>Road width, sightlines, bends and the impact on nearby intersections</li> <li>Road usage and capacity</li> <li>Needs of all potential road users including pedestrians, cyclists and horses</li> <li>Appropriate TTMs</li> </ul> </li> </ul>

Safety Audits—SAPs	Section 4.3 p19-20	Any proposed SAP locations should require SSTMPs that consider the following...	<ul style="list-style-type: none"> <li>○ And the need to not inconvenience existing road users to the extent practicable</li> <li>● All physical improvements implemented</li> <li>● All other recommendations (such as speed limits, directions, maximum project usage) be documented in CTTMP and/or SSTMPs</li> <li>● Copies of the CTTMP and/or SSTMPs be provided to all residents identified as being potentially affected</li> </ul> <p>The proposed step of requiring SSTMPs is insufficient because—as discussed above—this did not work for P2W.</p> <p>A condition is required to establish a safe roading environment in the vicinity of all SAPs. This should include—</p> <p>Before any SAP is operational (i.e. for purposes other than preparing the SAP)—</p> <ul style="list-style-type: none"> <li>● The site have a safety audit by an independent traffic engineer (member of Engineers NZ)</li> <li>● All physical improvements implemented</li> <li>● All other recommendations (such as speed limits, directions, maximum project usage) be documented in the applicable Management Plan</li> <li>● Copies of the SSTMP be provided to all residents identified as being potentially affected</li> </ul>
Haul Roads			<p>Conditions are required that all private haul roads—</p> <ul style="list-style-type: none"> <li>● be maintained to a good standard including be smooth and free of potholes</li> <li>● Have a speed of 15kph (at least within 400 of residences)</li> </ul> <p>A condition is required that all local roads used as haul roads by project heavy vehicles—</p> <ul style="list-style-type: none"> <li>● be smooth (including not having a lip where two applications of seal meet)</li> <li>● be maintained to a good standard including being free of potholes</li> </ul>
Local Roads - maintenance			

			<p>We acknowledge that AT is the operator of these roads but that should not be our concern. It should be up to the project to work with AT to ensure that these conditions are proactively met.</p> <p>A condition is required that local roads not be used as haul roads where either they are already periodically congested or the addition of project traffic would cause them to become congested.</p> <p>This condition could be loosened to allow project traffic in times of the day when the roads are not congested provided that such use stops immediately congestion occurs.</p> <p>A condition is required that project heavy vehicles use of Kaipara Flats Road / Carran Road / Woodcocks Road / Mansell Road / Falls Road haul loop (including any subset of these roads when supplemented by private haul roads) to always be counter clockwise. (i.e. In the order listed here).</p> <p>Adequate shoulders are required on these roads to avoid exacerbating safety issues.</p> <p>A condition is required that forces the project office to be located so that its (morning and evening) peak traffic does not cause congestion on any local roads.</p> <p>Note: The means that the office may need to be located away from the Kaipara Flats Road/Carran Road/Woodcocks Road loop.</p> <p>When undertaking any work near a road (potentially involving traffic barriers) a safety audit is required to ensure that full visibility remains for regular road users. i.e. To ensure that barriers, machinery, vehicles and any static objects do not impede sight lines.</p> <p>(Note: The CoPTTM defines sight lines in terms of visibility of the road surface. Drivers of smaller sedans typically loose visibility of the road surface of an intersecting road when there is a standard TTM barrier in the way.)</p> <p>A condition is required that long term TTMs (i.e. those intended for six months or more) minimise to the extent practicable any effects on road users.</p>
Local Roads – capacity			
Local Roads – southern haul route	P21		
Project Office			
Work near roads			
Long Term TTMs			

Management Plans		See section 21 of this submission
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<b>12. Road Diversions and Closures</b>		
Diversions		<p>When temporarily diverting roads and /or stopping residents access to their properties it is important that the effects on residents are considered.</p> <p>We note that the P2W project has published works notifications for 15 full evenings closure of Puhoi Road adjacent to the SH1 intersection. In this instance there is a very long and generally unsatisfactory alternative route that effectively closes Puhoi village from elsewhere. But balancing this is that NX2 provided a lot of advance warning to residents and there was probably no practicable alternative. Nevertheless it would have seriously affected Puhoi residents.</p> <p>Going forward there is a need for careful consideration when planning road closures that require diversions. The following conditions should be in place—</p> <ul style="list-style-type: none"> <li>• Project design should minimise to the extent practicable the need for major diversions</li> <li>• Temporary closures (with up to 5 minute traffic delays) are acceptable</li> <li>• Temporary closures of less than 30 minutes (typically involving over-dimension haulage) and necessitating minor diversions (i.e. accessible to all vehicle types and requiring less than 10 minutes additional driving time) require standard works notifications</li> <li>• Other (i.e. longer) temporary diversions may only proceed where there is no practicable alternative. Before establishing dates and times the contractor must consult with the community to establish that the diversion is timed so as minimise disruption. The diversion must be advised at least 14 days in advance by works notifications and by advice directly to affected residents</li> </ul>

Temporary Removal of Access		<ul style="list-style-type: none"> <li>• Temporary diversions requiring detours may only proceed provided the detour is free of temporary traffic controls of any form</li> </ul>
		<p>Temporary Road closures that stop any residents accessing their properties require the following conditions—</p> <ul style="list-style-type: none"> <li>• Project design should minimise to the extent practicable the need for temporary road closures</li> <li>• Temporary closures (with up to 5 minute traffic delays) are generally acceptable</li> <li>• Temporary closures of less than 30 minutes (typically involving over-dimension haulage) require standard notifications</li> <li>• Other temporary closures may only proceed with the agreement of the affected residents. Should there be a deadlock then the Independent Arbitrator is to adjudicate. (See section 22 of this submission)</li> </ul>

### 13. Fill Disposal and Borrow Sites

Fill Disposal Location	AEE Figure 5-2 Page 91	<p>Potential fill disposal sites are identified in Figure 5-2 of the AEE. But there is no discussion around what to do should further sites be required.</p> <p>Require that the fill disposal sites identified in Figure 5-2 (and 5-3 and 5-4 for other sections) be used in the first instance.</p> <p>Should further sites be required they must be at least 200m from any residence.</p> <p>Fill sites in flood plains and depleted wetland and riparian areas should be avoided.</p> <p>Require all fill disposal sites to be screened from all residences. Ideally this should be by way of land contours and existing vegetation. Where such screening is non-existent or incomplete the contractor is to provide screening until after the planting of the site is complete.</p>
Screening		

Staging			To the extent practicable, within each sector fill disposal sites must be filled in a manner that minimises the number of incomplete fill disposal sites between construction seasons.
Planting			All fill disposal sites are to be planted in the first planting season after being filled.
Borrow Sites			<p>Although the potential for using borrow sites has been identified in the AEE, no potential sites have been identified.</p> <p>Such sites should be required to—</p> <ul style="list-style-type: none"> <li>• Have no adverse ecological effects</li> <li>• Be at least 200m from residences</li> <li>• Be screened from all residences until the first cycle of landscape planting is complete</li> <li>• Be landscape planted in the first planting season after use</li> </ul>

#### 14. Operational Noise

Issues			
Measured Ambient Noise	Table 3 P23 Appendix A		<p>Table 3 documents the logging of 8 sites and the calculation of their ambient noise. However, for all but two sites, it shows different noise levels to the values shown on the charts in Appendix A. The differences range from 1dB to 10dB with the Table always lower. For our house (211 Kaipara Flats Road) the difference is 6dB.</p> <p>My analysis of the logger data for 211 Kaipara Flats Road<sup>4</sup> shows that the daily ambient noise level is between 21dB and 23 dB suggesting that Table 3 at 24dB is the correct value.</p> <p>Table 3 shows that 211 Kaipara Flats Road at 24dB is the quietest logged location. But text in the Assessment refers to noise level ranges that start considerably higher than 24dB. 35dB is 11 dB higher than measured and leads to the impression that the project area overall and our property in particular is much noisier than is actually the case.</p>
Subjective Ambient Noise	Table 3 P23 P23		<p><i>...while in areas away from SH1 in more rural environments, noise levels are as low as 35 dB L<sub>Aeq</sub></i></p>

<sup>4</sup> Raw log data supplied by NZTA

			<p>If 35dB is considered to be low, then the 24dB measured at 211 Kaipara Flats Road should be described using a phrase that clearly identifies it as being very much lower. By not doing this, the Assessment is not adequately identifying the baseline noise as being very low and hence does not adequately address the noise effects on our property.</p> <p>The Assessment states that the model was not validated (i.e. calibrated) with the measured ambient. This is inconsistent with NZS 6806 (5.3.4.1) section which says that “Modelling of existing ambient sound levels should be compared with measured levels for model calibration purposes where practicable”. Nothing about the reason given suggests that calibration is not practicable.</p> <p>Running with a model that is not only uncalibrated, but far off reality means that all subsequent model outputs—especially changes in noise levels—should be considered erroneous or at least highly dubious.</p>
Calibration	P23	<p><i>As the proposed designation is mostly at significant distances from SH 1, the noise monitoring has not been used to undertake a validation of the acoustic model in these areas</i></p>	<p>The Assessment is inconsistent with where it says that OGPA pavement will be used. There are (at least) seven references indicating three different options—</p> <p>p25, 40 South of Kaipara Flats Road</p> <p>p26 Wk interchange towards tunnel. This may or may not include the section north of Kaipara Flats Road</p> <p>p36, 43, 46, North of Kaipara Flats Road</p> <p>49</p> <p>The AEE indicates that the OGPA is proposed north of Kaipara Flats Road and we assume that this is the intended position.</p> <p>Various forms of mitigation are noted in Appendix D. That Appendix states (without providing workings) that none of the potential mitigations achieve the BPO threshold. There is insufficient information for us to determine what the benefits would be to us, nor the specific reasoning that the BPO threshold is not met.</p> <p>The Assessment identifies in general terms the effects of moving the mainline horizontally either east or west and proposes limits to such</p>
OGPA mitigation inconsistency	AEE P334 P25, 26, 36, 40, 43, 46, 49		
Other Mitigations	Appendix D		
Sensitivity Testing	P37	<p><i>The Kaipara Flats Road area is the most sensitive to alignment shifts. The Indicative Alignment has the</i></p>	

	AEE p165	<p><i>potential to shift west by approximately 120 m or east by 180 m.</i></p> <p><i>Due to the sensitivity of the area, a shift west of more than 50 m would result in 2 PPFs changing from Category A to B. A shift of more than 70 m east would result in 1 PPF changing from Category A to B. Contemporaneously, lateral shifts of the alignment would benefit PPFs on the opposing side of the alignment, such that their noise Category may Improve.</i></p> <p><i>The final design of the Project may move anywhere within the proposed designation boundary, and design features may change. The assessment of effects on the environment for this project has been sensitivity tested, where relevant, as follows:</i></p> <p>...</p> <ul style="list-style-type: none"> <li><i>Consideration was given as to how the assessment of effects might change if the alignment (and ancillary components such as soil disposal sites or stormwater treatment devices) were to move horizontally or vertically within the proposed designation boundary</i></li> </ul>	<p>movements in order to keep within the NZS 6806 noise criteria—or alternatively requires further mitigation to be considered. There is insufficient information for us to understand the potential effects on our residence and the need for mitigation, nor the potential outcomes without and with mitigation.</p> <p>There is no discussion around moving the mainline vertically. As vertical movements are proposed to be allowable in the AEE an assessment of vertical changes is necessary.</p> <p>Based on the information in the Assessment, we cannot obtain a good understanding of the effects of an alignment change either to the west or vertically but believe that it would be substantial—possibly major. This could be significantly adverse to our property.</p>
Uncertainty			<p>NZS 6806 (section 5.4.3) states that “it is good practise to state the uncertainty and confidence level for all sound levels determined in accordance with this standard”.</p> <p>Modelling is not an exact science with even minor matters (such as the degree of resolution in the contour maps, variability in ambient sound measures, and rounding errors) having the potential when aggregated to make material changes in the predicted result. It is quite possible that residences (PPFs) with predicted noise levels close to either the NZS 6806 Category A or Category B noise criteria could change category when the road is built solely as a result of model uncertainty.</p>



		<p>We note that NZS 6806 sets a +/- 2dB accuracy level on each of the noise modelling software, CoRTN<sup>5</sup> algorithms (NZS 6806 section C5.3.4.2) and calibration of the model vs measurements. These give a cumulative uncertainty of at least 3.5dB when following the procedure identified in NZS 6806 section 5.4.4.</p> <p>Given the number of residences close to the 57dB criteria, a 3.5dB uncertainty would (if upwards) push many into Category B with the attendant requirements for mitigation. Uncertainty information should be provided to assist in proving that the model is correct.</p> <p>When comparing 211 and 215 Kaipara Flats Road, it is unclear why there is a 9dB difference in the Existing (2016) and the Do Nothing (2046) scenarios. 211 is approx 170m from Kaipara Flats Road and 215 approximately 75m. From first principles and assuming even sound propagation, doubling of the distance causes a 6dB reduction in sound, but this is reduced to approximately 4dB when the entire route of the vehicle is analysed and it is recognised that the difference in distances is a little more than double. 4dB is very different to the modelled 9dB.</p>
<p>Model Error—211 and 215 Kaipara Flats Road</p>	<p>Table 5 P28</p>	<p>The Assessment predicts that this residence will have a decrease in noise of 2dB from Existing (2016) to Project+SH1 with Mitigation (2046). This is despite there being increased traffic on Kaipara Flats Road (at ~120m) and the arrival of W2W (at ~500m). The reduced traffic on the existing SH1 (at ~1900m) will have a negligible effect. The other similar property modelled (215 Kaipara Flats Road) shows the opposite effect with a +8dB difference.</p>
<p>Model Error—Noise Contour Map</p>	<p>Map ON-011 Table 5 p28</p>	<p>Something is wrong with the model.</p> <p>This noise contour map in the Operational Noise Assessment Noise Contour Maps shows the Kaipara Flats area. 211 Kaipara Flats Road (green rectangle tagged as "17") is shown just within the upper edge of the 40-45dB band. But the Table 5 in the Assessment shows 55dB. This is a difference of at least 10dB.</p>

<sup>5</sup> United Kingdom Department of Transport and Welsh Office 'Calculation of road traffic noise'

			<p>Something is wrong with the contour map.</p> <p>With the above errors specifically relating to our residence and its immediate surrounds, it is quite likely that there are more errors in the modelling and the Assessment. And the effects of these are therefore not addressed for our property.</p> <p>We do not trust the model outputs.</p> <p>A full review of the model and the Assessment are required.</p> <p>There is no provision for any auditing of the actual noise levels once the project is live and hence no basis either for ensuring that conditions are achieved (nor for improving future road noise assessments which I assume is part of good practises). This leaves us as the landowner having to prove the effects of adverse noise at our expense which is not a reasonable outcome for us as property owners having these effects imposed on us.</p>
<p>Errors Overall</p>			<p>These factors (especially the effects of relative changes) are not reflected in the criteria actually set in NZS 6806 (section 6.1.2) which depend on whether the road is new or altered, for new roads the whether the predicted traffic exceeds 75,000 AADT and the level of mitigation able to be achieved within the BPO criteria.</p> <p>A consequence of Section 6.1.2 is that no effects are addressed until a criterion is breached— regardless of the magnitude of those effects.</p> <p>And in the case of very quiet areas this issue is exposed. A location that is already noisy but just above a criteria threshold after a little extra road noise is added would be entitled to (be assessed as to whether) mitigation applies whereas a previously very quiet location that just fails to reach the criterion would not. The latter is our situation. There is zero linkage between the magnitude of effects and the eligibility for mitigation. This is unfair to us and is contrary to the RMA concept of avoiding, remedying or mitigating adverse effects.</p>
<p>Post Project Audit</p>			
<p>NZS 6806</p>	<p>NZS 6806 Section 1.1.4</p>	<p><i>The criteria in this Standard are intended to aid in the design of new and altered roads by setting reasonable criteria for the road-traffic noise from new or altered roads taking into account health issues associated with noise, the effects of relative changes in noise levels on people and communities, and the potential benefits of new and altered roads to people and communities</i></p>	

<p>Ambient Noise and Calibration</p>	<p>Table 5 p28 Table 2 p19</p>		<p>Also, the BPO approach appears to conflate the broad nation-wide benefits of managing costs (due to BPO being a major part of the criteria) with the very focused adverse effects on nearby residents. The BPO concept as implemented in the NZS 6806 framework is OK providing mitigation is determined to be worthwhile—the cost to the project provides some relief from adverse effects for the residents. But if mitigation is not determined to be worthwhile, the project gains (by not spending) and the residents loose.</p> <p>With such large adverse effects as we are facing, using the NZS 6806 view of what is “reasonable” is very unfair.</p> <p>Not calibrating the model to the measured ambient noise at 211 Kaipara Flats Road has very large consequences. The following data extracted from Table 5 for 211 Kaipara Flats Road compares the Assessment as published with the corrected ambient noise (Existing 2016) whilst still providing for the same 6dB noise increase in the Do Nothing scenario—</p>																		
<table border="1"> <thead> <tr> <th colspan="2"></th> <th colspan="2">Selected Mitigation</th> </tr> <tr> <th></th> <th>Existing (2016)</th> <th>Do Nothing (2046 No Project)</th> <th>Project + SH1</th> <th>Change in noise level from do nothing</th> </tr> </thead> <tbody> <tr> <td>Per Assessment</td> <td>41</td> <td>47</td> <td>55</td> <td>8</td> </tr> <tr> <td>Corrected Ambient noise</td> <td>24</td> <td>30</td> <td>55</td> <td>25</td> </tr> </tbody> </table>					Selected Mitigation			Existing (2016)	Do Nothing (2046 No Project)	Project + SH1	Change in noise level from do nothing	Per Assessment	41	47	55	8	Corrected Ambient noise	24	30	55	25
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<p>Instead of there being 8dB of adverse effects, this shows that there is actually 25dB of adverse effects. Based on the subjective response scale shown in Table 2 this is a change from “Significant” to a “Major change” twice over. In practical terms 24dB is off-scale.</p>																					

		<p>The Assessment has dramatically understated the magnitude of the noise effect on our property.</p> <p>We believe that because of the extreme change in noise levels a full suite of mitigation options be delivered regardless of the prescriptive nature of NZS 6806.</p> <p>At 50 dB conversations and phone calls would require raised voices and that 55dB (as predicted for our residence) is around the limit for office work. These suggest that outdoor gatherings would be problematic and that windows and doors would need to be closed when indoors. Indoor noise levels would also be elevated.</p> <p>Many years ago, we moved from the city to a lifestyle block with the intention of spending time enjoying the outdoors. And in the warmer months, we leave our windows and our many French doors open. But at the noise levels predicted many of our activities would need to retreat indoors and we would rely on air-conditioning rather than natural ventilation/cooling. These represent a very significant change to our lifestyle and therefore to the amenity of our property.</p> <p>The predicted noise levels represent a very large adverse effect and are not reasonable.</p>
Predicted Noise		<p>Except at high traffic volumes, the use of average dB masks the effect of traffic noise rising and falling as vehicles pass. At lower traffic levels human perception is of individual vehicles and gaps with the peak sound level (dB L<sub>AFmax</sub>) being more significant than the 24 hour average. At quieter times of the day and evening/night this will be the predominant effect.</p> <p>This effect has not been identified nor discussed.</p> <p>As noted above, there is no assessment of the effects on our residence caused by either horizontal or vertical changes in the alignment.</p> <p>One example of this is changing the Warkworth interchange. See section 15 of this submission.</p>
Variable Road Noise Pattern		
Sensitivity		

			A move west could be significant, but to a degree that is not clear. A vertical move would be very significant.
<b>Conditions / Changes Sought</b>			
OGPA			Require that OGPA (or its equivalent) be used from the P2W tie-in to a point at least 800m north of Kaipara Flats Road.
Other Mitigation			Require that other forms of mitigation be deployed to ensure that noise levels in the very quiet area around Kaipara Flats Road are maintained to the extent practicable.
Sensitivity			Lock in the alignment to that described as “Indicative Alignment”—subject to any changes determined through the consent hearing process.
Audit			Require an audit of actual noise levels 3 months after opening (without OGPA) and 3 months after the OGPA is laid. Where possible (i.e. agreement with land owners) they should use the same locations as used in the Assessment.  Both audits would require the model to be adjusted to reflect actual traffic levels and mitigations in place vs as modelled.

**15. Landscape and Urban design**

Loss of outlook WN_T_Mahu_03			The principal outlook from our residence is directly to the bush block WN_T_Mahu_03. Its removal either in part or in whole to facilitate the realigning of Kaipara Flats Road would have a substantial adverse effect on us. A photo showing the effect is included in Appendix A1 of this submission.  Require that this block be protected.
Loss of outlook WN_T_Mahu_02			Removing WN_T_Mahu_03 is also discussed in sections 7 (Ecology) where it is identified as being of high value and 20 (Kaipara Flats Road realignment) of this submission.  Our residence has as its backdrop WN_T_Mahu_02 and along with some adjoining young native plantings on our property is the principal view for people coming up our long driveway. Removing

		<p>parts of WN_T_Mahu_02 would adversely affect our outlook. A photo showing the effect is included in Appendix A2 of this submission.</p> <p>Although this portion of WN_T_Mahu_02 is not within the proposed alignment, there is nothing in the application that actually protects any bush (or wetlands).</p> <p>Require that all bush and wetland blocks be protected other than where required for the alignment to the extent practicable.</p>
<p>Loss of Outlook Vertical Changes</p>		<p>This is also discussed in section 20 of this submission.</p> <p>When viewed from our property the proposed alignment sits behind a shallow ridge. But the application makes it clear that vertical changes are to be allowed.</p> <p>Should the elevation rise to within about 4m of this ridgeline (at its lowest point which is roughly at chainage 47600m) then we will be affected by seeing traffic and possibly more severely by headlight spill reflected off nearby vegetation. These should be avoided.</p> <p>Should the elevation rise to the ridge line then these effects will become substantial and also include direct headlight spill.</p> <p>Should the elevation rise above the ridgeline then in addition to the above the effects of any necessary embankment will be substantial. (The P2W embankment at Carran Road/Woodcocks Road is totally “in-your-face” and is totally out of context in the landscape. It has very substantial adverse effects.)</p> <p>Compounding this set of adverse effects is the possibility that there could be both horizontal and vertical changes—towards our residence and upwards. For us, this would create a monstrosity involving very significantly adverse visual, noise and lighting effects.</p>

			There are also potentially serious effects from additional operational noise. See section 14 of this submission.
Warkworth Interchange			The original alignment published in 2017 had the Warkworth interchange at Kaipara Flats Road and the new road passing over it. This meant that the road passed much higher along the ridge nearer our property. This design would have had significantly greater adverse effects on us than the design in the AEE.
Kaipara Flats Road overpass	LS-xxx		We are concerned that changes to the Warkworth interchange could have consequential adverse effects on us. The Landscape Visual Simulations do not show the Kaipara Flats Road overpass. Without this simulation we are unable to assess the effects of this overpass and hence complete a submission on this matter. (Note that we are not inherently against the overpass).
Retaining Walls and Batters	P26	<p><i>Retaining walls are often necessary in steep topography, in constrained highway corridors and in grade-separated junctions. The main design issue associated with retaining walls is their visual impact, especially where high walls are required or where walls are viewed at close range by pedestrians or road users.</i></p> <p><i>In rural environments, such as the Project area, careful earthworks design can minimise the need for retaining walls. Where retaining walls are visible from the state highway, any adjoining local roads, walkways, cycle paths or nearby residents, they should have good architectural design and finishes. Both the experience of highway users and the perception of the surrounding community should be considered in the design of the retaining wall, particularly critical is the prevention and discouragement of vandalism in the form of graffiti and tagging.</i></p>	<p>The Urban Design principles discourage the use of walls with the main reasons being visual impact and avoidance of graffiti.</p> <p>There are solutions to avoiding graffiti—the Urban Design identifies MSE (mechanically stabilised earth) walls but these are not recognised within the urban design principles.</p> <p>The project design appears to focus almost exclusively on batters to the exclusion of options that reduce ecological impacts. This focus on batters causes adverse effects at multiple locations, and appears to have restricted the design options considered for the alignment. Some specific impacts are discussed in section 7 of this submission.</p> <p>The conditions must require that ecological protection is of greater importance than meeting urban design standards. The NZTA must identify and propose alternatives in all situations where this compromise has been inappropriately made.</p>
SEAs	P19		Although the Urban Design does support the protection of SEAs where practicable, it does not appear to afford protection to other bush and wetlands. This is wrong in principle—

	AEE p111	<p><i>The policies of Chapter E15 Vegetation Management and Biodiversity (Regional Plan) of the AUP(OP) that are subject to appeal are not considered relevant to this project as they relate to transferrable subdivision rights for vegetation management</i></p>	<ul style="list-style-type: none"> <li>Just because an area of bush or wetland is not identified in the AUP as an SEA does not mean that it is unimportant. The AUP Rural chapter currently under appeal addresses (amongst other matters) whether being identified on a map as an SEA is the sole determinant as to whether it is significant indigenous vegetation. Although the appeal is ongoing, this point has been agreed—it is the actual characteristics of the block that are important, not its formal status as an SEA. Hence the appeal regarding section E15 is applicable to this application. All bush that is not already an SEA needs to be assessed as to whether it is or is not significant. As a non-complying consent, all applicable Policies and Objectives of the AUP require assessment and all parts of the AUP should be assessed against.</li> <li>All wetlands are considered significant under 6(a) of the RMA and Schedule 3 of the Unitary Plan</li> <li>All indigenous vegetation in rural zones is generally protected and as a Non-Complying Activity a lack of assessment is of concern on the ecology.</li> </ul> <p>The Urban Design as implemented in this project places greater weight of visual matters than upon environmental matters. And when it does place importance upon on bush and wetlands, its only when they already have SEA status. This is contrary to the AUP and the RMA. Protecting native bush and wetlands must be a high priority.</p>
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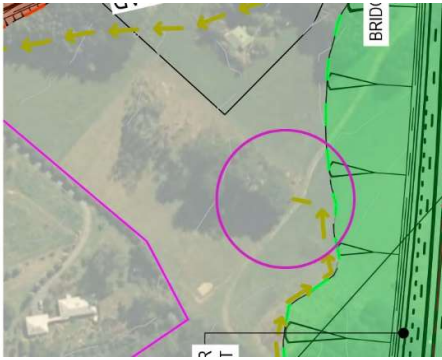
**16. Operational Traffic**

Inconsistent predictions	AEE P326	<p><i>In the future, if the project is not constructed, traffic volumes on SH1 between Warkworth and Wellsford are predicted to increase from approximately 14,000 vpd to approximately 29,000 vpd in 2046.</i></p>	<p>Considering these quotes together, a 3.5% compound growth from 14,000 over the years 2016 to 2046 results in approximately 38,000—not the 29,000 indicated.</p> <p>With the 14,000, 29,000 and 3.4% numbers used frequently in the AEE, there could be significant consequences.</p>
	AEE P327	<p><i>Modelling of the Future Reference Case Scenario (that is without the Project) indicates that traffic volumes on the existing SH1 are predicted to grow at a rate of</i></p>	



		<p><i>approximately 3.4% per annum between 2016 and 2046 between Warkworth and Wellsford, ...</i></p>	<p>And when 2036 traffic volumes are considered, the result is 27,000 vpd.</p> <p>These have potential impacts upon the Operational Traffic Assessment and the Operational Noise Assessment as well as traffic assumptions and potential congestion issues during construction.</p>
<p>Tolling Proposal</p>			<p>Concurrent with the notification of this proposal, the NZTA has opened public consultation on a proposal to toll both P2W and this project.</p> <p>The information provided with that consultation clearly expects that tolling would reduce traffic levels on this proposed road in favour of the existing SH1 and therefore increase emissions and the potential for deaths and serious injuries overall. These are different to and therefore undermine information provided in the AEE.</p> <p>This AEE does not address the possibility for tolling nor its potential effects.</p> <p>We believe that the tolling proposal should not have been put out for consultation concurrently with this application. Either the NZTA should withdraw it, or it should provide an update to the AEE that identifies in the terms already in the application all the expected effects.</p>

**17. Site Water**

Cut Off drain	Operational Water Plan SW-013		<p>This plan shows a cut-off drain (coloured mustard but almost invisible against the background) that empties on the unnumbered property immediately to the east of 211 Kaipara Flats Road. From where the drain stops, the water would naturally flow across that property onto ours.</p> <p>It is not a reasonable outcome to effectively direct water onto our property.</p> <p>Require that this (and all other drains) flow into streams.</p>
Culvert	Operational Water Plan SW-013		<p>This plan shows a 2.1m diameter culvert (identified as MCG0 CH820) under Kaipara Flats Road between the driveways of 211 and 215. At 2.1m diameter this could carry almost 50 times as much water as the existing 300mm driveway drains and although we assume that (at least) the 211 driveway drain would also be upgraded.</p> <p>There is no reason whatsoever for such a large capacity. If the objective is to reduce problems in severe rainfall events then this is mistaken—firstly the outlet side would be over the culvert preventing outwards flows and secondly, Kaipara Flats Road would be blocked at points both east and west on the designation.</p> <p>And at 2.1m diameter, either Kaipara Flats Road will need to be raised as much as 2m at our driveway, or a ditch around 2.5m deep will be required beside the road. This would have the following problems—</p> <ul style="list-style-type: none"> <li>• Danger due to depth. (Since we've owned 211 Kaipara Flats Road, this spot has been the site of two vehicles running into the ditch)</li> <li>• It would probably be below the normal stream level leaving it with standing water (except in times of drought)</li> </ul>

		<ul style="list-style-type: none"> <li>• It may result in our pond to loose water. Currently our pond largely holds all of its water except for dry summer periods.</li> </ul> <p>Should a drain be required, it seems more appropriate to locate it at the site of an existing under road culvert approximately 45m east of our driveway (and opposite our and the designation boundary corner).</p> <p>Require that this drain be appropriately sized have given regard to the matters discussed above.</p>
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**18. Site Tidiness**

Unused Land

		<p>With P2W, the site on the north-western corner of Carran Road and Woodcocks Road has been largely left unkept. Previously it was all pasture and apart from a small section used by the project, is now a mess. The problems are—</p> <ul style="list-style-type: none"> <li>• It contains vermin—a family of stoats was recently trapped there indicating a serious threat to local wildlife</li> <li>• It is becoming overgrown with weeds that will spread to adjacent land</li> <li>• It is a fire risk especially in late summer and autumn, and</li> <li>• It is an eyesore.</li> </ul> <p>NX2 has been approached multiple times by multiple parties. They have claimed that its not their responsibility and forced one complainant around in circles including NX2, NZTA, Crown Land Office and Darroch's (NZTA's property management company). We understand that Darroch's has provided NX2 with documentation to prove that it is NX2's responsibility but to date there has been no resolution. This problem may be compounded because not all the site is within the designation although we understand it is all leased to NX2.</p> <p>We are concerned about the property on our eastern boundary and the property opposite ours on the corner of Kaipara Flats Road and Phillips Road (27 Phillips Road) of which only part is within the</p>
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			<p>designation and the remainder effectively land-locked will see the same fate.</p> <p>Require a condition whereby all unused land is kept tidy. And we want to the extent possible this to apply to all land purchased by the project whether or not it is within the designation.</p> <p>The corner of Woodcocks Road and Carran Road is heavily used by NX2 traffic—both light and heavy. Frequently after rain, this section of road is dirty as a result of vehicles leaving the site and also as a result of construction vehicles (mainly off-road trucks) crossing Woodcocks Road to access the other side of the site. To address this NX2 often has a tractor-based broom with which to clean solids. But this leaves dirty water on the road causing all passing vehicles to become dirty. When we moved into the area, we chose to live on a sealed road and expect better than this.</p> <p>This method sends the dirty water ironically straight to the stream network as well.</p> <p>Following recent rains, the double yellow centrelines on SH1 between the P2W northern tie-in and Kaipara Flats Road have at times become essentially invisible due to dirt tracked out from the P2W SAP. With the TTMs currently in place the current lanes do not follow “natural” lines making this potentially dangerous.</p> <p>A condition is required that roads should be kept as clean as practicable in a manner that ensures the mud and dirt is actually collected somewhere and not just left to end up in the local waterways and on local vehicles.</p>
Roads	AEE p273	<i>Provision of vehicle wheel wash facilities for construction vehicles accessing the site off sealed roads should be provided (when departing the construction area), ...</i>	

<b>19. Lighting</b>		
Dark Sky		<p>Except for road lighting at the project tie-ins and residence lighting, the existing environment is devoid of man-made light sources. Further, there is substantial evidence that humans and wildlife have their rhythms are disturbed by blue light and “harsh” white LED</p>

		<p>lights that are technically defined by having a colour temperature of 3,000°K or more.</p> <p>With the appropriate choice of lighting adverse effects can readily be maintained with no apparent down-sides.</p> <p>Conditions are required that—</p> <ul style="list-style-type: none"> <li>• Require street lighting (or whatever its called on motorways) to follow the Dark Sky standards for street lighting including minimising light-spill</li> <li>• Require that all road side and gantry lighting be not more than 3,000°K and 2,700°K where practicable. (i.e. the LED “warm” white or cooler).</li> </ul> <p>Further information is available at <a href="http://darksky.org">darksky.org</a></p>
<p>Headlight Spill</p>		<p>The addition of vehicle headlight spill has the potential to be an intrusion over much of the project area. Apart from the tie-ins and the crossing of the existing SH1 near Wayby Road, there is only a small amount of vehicle light spill near existing roads and none elsewhere. This situation should be maintained.</p> <p>This can be achieved with good design including the placement of bunds or walls where otherwise unavoidable. (Vegetation is not sufficiently dense to be able to eliminate headlight glare—particularly in the road’s early days and maybe as original plantings die and need replacing.)</p> <p>Require a condition whereby the road is designed so that vehicle headlights cannot spill onto existing residences. And that this must be achieved by natural land forms, earthworks, walls or bunds rather than by plantings.</p>

<p><b>20. Kaipara Flats Road Realignment</b></p>	
<p>Not discussed nor assessed</p>	<p>The project proposes to realign Kaipara Flats Road including the portion approximately between our gate and the proposed overpass.</p>

			<p>We have found no discussion of this within the AEE nor the Assessments—just markings on various plans.</p> <p>This section concentrates on the overpass and the road west of it. One effect of realigning Kaipara Flats road as proposed is that it will be straightened and hence encourage faster speeds. As well as increasing vehicle speeds at our driveway, this could also cause a dangerous situation where vehicles approach the apex at the overpass too fast with potentially serious consequences.</p> <p>This section of road already has a minor problem with drivers exceeding safe speeds (although not in excess of the speed limit). Straightening the road will encourage more speed problems.</p> <p>Require a condition that any realignment of Kaipara Flats Road is such that the designed safe speed does not exceed 80kph. This is consistent with a broader NZTA program to address speed limits on rural roads.</p> <p>There is no obvious reason to straighten this road and the impacts of the straightening on the local bush areas and the wetland/flood plain and the stream networks (both the Kaipara and Mahurangi catchments, is poorly assessed.</p> <p>(This should be broadened to a project-wide requirement.)</p>
Design Speed			<p>Any change in the alignment of Kaipara Flats Road or any increase in the practical road speed will compromise the sightlines for the driveways at our road crossing (211 Kaipara Flats Road) and our next door neighbour's driveway (215 Kaipara Flats Road).</p> <p>Require that any realignment of Kaipara Flats Road ensures that these driveways' sightlines are maintained to the latest standards.</p> <p>(Ideally this should be broadened to a project-wide requirement.)</p>
Driveway Sight Lines			

Ecology			<p>We are very concerned about the proposed destruction of much of WN_T_Mahu_03. We do not believe that this destruction is either appropriate or necessary. See section 7 of this submission.</p> <p>We can find no longitudinal section plans for Kaipara Flats Road and hence for the bridge and its approaches. Nor is there any Landscape Visual Simulation of the overpass in the Urban Design Assessment.</p> <p>Without these we are unable to comment upon whether this realignment is the most appropriate solution.</p> <p>(Note that we are not inherently against Kaipara Flats Road being an overpass)</p> <p>Should it be necessary to realign Kaipara Flats Road, there is open pasture on the opposite (north) side of the road on land already owned by the Crown. And although most of that block is swampy, the part most likely needed for a realignment visually appears to have a solid base. This should be used instead of impinging on the bush on the southern side.</p> <p>This realignment requires proper assessments and mitigation.</p> <p>Require that any realignment of Kaipara Flats Road avoids all of WN_T_Mahu_03 (including the part in the road reserve) and instead any horizontal more is towards the north of the current alignment.</p>
Longitudinal Section and Visual Simulation			
Move alignment north			

**21. Management Plans**

			<p>We have serious concerns about the widespread use of management plans. This is exacerbated by the weak nature of the recommended conditions.</p> <p>The main problems that we see are—</p> <ul style="list-style-type: none"> <li>• Lack of detail in proposed recommendations (i.e. proposed conditions)</li> <li>• The open-ended nature of the proposal—to allow any design changes and alignment changes (horizontal or vertical) subject only to staying within the designation</li> </ul>
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<ul style="list-style-type: none"> <li>• The unreasonableness of asking residents today to fully comprehend and hence submit on substantial changes (that would only be identified post-consent)</li> <li>• Management plans are written by contractors for the benefit (to the extent allowed by the conditions) of contractors,</li> <li>• The potential for a contractor to game qualified conditions (e.g. “if practicable” or “generally compliant”) by choosing a method that creates an adverse (or non-compliant) effect despite an alternative method potentially existing that avoids the adverse effect (or is at least compliant)</li> <li>• The historic lack of resident-focused overview from Auckland Council’s Planning and Monitoring Department</li> <li>• The lack of resident input into management plans</li> <li>• The unwillingness of NX2 to provide copies of a management plan despite them in theory being public documents</li> </ul>			<ul style="list-style-type: none"> <li>• Provides for resident agreement for any activities that could not reasonably have been foreseen by residents in the consenting process. (Note: This point may be removed if the alignment and design are locked-down as they should be.)</li> <li>• Are reviewed by affected residents before lodging with Auckland Council.</li> <li>• Are discussed with and agreed by affected residents where any matters exceed conditions and/or where it is proposed to require any form of resident action (such as staying inside “tomorrow” or temporary relocation). Residents have the right to propose alternatives. Note: The lack of resident approval or disapproval may not be taken as approval.</li> <li>• Any inability to reach agreement in discussions between the contractor and affected residents are adjudicated by the Independent Arbitrator. See section 22 of this submission.</li> <li>• Provides copies (and potentially also “user-friendly” summaries) to affected residents</li> </ul>		
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		<ul style="list-style-type: none"> <li>• Publish on the project web-site within 24 hours of Auckland Council approval.</li> </ul>
<p><b>22. Independent Arbitrator</b></p> <p>The complainants process discussed in section 23 of this submission requires an Independent Arbitrator to break any deadlocks between the complainant and the contractor. We have proposed this mainly to in order to ensure that a “bloody-minded” resident does not unreasonably slow the project.</p> <p>In one complaint with NX2 we and friends paid an external consultant several thousand dollars to prepare a report that it turned out supported our position, and with that we were able to meet with key NX2 staff and hence resolve our complaint. But we should not have to buy our way to the table—paying for advice (and with resulting time delays) for the contractor to do what was always correct. We have let more recent unresolved complaints go—and hope that nothing too serious occurs.</p> <p>The primary role of the Independent Arbitrator would be to accept escalated complaints (from either the complainant or the contractor) and provide an impartial and binding judgement. To do this the Independent Arbitrator would need the ability to bring in external expert(s) should s/he not have the specialised knowledge to be able to make the judgement alone.</p> <p>A secondary role would be to assist (including acting on behalf of) those potential complainants who for whatever reason feel unwilling or incapable of dealing with the contractor. We are aware of people who have problems with NX2 but have not complained.</p> <p>The Independent Arbitrator role could well be described as a “Project Ombudsman”.</p> <p>The Independent Arbitrator would be funded by but independent of the NZTA (as consent holder) and independent of the contractor.</p>		

		The funding would include money to cover any necessary external expert advice. This funding should not be constrained by a budget but be flexible to meet actual project needs.
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<b>23. Complaints and Compliance</b>		
Complaints		<p>No complaints process is described within the AEE nor the key construction related assessments.</p> <p>We are aware of residents who have not complained about matters that we would consider should be complained about. This is for many reasons including previous difficulties with the complaints process, shyness, cultural matters, unwillingness to deal with bureaucracy and an unwillingness to rock the boat. Some are older people and include those who refer to NX2 as “the Roads Board”.</p> <p>The actual number of complaints raised on P2W is only a subset of the total matters worthy of complaint.</p> <p>In dealing with NX2 we have determined that either they have no formal complaints process, or if they do that it is not fit for purpose. We have identified a range of issues including—</p> <ul style="list-style-type: none"> <li>• Erratic delays in acknowledging email complaints</li> <li>• Oftentimes the initial response is to push back on the complainant—examples include suggesting generically that its not their responsibility or that some other &lt;named&gt; party is responsible</li> <li>• Erratic following up of complainants—both whether or not its followed up or the quality of the message</li> <li>• Many complaints are not recorded. This applies mainly to complaints made to field staff (such as dust complaints to gate-house staff) but we suspect also applies to some complaints made to office staff</li> <li>• Sometimes a lack of respect for the complainant</li> <li>• Lack of process for the resident to follow if unsatisfied with the outcome</li> </ul>

		<ul style="list-style-type: none"> <li>• Lack of willingness to meet face-to-face instead relying on drawn out email debates which by their nature readily become adversarial</li> </ul> <p>Some of the issues are cultural and some point to a partial breakdown in overall communications with residents but at least some can be addressed by a complaints process. A formal complaints process is required that—</p> <ul style="list-style-type: none"> <li>• Treats all complainants and complaints in good faith</li> <li>• Formally records all complaints</li> <li>• Promptly acknowledges all complaints</li> <li>• Ensures that urgent complaints (such as excess noise, vibration, dust) are immediately directed to field staff empowered to immediately cease the causing activity. In some situations this may mean that complainants are given contact details for field staff.</li> <li>• Takes responsibility—where the complaint is determined to belong elsewhere than with the contractor undertake the handover and advise the complainant of the new contact details</li> <li>• Attempts to resolve all complaints as quickly as possible</li> <li>• Records all interactions with the complainant regarding the complaint</li> <li>• Provides the complainant with an internal contractor escalation process</li> <li>• As a result of investigating the complaint, describes any changes made (or to be made) with the complainant</li> <li>• Closes a complaint only with complainant agreement unless this is not forthcoming in which case refer to the proposed independent arbitrator (see section 22 of this submission)</li> <li>• Records details around the complaint closure</li> <li>• Proactively advises all residents of the complaints process including internal and independent escalations</li> </ul> <p>This is a hybrid of multiple processes including those that I have worked with professionally, the Banking Ombudsman scheme and</p>
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Incidents		<p>the complaints process defined in the NZTA's State Highway Construction and Maintenance Noise Vibration Guide.</p> <p>The AEE and Assessments do not provide for any incident monitoring.</p> <p>A method is required that records details of all incidents whether they be breaches of consent conditions, breaches of the AUP or the RMA. These are to include—</p> <ul style="list-style-type: none"> <li>• All breaches of conditions</li> <li>• All situations where “qualified” condition criteria are exceeded despite being allowed under a “qualified” clause (such as “if practicable”, “generally compliant” or “best practicable option”)</li> <li>• All situations where condition criteria (especially relating to dust, noise and vibrations) are approached but not reached.</li> </ul> <p>These details will form the basis of a reporting process intended to provide a pro-active view of overall project compliance including the identification of potential issues.</p> <p>At a minimum, the following need to be recorded—</p> <ul style="list-style-type: none"> <li>• Date</li> <li>• Location</li> <li>• Circumstances</li> <li>• Effects</li> <li>• Actions taken to address the effects and cause of the incident—both immediate and long term—and when</li> <li>• External parties notified and when</li> <li>• Any other matters that the contractor deems important in the context of the detail and/or general nature of the incident.</li> </ul>
Reporting		<p>No compliance or incident reporting process is described within the AEE nor the key construction related assessments. This should be the role of the contractor and subject to independent overview.</p>

		<p>The process should comprise two parts. A written report that—</p> <ul style="list-style-type: none"> <li>• Is at least bi-monthly and published within 5 working days for the period end</li> <li>• Contains a summary of all incidents including exceedances of consent criteria and all situations where the consent criteria are achieved with less than 50% margin. (Note: The within criteria part is to provide a guide as to where further independent research may be justified)</li> <li>• Contains a summary of each complaint (anonymised) including cause, finding (valid or otherwise), resolution, complainant agreement or otherwise</li> <li>• Identifies any trends in exceedances and near-exceedances</li> <li>• Is provided to the Independent Arbitrator</li> <li>• Is available publicly on the project web site (see section 24 of this submission)</li> </ul> <p>Follow up reports when issues are identified that—</p> <ul style="list-style-type: none"> <li>• Describe any changes required</li> <li>• Provides (subsequently) information to assess the impact of the changes made.</li> </ul> <p>The Independent Arbitrator may ask for further information after receipt of either report.</p>
<p>Consequences</p>		<p>Failure to meet construction related conditions should have consequences.</p> <p>The conditions need to include reasonable consequences including—</p> <ul style="list-style-type: none"> <li>• External expert review (potentially also including the Independent Arbitrator) with the authority to require changes</li> <li>• After repeated breaches, the ability to close (that part of) the site whilst the external review is undertaken</li> <li>• Either the contractor to rectify the complainant's problem (eg clean dust) or cover any costs that they have (in the view of the Independent Arbitrator) reasonably incurred</li> </ul>

			<ul style="list-style-type: none"> <li>Some form of (non-monetary) recompense to directly affected residents.</li> </ul>
<b>24. Communications</b>			
			<p>The project should maintain a web site.</p> <p>(Note: This web site is required for other proposed conditions.)</p> <p>Communications with residents is referred to in many places as part of processes to managing problems such as construction noise and vibration. But nowhere is a comprehensive communications plan discussed.</p> <p>NX2 periodically has a high-level leaflet that is included online and in Mahurangi Matters. It contains a helicopter view of recent activities and what is upcoming in the rest of the construction season, a cultural and/or human-interest article and often a request to residents to be (i.e. drive) safe around construction sites. At the level it is pitched it is generally good—but the drive safely part feels somewhat condescending. It is all about what we should do to be safe around NX2 (which is fine) but says nothing about what NX2 does to keep us safe. Because of this it loses a degree of credibility.</p> <p>In addition to a helicopter view, contractor-resident relations would be improved if we had reasonable advance warning of activities. As such there should be a more specific form of communication along the following lines—</p> <ul style="list-style-type: none"> <li>Provided at the start of the construction season and updated bi-monthly</li> <li>Include a project wide high-level timetable</li> <li>Identifies by cluster of residences the upcoming levels of activity in their vicinity including— <ul style="list-style-type: none"> <li>earthworks—cuts and fills</li> <li>blasting</li> <li>the types of equipment and indicative numbers</li> <li>heavy traffic usage on local roads</li> <li>road changes—TTMs and permanent</li> </ul> </li> </ul>

		<ul style="list-style-type: none"> <li>○ potential resident issues</li> <li>● Is sent to directly affected residents and is published on the project web-site</li> </ul> <p>This communication program is not to replace works notifications but should provide a forewarning of all except urgent and unexpected works requiring notification.</p>
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**25. Social Impacts**

<p>Consultation</p>	<p>AEE p 154</p> <p><i>Specific objectives for the Indicative Route included:</i></p> <ul style="list-style-type: none"> <li>● <i>Inform stakeholders, affected parties and communities such that they achieve an understanding of the proposal and its effects;</i></li> <li>● <i>...</i></li> <li>● <i>Maximise positive and minimise negative submissions by supporting the public in understanding the Project and its benefits and incorporating feedback where practicable to address concerns;</i></li> <li>● <i>Support directly affected landowners and neighbours in understanding the process, navigating requirements and locating information available, and assisting to address site issues and concerns where possible</i></li> </ul> <p><i>Communications with landowners and neighbours have been continuous throughout the project, including three letters and ongoing liaison to support advance acquisition and arrangement of site visits.</i></p>	<p>As a neighbour, we acknowledge that we have received three letters. We have also attended all “walk-in” style sessions provided.</p> <p>The letters were very high level with little practical information except those that showed a map identifying our property in relation to the then current alignment proposal.</p> <p>The public walk-in days provided no useful information about how the project might affect us. We felt that they were an insult to our intelligence.</p> <p>Limited additional information was available as a result of asking questions (and subsequent follow-ups) at the walk-in for neighbours.</p> <p>At no point prior to the lodgement and publication of the consent application were we provided any information regarding alternative options that had been considered, and only the most cursory discussion was available regarding the NZTA’s responses to earlier public feedback. And at no point was there any information that would allow us to make an informed guess as to the effects of the project upon us. To this end, we asked at the neighbour’s walk-in for additional more detailed information and were told that it was not completed and therefore could not be supplied at that time.</p> <p>There remains no easy to read indication as to the effects of the project upon neighbours—only the circa 2,500 pages of the AEE and Assessments.</p>
<p>AEE p 155</p>		

Assessment of Social effects	AEE Table 9-37 p357-358	<p>Actual or potential effect: <i>Uncertainty about the timing of the project and its final form – i.e. extent of property impacts, what it will look and feel like for neighbours 'left behind'.</i></p> <p>Social effect: <i>Concern, stress, depression, anxiety and worry, affecting people's ability to plan for the future, their ability to make decisions about property ownership and whether or not they stay or leave. Some people are feeling a loss of emotional attachment to land and places, and/or are worried about their ability to find a like-for-like replacement residence (as a result of property purchase, land take, and / or displacement). Some people (both directly affected and neighbours) are concerned they will not be able to sell property between now and when construction starts, now that people will know the road is planned for a future date. Whether a perceived or actual issue, this matter is causing stress. In many cases people feel like they are 'stuck', 'trapped', or their life is 'on hold'.</i></p> <p>Potential Mitigation: <i>Advance Purchase Policy for landowners who meet the criteria. Provide for certainty on future land acquisition timeframe and process.</i></p> <p><i>Negotiation of fair compensation in accordance with the Public Works Act (PWA) and NZTA's land purchase and compensation policy.</i></p>	<p>The consultation process and information flow has been tightly controlled by the NZTA. It feels to us that the process was in place in order to tick a box (i.e. that people had been “consulted”) rather than to advance either the project or to resolve concerns of the community.</p> <p>This ‘mitigation’ applies only to those considered ‘directly affected’ . i.e. Those whose land is to be taken. We agree with the social effect analysis but totally reject the validity of the ‘Potential Mitigation’ with respect to neighbours. Nothing in there helps us.</p> <p>Firstly, a matter that applies to both ‘directly affected’ and ‘neighbours’. The perceived difficulty in selling a property manifests its self in two ways—a much reduced selling price and the probability of a prolonged time to sell. When the project was first announced we took advice of both a valuer and multiple real estate agents. The basic message was that close to the alignment we could expect potentially a 30% drop in value and that few people would even consider our property once the location of the proposed motorway was known. One real estate agent advised that when selling a property similarly impacted by P2W, around 90% of people who rang in didn’t even consider a viewing once they were advised of the motorway consent.</p> <p>Note also that real estate law requires disclosure of relevant matters—we or our agent must declare the motorway proposal (or consent) to prospective purchasers.</p> <p>On a wider level, none of the ‘Potential Mitigation’ helps us at all. All the points noted under ‘social effect’ are valid. We have—</p> <ul style="list-style-type: none"> <li>• Had uncertainty since the day the project was announced. This includes uncertainty about timing of NZTA communications to us, the consent process and of the build</li> <li>• Uncertainty about the impacts of the construction phase. Its only with the publication of the AEE that any information</li> </ul>
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	<p><i>On-going and regular communications to provide (where able) certainty about timing for project works, use and management of land until required for the Project, acquisition (if required) and relocation of any businesses.</i></p> <p><i>Identify activities that landowners can undertake without recourse to s176 i.e activities that the landowner can undertake as of right without requiring the prior written consent of the Transport Agency.</i></p>	<p>about these effects has been provided. And it turns out to all be bad news</p> <ul style="list-style-type: none"> <li>• Uncertainty about the operational impacts. And these are distinctly unfavourable.</li> </ul> <p>The issues around selling are more than hypothetical. It is inevitable that one day we will need to sell our property—if for no other reason than because of age or deterioration in health. We have never expected that the property be handed to the next generation. For us this ‘Social effect’ will at some point become reality.</p> <p>Unlike those who are to be bought out, as neighbours our concerns cover a far wider range of matters. In addition to the inevitable change of home (and potentially lifestyle that it may bring), we also have issues around being able to afford like-on-like, and the worry around construction and ongoing affects.</p> <p>Our concerns are far broader than whose properties are required.</p> <p>NZTA needs to properly mitigate our situation.</p> <p>The Potential Mitigation relies in part on communication.</p>
<p>Communication</p>		<p>To date, the NZTA’s proactive communication regarding this project has been infrequent, at inconsistent intervals and pitches information at a very high level. It is possible that the inconsistent intervals are a result of things taking longer to complete and/or unexpected changes in direction (sometimes beyond the Agency’s control). But none of this justifies leaving residents up in the air. At a minimum a communication should have been sent advising of any delays and where possible establishing a new timeframe.</p> <p>Until the Assessment of Environmental Effects was made public, we had no information regarding the effects. And when it came, it was in the form of 2,500 pages of heavy technical assessments—nothing that allowed us to quickly focus on matters applicable to us.</p>

			if the communication program to date is any indication of the program envisaged under Potential Mitigation then it will be unsuccessful. There needs to be a fundamental change for it to be effective.
NZTA → Contractor Handover			Any communication program needs a smooth handover from the NZTA to the contractor when appointed. This must include providing clarity around all changes in who and how communications will subsequently occur.
One-on-one briefings and discussions			We are surprised and somewhat disappointed that the NZTA has made no effort to liaise with us as directly adjacent neighbours regarding the effects.

## 26. Summary of Effects

	AEE Table 9-2		This section of the submission discusses the summary of effects in Table 9-2 (pages 167 to 173) of the AEE, and the cumulative impact of all effects on us. Details of individual effects are discussed under the relevant technical areas throughout this submission.
Terrestrial and freshwater ecology	P167	Actual or potential environmental effect: <i>Improved adaptive capacity of ecosystems through pest and weed control</i> Scale of Effect with mitigation: <i>Positive</i>	This is highly misleading. The proposed weed and pest control is only for five years after plantings and then only for mitigation (and not landscape) plantings. The long term effects cannot be described as positive.  These effects are at best neutral.
	P168	Actual or potential environmental effect: <i>Removal of indigenous vegetation that impacts on fauna (bats, snails, lizards, birds) from loss of habitat, construction activities and creation of edge effects</i> Scale of Effect with mitigation: <i>Minor</i>	This is misleading. 13ha native vegetation is planned to be removed, the impact of dust and noise (construction and operational) on fauna is not assessed and edge effects are not assessed.  These effects are significant.
	P168	Actual or potential environmental effect: <i>Loss of wetland ecosystems through removal of vegetation and hydraulic changes and impacts on fauna resulting from loss of habitat,</i> Scale of Effect with mitigation: <i>Minor</i>	This is wrong. Loss of wetland is always significant (RMA and AUP). And not all wetlands have been identified.  These effects are significant.
Construction Traffic	P168	Actual or potential environmental effect: <i>Effects on the local transport network and SH1 arising from temporary construction traffic</i>	This is wrong. This submission identifies a range of adverse effects including safety and congestion that arise in the Southern sector.

		Scale of Effect with mitigation: <i>Minor</i> Actual or potential environmental effect: <i>Effects arising from temporary traffic management (TTM) including travel time and safety</i> Scale of Effect with mitigation: <i>No more than minor</i>	These effects are significant. Experience with P2W TTM does not support this conclusion.  These effects are significant.
Construction noise and vibration	P169	Actual or potential environmental effect: <i>Temporary increased vibration in proximity to the Project resulting from construction activities</i> Scale of Effect with mitigation: <i>Minor</i>	This is wrong.  These effects are extremely significant—potentially making occupation of our home untenable.
Construction air quality	P169	Actual or potential environmental effect: <i>Reduced air quality in proximity to the Project resulting from dust emissions arising from temporary construction activities (earthworks, topsoil removal and spread, cut and fill operations, vehicle movements, rock crushing)</i> Scale of Effect with mitigation: <i>Minor</i>	This is incorrect. The AEE and the Air Quality Assessment do not provide any evidence that dust will be contained within the designation, and experience of people near P2W indicates that dust is an issue for them.  These effects are significant.
Landscape and Visual	AEE P170	Actual or potential environmental effect: <i>Impacts on landscape character, visual effects, modification of rural character and amenity values ...</i> Scale of Effect with mitigation: <i>Less than minor</i>	This is very misleading. Although the effects on the majority of people will be small, neighbours of the project will face major adverse effects to their amenity.  These effects are substantially negative for neighbours.
Operational noise	AEE P171	Actual or potential environmental effect: <i>Improved noise levels from the reduced traffic volumes in areas around the existing SH1, particularly through Wellsford and Te Hana township</i> Scale of Effect with mitigation: <i>Positive</i>	As written—the effects around the existing SH1 are indeed positive. But there is no reference around the operational noise effects upon neighbours.  These are strongly negative for neighbours.
Social	AEE P171	Actual or potential environmental effect: <i>General disruption to local communities (residents, commercial business owners) as a result of construction activities, including diversions, change in access, and noise</i> Scale of Effect with mitigation: <i>Minor</i>	This is misleading. Although the majority of effects will be small, neighbours of the project will face major adverse effects. In some cases it may be untenable to continue occupying residences.  These effects are very strongly negative for neighbours.
		Actual or potential environmental effect: <i>Reduced amenity in areas around the new state highway</i>	This is wrong.  These effects are very strongly negative for neighbours.

Summary	Scale of Effect with mitigation: <i>Minor</i>	<p>This table addresses “average” or “overall” effects and in doing so generally fails to recognise that the impact upon neighbours are quite different in most cases. It’s the neighbours who bear the brunt of the adverse effects. But this is white-washed by considering just the big-picture. And we note that the RMA is interested in individual effects.</p> <p>As such the table misleads readers into thinking that the project has far less adverse effects than is actually the case.</p> <p>This table should be rewritten to correctly characterise the positives separately from the negatives.</p>
Cumulative effects		<p>The entire AEE and Assessments address individual effects and characterise them (in our view often incorrectly). But at no point do they consider the cumulative effects. In the case of neighbours there is a wide range of adverse effects from minor to very significant—and any positive effects are those that accrue to the broader community and regional and national economies.</p> <p>The cumulative effects of the project upon us as neighbours are extremely adverse.</p> <p>The AEE needs to consider the cumulative effects on neighbours of the project in its entirety.</p>
Designation		<p>The effects of this Project on us and our property are clearly more than minor, and we do not believe that the construction effects can be mitigated to point where they become minor (or less) whilst construction remaining viable. Despite major reservations, the only way forward that we can see is for our property to be included within the designation.</p>
<b>27. Conditions</b>		
	DC = Designation Consent Condition RC = Resource Consent Condition	

General Discussion			<p><b>These first submission points relate to the content and structure of all conditions.</b></p>
Recommendations			<p>The AEE and the Assessments contain a vast number of recommendations. All those that are agreed during the consent process need to be brought forward as conditions.</p> <p>In doing this, the agreed detail needs to be captured in the wording of the conditions—not just a general requirement to address the matter in (for example) a management plan.</p> <p>Once the conditions are in place, there is no need for the contractor to further consider the RMA in establishing either a design or a methodology. Provided that they follow the conditions they are free to do anything within the designation that suits their purposes.</p>
Qualified Conditions			<p>The conditions need to avoid any contractor decisions that could create alternative or greater adverse effects that were not directly considered during the consenting process. And qualified conditions should be avoided wherever there is a possibility to worsen the outcome. Where this is not possible an independent external review should be required to ensure that the approach taken by the contractor is genuinely necessary.</p> <p>This submission identifies a range of such qualified conditions (using “where practicable”, “if practicable”, “Best Practicable Option” etc) and where considered appropriate asks for them to be removed. There are other qualified conditions that we have not asked to be removed either because there appears to be a good reason to leave them in, or because the topic is out of scope of this submission.</p>
Best practicable option	RMA s(2)	<p><i>best practicable option, in relation to a discharge of a contaminant or an emission of noise, means the best method for preventing or minimising the adverse effects on the environment having regard, among other things, to—</i></p>	<p><i>Best Practical Option</i> is not something that should be in any consent conditions even where we have not submitted. Using BPO leaves the door open to not doing what can be and should be implemented.</p> <p>Should the Requiring Authority demonstrate to the Commissioners that there is no way to avoid its use, Best Practicable Option should only be used—</p>

		<p><i>(a) the nature of the discharge or emission and the sensitivity of the receiving environment to adverse effects; and</i></p> <p><i>(b) the financial implications, and the effects on the environment, of that option when compared with other options; and</i></p> <p><i>(c) the current state of technical knowledge and the likelihood that the option can be successfully applied</i></p>	<ul style="list-style-type: none"> <li>• where provided for by s(2) BPO of the RMA and the conditions must include—</li> <li>• the method for calculating the financial implications in accordance with s(2) BPO (b) of the RMA, and</li> <li>• how any “other things”, “the sensitivity of the receiving environment” and “effects on the environment” are considered alongside the “financial implications” under s(2) BPO of the RMA.</li> <li>• When BPO is used an analysis addressing the decision and alternatives considered against the test provided in s(2) BPO of the RMA be provided to affected residents.</li> </ul>
<p>Conditions <u>are</u> the Consent</p>			<p>The value of the consent process rests totally upon the conditions that result.</p> <p>We have had difficulties with the P2W conditions due to their not being well structured. This was commented on by external experts we engaged in dealing with construction traffic matters discussed in section 11 of this submission.</p> <p>To achieve this the conditions need to—</p> <ul style="list-style-type: none"> <li>• be complete—not let anything be left unsaid</li> <li>• be clear—use simple, unambiguous common language to the extent practicable</li> <li>• be well structured—ensure that all conditions relating to a particular technical area are grouped together and cross reference situations where different technical areas give rise to related conditions</li> </ul>
<p>Further Changes</p>			<p>We reserve the right to extend the scope of this section as further submissions and evidence emerges.</p>
<p>Consultation on Conditions</p>			<p>We expect to be consulted regarding any changes to the conditions included within the scope of this overall submission.</p>
<p><b>All Conditions</b></p>			<p><b>All the following submission points identify changes to conditions. They identify the nature of the change but not a specific wording.</b></p>

			Where applicable, new points are associated with similar existing Conditions in either the Designation Conditions or the Resource Consent Conditions. This submission does not intend that these associations be locked-in. We will accept any moves of new conditions between Designation Conditions and Resource Consent Conditions in accordance with planning and legal requirements.
The Project			Require that the project to be built in accordance with the plans and designs submitted to the hearing subject to any changes agreed in that process. General accordance is too broad a term with poorly understood parameters hence the request to be in accordance. Require that the methods used in construction the Project do not have any adverse effects not identified in the Assessment of Environmental Effects and associated documents, nor any new effects on our property as affected parties.
	New		
	New		
Management Plans	All management plans		<p>The following applies across all management plans proposed in both the Designation Conditions and the Resource Consent Conditions.</p> <ul style="list-style-type: none"> <li>• Any plans that restrict the rights of a resident (eg temporary removal of property access) require the approval of affected residents before being submitted <ul style="list-style-type: none"> <li>○ Should such agreement not be reached either the Requiring Authority or the resident may ask the Independent Arbitrator to make a binding decision. The Independent Arbitrator must follow Condition &lt;Independent Arbitrator Condition number&gt;.</li> </ul> </li> <li>• Any plans that facilitate exceedances of any criteria including where that exceedance is allowed by a qualified clause (including but not restricted to “if practicable”, “generally compliant”, and where involving “best practicable option”) require approval of affected residents before being submitted <ul style="list-style-type: none"> <li>○ Should such agreement not be reached either the Requiring Authority or the resident may ask the</li> </ul> </li> </ul>

			<p>Independent Arbitrator to make a binding decision. The Independent Arbitrator must follow Condition &lt;Independent Arbitrator Condition number&gt;.</p> <ul style="list-style-type: none"> <li>No management plan may allow an effect that is more than minor that has not been assessed in the process of granting this consent.</li> <li>All plans that provide for (minor) effects on residents must be prepared in agreement with those residents as affected parties</li> </ul> <p>All plans must be published on the project web site within 24 hours of approval by the Manager</p> <ul style="list-style-type: none"> <li>Any residents adversely affected by activities covered by a plan whether or not those activities are compliant are to be provided a copy of the plan within 24 hours of approval by the Manager.</li> </ul>
<p>Maps</p>	<p>DC – Page 5 RC – Page 6</p>	<p><i>Maps 1 – 6 Representative Watercourses</i> <i>Maps 7 – 12 Mitigation Sites</i> <i>Map 13 Fauna Habitat and Flyway mitigation area</i> <i>Map 14 – 16 Bridge Structures in Watercourses</i> <i>Map 17 Crossing of the Kourawhero Stream and associated wetland complex</i> <i>Maps 18 – 20 Ecological Sites</i></p>	<p>None of these referenced maps are provided either in the Proposed Designation Conditions nor the Proposed Resource Consent Conditions.</p> <p>We reserve the right to comment further once they are provided.</p>
<p><b>Designation Conditions</b></p> <p>Project web site</p>			<p>Require a project website to facilitate publication of various documents and information as required by these conditions.</p> <p>The project web site may also have other purposes and uses.</p> <p>Require at least the following communications for residents—</p> <ul style="list-style-type: none"> <li>Project plans provided at the start of each construction season by project section (north, central, south) and updated bi-monthly that</li> <li>Includes a project-wide high-level timetable</li> <li>Identifies by cluster of residences the upcoming levels of activity in their vicinity including—</li> </ul>
<p>Stakeholder and Communications Management Plan</p>	<p>DC 8</p>	<p><i>The Requiring Authority shall prepare a Stakeholder and Communications Management Plan (SCMP) prior to the start of Project Works. The purpose of the SCMP is to set out how the Requiring Authority will communicate with the public and stakeholders for the duration of Project Works.</i></p>	<p>The project web site may also have other purposes and uses.</p> <p>Require at least the following communications for residents—</p> <ul style="list-style-type: none"> <li>Project plans provided at the start of each construction season by project section (north, central, south) and updated bi-monthly that</li> <li>Includes a project-wide high-level timetable</li> <li>Identifies by cluster of residences the upcoming levels of activity in their vicinity including—</li> </ul>



			<ul style="list-style-type: none"> <li>○ earthworks—cuts and fills</li> <li>○ blasting</li> <li>○ the types of equipment and indicative numbers</li> <li>○ heavy traffic usage on local roads</li> <li>○ road changes—TTMs and permanent</li> <li>○ potential resident issues</li> <li>○ and any similar information</li> </ul> <p>In all cases the primary objective is to provide residents with an overview of upcoming matters so that they can understand the likely effects on them.</p> <p>Copies are to be provided to affected residents and be published on the Project web site. Residents may opt for paper copies of documents.</p>
Independent Arbitrator	New		<p>Add a condition that establishes the position, role and responsibilities of an Independent Arbitrator. This includes—</p> <ul style="list-style-type: none"> <li>● Position— <ul style="list-style-type: none"> <li>○ Appointed by a commissioner</li> <li>○ Independent of the Requiring Authority</li> </ul> </li> <li>● Roles— <ul style="list-style-type: none"> <li>○ Complaints—the point of final escalation for either complainant or the Requiring Authority</li> <li>○ Preparation of management plans—the determination of any matters unable to be agreed between the Requiring Authority and any resident</li> <li>○ Assistance—help complainants who for whatever reason are unable or unwilling to make a complaint in person. Such complaints may be anonymous if in the view of the Independent Arbitrator circumstances justify anonymity.</li> </ul> </li> <li>● Responsibilities <ul style="list-style-type: none"> <li>○ In executing the role, the Independent Arbitrator— <ul style="list-style-type: none"> <li>▪ may call for external expert advice to assist in making a decision</li> </ul> </li> </ul> </li> </ul>

Complaints	DC 11 to 14		<ul style="list-style-type: none"> <li>▪ must be impartial</li> <li>○ The decisions of the Independent Arbitrator are binding</li> <li>• The Independent Arbitrator is to be funded by the Requiring Authority including sufficient monies to cover the costs of any external expert advice that the Independent Arbitrator deems appropriate</li> </ul>
			<p>The Complaints Management Process needs to be enhanced to include—</p> <ul style="list-style-type: none"> <li>• Identification and publication on project web site of— <ul style="list-style-type: none"> <li>○ the full complaints process</li> <li>○ identification of an escalation procedure within the Requiring Authority that the complainant may take use if unhappy with the response</li> <li>○ advice that an independent arbitration process is available for either the Requiring Authority or the complainant if after escalation the complaint is not resolved to their satisfaction, and how to make use of the Independent Arbitrator’s service</li> </ul> </li> <li>• Add requirements that— <ul style="list-style-type: none"> <li>○ the process be readily accessible and easy for complainants to use</li> <li>○ it allows complaints to be made directly to field staff and not require complainants to also register the complaint with office staff</li> <li>○ complaints are to be handled in good faith</li> <li>○ handovers to other parties (where applicable) to be undertaken by the Requiring Authority, and that the complainant advised of the handover details</li> <li>○ acknowledgement of the complaint is provided as soon as practicable except when made in person or by phone call</li> <li>○ provide complainants with a complaint reference number</li> </ul> </li> </ul>

			<ul style="list-style-type: none"> <li>○ provide methods to handle urgent complaints (such as those involving dangers to the public and those involving excess dust, noise and vibrations), and include mechanisms requiring the immediate shut-down of activities causing the complaint should the danger or excess continue</li> <li>○ provide for urgent after-hours complaints</li> <li>○ provide details of the complainant’s agreement with the Requiring Authority’s response or if not forthcoming, details of the escalation undertaken by the Requiring Authority. (Note that this point replaces point 12.f which only requires a response “if deemed appropriate”)</li> </ul>
Incident Management			<p>(Note: There is an incident management procedure under the Erosion and Sediment Control heading. This should be replaced with an Incident Management procedure that covers all facets of the project.)</p> <p>Move the Incident procedure from RC48 to be adjacent to the Complaints Procedure (DC11).</p> <p>Change the definition of Incident (Page 4 of the Resource Consent Conditions) to include breaches of all conditions, the AUP(OP) and the RMA.</p> <p>Add the following—</p> <ul style="list-style-type: none"> <li>● Treat breaches of all conditions, the AUP(OP) and the RMA as incidents. This is to include all situations where criteria of conditions are exceeded despite being subject to qualified clauses (such as “if practicable” or “best practicable option”)</li> </ul> <p>(Note: This also includes incidents identified by way of the complaints process)</p> <ul style="list-style-type: none"> <li>● Maintain an incident register that contains— <ul style="list-style-type: none"> <li>○ Date</li> <li>○ Location</li> </ul> </li> </ul>

			<ul style="list-style-type: none"> <li>○ Circumstances</li> <li>○ Effects</li> <li>○ Actions taken to address the effects and cause of the incident—both immediate and long term—and when</li> <li>○ Parties notified and when</li> <li>○ Any matters specifically required by other conditions</li> </ul>
<p>Complaint and Incident Reporting</p>			<p>The Complaint and Incident reporting process should comprise two parts. A written report that—</p> <ul style="list-style-type: none"> <li>● Is at least bi-monthly and published within 5 working days of the period end</li> <li>● Contains a summary of all complaints and incidents</li> <li>● Contains a summary of all situations where the consent criteria are achieved with less than 50% margin. (Note: This is to provide a guide as to where further independent research may be justified)</li> <li>● Contains a summary of each complaint (anonymised) including cause, finding, whether valid or otherwise, resolution, complainant agreement or otherwise</li> <li>● Identifies any trends in exceedances and near-exceedances</li> <li>● Is provided to the Independent Arbitrator and to the Manager</li> <li>● Is available publicly on the project web site</li> </ul> <p>Follow up reports when issues are identified that—</p> <ul style="list-style-type: none"> <li>● Describe any changes required and/or made</li> <li>● Provides (subsequently) information to assess the impact of the changes made</li> <li>● Are provided to the Independent Arbitrator and the Manager.</li> </ul> <p>The Independent Arbitrator may ask for further information after receipt of either report.</p>

<p><b>Construction Noise and Vibration</b></p>	<p>DC 26 Table</p>	<p><i>Construction noise from Project Works shall, as far as practicable, comply with the following criteria in accordance with NZS6803:</i></p>	<ul style="list-style-type: none"> <li>• The “as far as practicable” needs to be removed</li> <li>• “(T)” should be set to 15 (minutes) in line with the operational noise assessment</li> <li>• Prior to commencement of Construction Works in the vicinity of 211 Kaipara Flats Road, the Requiring Authority shall construct a permanent 400 m long x 2.5 m high solid timber fence (or similar) for noise screening purposes at the edge of construction works nearest to the common boundary with 211 Kaipara Flats Road. (Note: Need to identify location more accurately)</li> <li>• Require that a specific condition be added that controls the maximum noise and vibration levels at 211 Kaipara Flats Road. This is to— <ul style="list-style-type: none"> <li>○ Identify short duration and long duration limits including defining what time frames constitute short and long duration</li> <li>○ The limits to be &lt;determined once all evidence relating to noise and vibration is tabled&gt;</li> <li>○ Require site specific monitoring in accordance with the applicable standards</li> <li>○ Requires a no-work day within 500m of the boundary of 211 Kaipara Flats Road on one Sunday in December every year that the Project is under construction. The date each year is to be set by the occupiers of the property at least 3 months in advance (Note: This is to allow a long running family event to continue without the effects of the Project.)</li> </ul> </li> </ul>
<p>Vibration</p>	<p>Table DC 27</p>	<p><i>Vibration from Project Works shall, as far as practicable, comply with the following criteria:</i> ...</p>	<ul style="list-style-type: none"> <li>• The “as far as practicable” needs to be removed</li> <li>• This table needs to be replaced with the table from the AUP(OP). (Note: Under Occupied PPFs this merges the two categories and changes the Daytime 0630h – 2000h limit to 3mm/s PPV)</li> </ul>

			<ul style="list-style-type: none"> <li>• Add a definition of “occupied PPFs” as PPFs that are normally occupied, and includes PPFs where the occupier is absent for less than 6 weeks.</li> <li>• The reference to blasting should be removed and a new condition added.</li> <li>• Remove the Best Practicable Option with regard vibration.</li> <li>• The various references to “as far as <i>practicable</i>” and “where practicable” need to be removed</li> <li>• Remove the requirement to follow “<i>Best Practicable Option</i>” for vibration.</li> <li>• Require agreement with occupiers of PPFs where full compliance cannot practically be achieved. In the case of vibration the agreement of the owner is also required where different from the occupier.</li> <li>• Add a requirement to undertake building surveys of all buildings where it is either predicted through modelling or established through monitoring or indicated through complaints that noise and/or vibration levels could reach 50% of the threshold.</li> </ul>
Management Plan - BPO DC 28, 29, 30			<ul style="list-style-type: none"> <li>• Remove reference to vibration. (It is covered is DC30)</li> <li>• Remove reference to Best Practicable Option. It allows the Requiring Authority to exceed to tabled measures in an uncontrolled manner.</li> <li>• Require that a model is developed and maintained that predicts noise levels at all PPFs within 500m of Project works. The model is to be prepared prior to the start of Project Works and updated as a result of actual measurements and complaints received.</li> <li>• Require that monitoring be in place at every site where it is predicted that noise levels could reach 50% of the threshold. This monitoring is at a minimum to be continuous, maintain a permanent log, provide remote data access, and provide automated alerts (eg text or email)</li> </ul>
Management Plan DC 28		<p><i>The Requiring Authority shall prepare a Construction Noise and Vibration Management Plan (CNVMP) to identify how conditions 26 to 27 will be met prior to Project Works commencing. The CNVMP shall be prepared by a Suitably Qualified and Experienced Person and shall identify the Best Practicable Option for management and mitigation of all construction noise and vibration, including where full compliance with the criteria in conditions 26 to 27 cannot practicably be achieved. The CNVMP shall, at a minimum, include the information required by NZS 6803, Annex E2. The term ‘noise’ in that document shall be interpreted as ‘noise and vibration’.</i></p> <p><i>If during Project Works noise and vibration levels from Project Works are measured or predicted to exceed the noise criteria in condition 27, then a Suitably Qualified and Experienced Person shall be engaged to identify specific Best Practicable Option measures to enable compliance with the criteria as far as practicable. The measures shall be added as a schedule to the CNVMP, implemented by the Requiring Authority for the duration of the relevant works, and provided to the Manager for information within five Days before the specific construction activity is undertaken, where practicable.</i></p>	
	DC 29		

			<p>when defined thresholds are reached. Equipment must be located in accordance with the standard.</p> <ul style="list-style-type: none"> <li>Require that any mitigation measures respect the rights of residents and be agreed with all affected residents. (Note: Temporary relocation is one option available. But it can heavily impact residents' lives and care is required that all issues that temporary relocation raises are well handled.)</li> <li>Require that no works be allowed to exceed the criteria whilst the Suitably Qualified and Experienced Person is engaged in resolving any issue under this condition. Should this be contravened, the site must be shut down until resolved to the satisfaction of the resident(s).</li> <li>Change the requirement that new measures are provided to the Manager for information to requiring the Manager's approval.</li> </ul>
DC 30		<p><i>If during Project Works vibration levels from Project Works are measured or predicted to exceed the Category B criteria in condition 27, then the relevant works shall not commence until a Suitably Qualified and Experienced Person has monitored the vibration levels at those affected buildings and identified specific Best Practicable Option measures to manage the vibration. Vibration monitoring shall continue throughout those works. The measures shall be added as a schedule to the CNVMP, implemented by the Requiring Authority for the duration of the relevant works, and provided to the Manager for information within five Days before the specific construction activity is undertaken, where practicable.</i></p>	<ul style="list-style-type: none"> <li>Require that a model is developed and maintained that predicts vibration levels at all PPFs within 500m of Project Works. The model is to be prepared prior to the start of Project Works and updated as a result of actual measurements and complaints received.</li> <li>Require that monitoring be in place at every PPF where it is predicted that vibration levels could reach 50% of the threshold. This monitoring is at a minimum to be continuous, maintain a permanent log, provide remote data access, and provide automated alerts (eg text or email) when defined thresholds are reached. Equipment must be located in accordance with the standard.</li> <li>Require that building surveys be conducted at every PPF where it is predicted that vibration levels could reach 50% of the threshold— <ul style="list-style-type: none"> <li>These surveys must be undertaken before Project work starts or if the 50% prediction arises during Project works at the first opportunity and no exceedances of the 50% criteria to occur until the survey is completed.</li> </ul> </li> </ul>

		<ul style="list-style-type: none"> <li>○ Surveys must be exclusively evidence based and document all identified pre-existing issues</li> <li>○ Surveys must be agreed by the resident (and owner if different)</li> <li>● Require that any mitigation measures respect the rights of residents and be agreed with all affected residents. (Note: Temporary relocation is one option available. But it can heavily impact residents' lives and care is required that all issues that temporary relocation raises are well handled.)</li> <li>● Require that no works be allowed to exceed the criteria whilst the Suitably Qualified and Experienced Person is engaged in resolving an issue under this condition. Should this be contravened, the site must be shut down until resolved to the satisfaction of the resident(s). Change the requirement that new measures are provided to the Manager for information to requiring the Manager's approval.</li> <li>● This condition requires monitoring before relevant work commences, but without that work going on monitoring is meaningless. It should be changed to require a progressive start-up of work whilst under constant monitoring by the Suitably Qualified and Experienced Person.</li> <li>● Change the threshold for monitoring to 50% of criteria.</li> <li>● Remove reference to Best Practicable Option.</li> </ul>
Blasting	New	<p>Add a condition to address blasting. It should—</p> <ul style="list-style-type: none"> <li>● Require a blasting limit of 5mm/s at PPFs</li> <li>● Require that blasting be as far as practicable away from residences</li> <li>● Require a stepped approach to blasting levels starting at 20% of target energy and rising in steps of no more than 20%.</li> <li>● Require that all blasting within 500m of any residence be monitored both by a Suitably Qualified and Experienced Person and by automated monitoring equipment located at the foundation of residence that modelling indicates to be</li> </ul>



			<p>at greatest risk. Allow the location to be moved to the next greatest at risk PPF if access is not provided by the owner.</p> <ul style="list-style-type: none"> <li>Require 72 hours notice to all residents who potentially could hear and/or feel the blast</li> <li>Require any specific action requested or required of residents to be with their agreement. And provide that the blasting cannot proceed until agreement is reached.</li> </ul> <p>(Note: The Requiring Authority could ask the Independent Arbitrator to step in should an impasse be reached.)</p>
	New		<p>Add a condition to require all Construction yards and other facilities to be noise screened from all existing dwellings within 400m.</p> <p>(Note: See also DC 51 under Urban Design and Landscape.)</p>
Haul Road Noise	New		<p>Require that traffic on private haul roads and access roads to not exceed 15kph within 400m of residences.</p>
Rock Crusher	New		<p>Require that sector the rock crusher be located—</p> <ul style="list-style-type: none"> <li>in the southern north of Bridge 22</li> <li>elsewhere at least 500m from residences except where not practicable</li> </ul> <p>(Note: See similar condition in Air Quality)</p>
Backing Alarms	New		<p>Require that broadband backing alarms are used. Should technological advances allow, newer quieter technologies must be used.</p>
Night Time	New		<p>Require no night time activities within 400m of PPFs except where no practicable alternative exists.</p> <p>(Note: timetabling delays cannot be used to trigger the “no practicable alternative”)</p>
<b>Construction Traffic Management</b>			
	Te Araroa DC 32	<i>Construction Works shall be managed to enable pedestrian access along Te Araroa Walkway where feasible and practicable to do so and the health and safety of users can be maintained.</i>	<p>Require that the project maintains pedestrian access along Te Araroa.</p> <p>(Note: There is land to the side that can be used for the walkway.)</p>

Road Damage DC 33	<p><i>Any damage to a local road at a construction site access point, which is verified by a Suitably Qualified and Experienced Person as being directly attributable to Heavy Vehicles entering or exiting the construction site at that location, shall be repaired within two weeks or within an alternative timeframe to be agreed with Auckland Transport. All repairs shall be undertaken in accordance with the Auckland Transport Code of Practice.</i></p>	<ul style="list-style-type: none"> <li>• Remove the reference to construction site access points and replace it with a reference to all local roads used as project haul roads.</li> <li>• Add a requirement that roads are to be smooth (including not being pot holed, slumped or having “steps” at points where seal overlaps)</li> <li>• Add a reference that the Requiring Authority is responsible for all local road damage that is substantially caused by construction traffic whether or not there are existing weaknesses in the road (e.g. propensity to slump)</li> <li>• Replace the two-week repair time with a requirement to proactively address issues</li> </ul>
DC 35	<p><i>Methods for managing traffic effects, including through temporary traffic management activities (TTM); including:</i></p> <ul style="list-style-type: none"> <li>... ii. <i>Methods to maintain vehicle access to property and/or private roads where practicable, or to provide alternative access arrangements when it will not be;</i></li> <li>iii. <i>Methods to minimise the effects of TTM activities on traffic;</i></li> <li>iv. <i>Methods to maintain local access during Project Works, where practicable, in particular during the realignment of or connection to local roads;</i></li> <li>v. <i>Methods to maintain access, turnaround locations and set down areas for bus routes (including school buses) where practicable;</i></li> <li>vi. <i>Methods for temporary road closures, with road closures to be carried out at times of lowest traffic, at night if practicable;</i></li> <li>... viii. <i>Methods to identify how impacts from construction related Heavy Vehicle movements on traffic flow and level of service of the road network will be managed;</i></li> </ul>	<ul style="list-style-type: none"> <li>• Remove all references to “where practicable” and “if practicable”</li> <li>• Change 35.c.ii to— <ul style="list-style-type: none"> <li>○ require the agreement of affected resident(s)</li> <li>○ to recognise that that access to one’s property is a right that this project must not remove.</li> </ul> </li> <li>• Change 35.c.iii to require TTMs with planned or actual duration of six months or longer avoid all adverse effects</li> <li>• Extend 35.c.iv to require that there is an alternative route that does not add more than 5 minutes travel time, has sufficient capacity and is free of project related delays</li> <li>• Change 35.c.viii to— <ul style="list-style-type: none"> <li>○ Define the expected level of service. NZTA to provide an initial draft of this.</li> <li>○ Require that the Project must not either cause congestion or increase existing congestion on any public roads</li> <li>○ Locate all construction facilities (including offices, yards and site access points) to minimise to the extent practicable adverse effects of local road users</li> <li>○ Avoid congestion caused by the project and site offices’ effects on peak traffic (morning and evening) on all local roads.</li> </ul> </li> </ul>

	SSTMPs DC 38	<i>The Requiring Authority shall prepare a Site Specific Traffic Management Plan (SSTMP) or Plans where any Project construction activity varies the normal traffic conditions of any public road prior to using that road prior to start of the relevant Construction Works. The purpose of the SSTMP(s) is to identify specific construction methods to comply with the CTMP and to address the particular circumstances, local traffic and community travel demands within the area covered by the SSTMP.</i>	<ul style="list-style-type: none"> <li>Require that at a minimum all public roads used as haul roads have SSTMPs</li> <li>Require that these SSTMPs be prepared in consultation with the local community.</li> </ul>
	DC 39	<i>The SSTMP(s) shall be prepared by a Suitably Qualified and Experienced Person and shall comply with the version of COPTM which applies at the time the relevant SSTMP is prepared. Where it is not possible to adhere to this Code, the Requiring Authority shall apply COPTM's prescribed Engineering Exception Decision (EED) process.</i>	<p>Require that where the EED process is used, all adverse effects on local traffic (including pedestrians and cyclists) and implications upon all local traffic are to be advised to the local residents.</p>
Haul Roads	New		<p>Require that certain identified public roads not be used as haul roads—</p> <ul style="list-style-type: none"> <li>Falls Road between Woodcocks Road and Mansel Drive</li> <li>Falls Road between Hudson Road and Hill Street</li> <li>Hill Street</li> <li>Phillips Road</li> <li>Carran Road unless all of the following upgrades are completed prior to use— <ul style="list-style-type: none"> <li>Widen along the entire road to allow two truck and trailer vehicles to safely pass in opposite directions without slowing down</li> <li>In the northern section—straighten the S-bends</li> <li>In the northern section including the apex at the entrance to 40 Carran Road—increase sightlines so that two oncoming vehicles travelling in opposite directions at the road's maximum safe speed have time to stop before they cross</li> </ul> </li> <li>Upgrade the Carran Road/Kaipara Flats Road intersection so that maximum sized truck and</li> </ul>

			<p>trailer vehicles can turn without crossing into the oncoming lane</p> <ul style="list-style-type: none"> <li>• Kaipara Flats Road unless the following upgrades are completed prior to use— <ul style="list-style-type: none"> <li>○ Double lane the one lane bridge between 63 and 77 Kaipara Flats Road</li> <li>○ Upgrade the right-angle corner at 111 Kaipara Flats Road to avoid having truck and trailer units crossing into oncoming traffic.</li> </ul> </li> </ul> <p>(Note: This may require widening the pavement and the painting of dual yellow centre lines approx 1.5m apart at the apex.)</p>
	New		<p>Require that all private haul roads (i.e. those within the designation boundary)—</p> <ul style="list-style-type: none"> <li>• be maintained to a good standard including be smooth and free of potholes</li> <li>• Have a maximum speed of 15kph (at least within 400m of residences)</li> </ul> <p>(Note: See also new DC condition regarding Construction Noise and Vibration.)</p>
	New		<p>Require that in the Southern section, the Project uses private haul roads to the extent practicable.</p> <p>Require that any use by project heavy vehicles of Kaipara Flats Road / Carran Road / Woodcocks Road / Mansell Road / Falls Road haul loop (including any subset of these roads) to—</p> <ul style="list-style-type: none"> <li>• Be avoided unless there is no practicable alternative</li> <li>• always be counter clockwise. (i.e. In the order listed here).</li> <li>• be limited to &lt;X&gt; movements per hour (regardless of circumstances)</li> </ul>
Local Roads Safety Audits	New		<p>Require that before any CTMP and SSTMPs are prepared—</p> <ul style="list-style-type: none"> <li>• All Project site access points and all public roads proposed for Project heavy traffic use be audited by an independent traffic engineer (who is a member of Engineers NZ). This audit is to consider at least—</li> </ul>

			<ul style="list-style-type: none"> <li>○ Road width, sightlines, bends and the impact on nearby intersections</li> <li>○ Road usage and capacity</li> <li>○ Needs of all potential road users including pedestrians, cyclists and horses</li> <li>○ Appropriate TTMs</li> <li>○ And the need to not inconvenience existing road users to the extent practicable</li> </ul> <p>Require that all identified physical improvements implemented before use.</p> <p>All other recommendations (including speed limits, directions, maximum project usage overall and/or by time of day) are to be documented in CTTMP and/or SSTMPs as appropriate, along with any further matters that the Suitably Qualified and Experienced Person believes are appropriate.</p>
Works Near Roads	New		<p>Require that any works adjacent to existing roads (including where traffic barriers are installed or proposed to be installed) are to be audited to ensure that full visibility remains for all regular road users.</p> <p>(Note: Drivers of smaller sedans typically lose visibility of the road surface of an intersecting road when there is a standard TTM barrier in the way.)</p>
Urban Landscape and Design	DC 43	<p><i>The Requiring Authority shall prepare an Urban and Landscape Design Framework (ULDF) prior to the start of Construction Works. The purpose of the ULDF is to:</i></p> <p>...</p> <p><i>c. support the achievement of the Ecological Outcomes in condition 54, through combining landscape planting, restoration planting and habitat rehabilitation where practicable.</i></p>	<p>Remove the reference to "where practicable"</p>

	DC 49	<p>The ULDMP(s) shall be prepared by a Suitably Qualified and Experienced Person and shall include the following details for the sector to which the plan applies:</p> <p>...  b. Detailed design drawings of the landscape and urban design features, including the following:</p> <p>...  xiv. New planting, where practicable, to provide visual screening of the permanent Project Works from dwellings with direct line of sight to the Project.</p>	49.b.xiv Remove the reference to “where practicable”
	DC 50	<p>The ULDMP(s) shall include the following planting and vegetation management details:</p> <p>a. Planting design details, including:  iv. Retention of existing shelter belts and indigenous trees within the Designation, where practicable, to screen direct line of sight of the permanent Project Works from adjacent properties.</p> <p>... b. A planting programme including the staging of planting in relation to the construction programme which shall, as far as practicable, include provision for planting within each planting season following completion of works in each Stage of the Project.</p> <p>c. Detailed specifications relating to the following:  i. Weed control and clearance;  ii. Pest animal management;</p> <p>...  d. The relevant requirements of the NZ Transport Agency P39 Standard Specification for Highway Landscape Treatments (2013), or any subsequent version, and performance standards including a five-year maintenance plan/schedule that requires any unsuccessful planting to be replaced within that five-year period unless canopy closure is achieved as determined by a Suitably Qualified and Experienced Person.</p>	<ul style="list-style-type: none"> <li>• In condition 50.a.iv replace “where practicable” with “unless no feasible alternative exists”</li> <li>• Condition 50.b needs to be linked to a requirement to stage the build to the extent practicable</li> <li>• Add a requirement to use native species in all situations except that native species may be accompanied by exotic species where a short-term screening effect is required.</li> <li>• Add a requirement that weed and pest control must be undertaken from the earliest possible time. For existing bush and wetlands this means from 3 months after the Requiring Authority first gains access to the individual site.</li> <li>• Require the design guideline to REQUIRE walls not batters adjacent to existing stands of bush and wetlands—not battered slopes.</li> <li>• 50.d needs to be changed to require maintenance in perpetuity</li> </ul>

	DC 51	Construction yards shall be designed and located to minimise their visibility from occupied dwellings located within 200 m of the construction yard which have views from the dwelling to the construction yard.	<p>Change to require all Construction yards and other facilities to be—</p> <ul style="list-style-type: none"> <li>• at least 400m from dwellings except where not practicable,</li> <li>• screened from dwellings.</li> </ul> <p>(Note: See also Condition XXX under construction noise and vibration.)</p> <p>Add a requirement that private haul roads be—</p> <ul style="list-style-type: none"> <li>• located as far as practicable from dwellings</li> <li>• be screened from dwellings.</li> </ul>
	DC 52	Temporary haul roads and access roads shall be rehabilitated as soon as reasonably practicable following completion of construction.	Clarify that this applies separately to each section of each haul road and access road and in any case before the next planting season
Landscape	DC 101	The Requiring Authority shall maintain (and replace unsuccessful planting) all landscape planting undertaken as part of the Project for a period of 5 years following opening of the Project in accordance with “NZTA P39 Standard Specification for Highway Landscape Treatments 2013”, or any subsequent amendment.	<p>This should be moved to the Urban Landscape and Design section.</p> <p>The requirement should be changed to—</p> <ul style="list-style-type: none"> <li>• Be in perpetuity—not just five years</li> <li>• Also include mitigation planting</li> </ul>
<b>Ecology</b>			
	Various		References to maps are all subject to copies of maps being available. We reserve the right to make further submissions when they are provided.
	DC 54	<p>In designing and managing the construction of the Project, the Requiring Authority shall achieve the following:</p> <p>a. Limit encroachment of Project Works into Ecological Sites where practicable to do so, and otherwise minimise impacts on such areas;</p> <p>...</p>	<p>Replace 54.a with a condition that requires that Project (both temporary and permanent) avoids encroachment into any areas of native bush and wetlands unless no feasible alternative solution exists.</p> <p>Where encroachment is unavoidable, add conditions that require that—</p> <ul style="list-style-type: none"> <li>• encroachment is minimised to the extent feasible,</li> <li>• walls must be used as the first line of defence in minimising the encroachment</li> </ul>

			<ul style="list-style-type: none"> <li>the construction of any walls be done in a manner that avoids any need to temporarily encroach (Note: This means building the wall exclusively from the alignment side)</li> </ul>
DC 55	<p><i>The Requiring Authority shall prepare an Ecology Management Plan to identify how the Ecological Outcomes will be met prior to the start of Project Works. The Plan shall be prepared by a Suitably Qualified and Experienced Person and shall include the following topic sections:</i></p> <p>...</p> <p><i>b. Recommended measures to be adopted to limit encroachment of Project Works into Ecological Sites including:</i></p> <p><i>i. The steps taken to reduce the footprint of Project Works in such areas and documenting the reasons where it is not practicable to do so; and</i></p> <p><i>ii. Measures to fence off or otherwise clearly demarcate such areas during Project Works to protect those sites from accidental damage during Project Works.</i></p>	<p>Point 55.b.</p> <ul style="list-style-type: none"> <li>Replace the concept of recommended measures with mandatory measures</li> <li>Add requirement to use walls instead of batters where batters would have an adverse ecological effect.</li> </ul> <p>(Advice note: An adverse ecological effect in this context is the loss of existing bush or wetlands as a result of batters. Replanting is not considered mitigation in any extent where a wall can take the place of a battered slope adjacent to existing native bush or wetland that would otherwise be degraded or lost by a battered slope.)</p>	
DC 64	<p><i>The Requiring Authority shall instruct a Suitably Qualified and Experienced Person to prepare a topic section to be included in the EMP describing and illustrating the proposed restoration planting and habitat restoration, that includes:</i></p> <p>...</p> <p><i>f. Proposed pest animal and pest plant management of restoration planting and habitat rehabilitation areas, including:</i></p> <p><i>i. Timing and implementation;</i></p> <p>...</p> <p><i>v. Maintenance periods.</i></p>	<ul style="list-style-type: none"> <li>Change point 64.f.i to establish that timing starts 3 months after the time that access is provided to each site.</li> <li>Change 64.f.v to require maintenance in perpetuity</li> </ul>	
New		<p>Add a condition that requires that the project alignment minimises the loss of native bush and wetlands to the extent practicable. In all</p>	



			<p>situations where the Requiring Authority determines that native bush and/or wetlands need to be removed—</p> <ul style="list-style-type: none"> <li>• The Requiring Authority to document the reasons (including alternatives considered) and submit this to a Commissioner.</li> <li>• The Commissioner must approve this before construction starts anywhere within 2km.</li> <li>• For the avoidance of doubt, this applies despite mitigation planting also being required.</li> </ul> <p>Add a condition protecting native bush and wetlands from construction activities—</p> <ul style="list-style-type: none"> <li>• Require that all existing native bush and wetlands not forming part of the alignment are protected except where no feasible alternative exists. Where the Requiring Authority determines that no feasible alternative exists this determination is to be documented and submitted to a commissioner for approval before any works to remove said native bush/wetlands is undertaken</li> </ul> <p>This does not appear to protect kauri snails. Their scientific name is (as far as I can ascertain) <i>paryphanta busbyi</i>. The condition should be rewritten to make it clear that all land snails (including the kauri snail) are to be considered.</p> <p>And the kauri snail should be referred to by its common name (as this condition does for the skink and gecko).</p> <p>(Note: Scientific names should be used in conjunction with common names especially to avoid ambiguities, but not at the exclusion of common names.)</p> <p>(Note: The following condition was used in Matakana Link Road, and should be repeated here-but with suitable paragraph renumbering.)</p> <p><b>Kauri contamination zone</b></p> <p>i. As New Zealand kauri trees (<i>Agathis australis</i>) (and soil and material surrounding them) may contain the pathogen that causes kauri dieback (<i>Phytophthora agathidicida</i> (formerly PTA)) strict hygiene procedures are required when works occur on or around kauri trees so as to avoid the spread of kauri dieback. All vegetation,</p>
	DC 70 Kauri Snails	<p><i>The Requiring Authority shall engage a Suitably Qualified and Experienced Person to conduct habitat and presence surveys within the Designation prior to the start of Project Works in areas that may be impacted by Project Works for the following species:</i></p> <p><i>a. land snail (Ambarhytida dunniae);</i>  <i>b. other land snails [lan to confirm]</i>  <i>c. copper skink; and</i>  <i>d. forest gecko.</i></p>	
Biosecurity Plan	DC 76		

<p>soil, and other material from within a “kauri contamination zone” (defined as 3 (three) x the radius of the canopy dripline of any kauri tree) must remain on site or be taken to a licenced landfill. For further information please contact the Kauri Dieback Programme on 0800 NZ KAURI (69 52874) or visit the website <a href="http://www.kauridieback.co.nz">www.kauridieback.co.nz</a></p>	<p><b>Removing Material from the site</b></p> <p>j. Any material (including soil) from within the “kauri contamination zone” that is to be removed to a licensed landfill site (not transfer station) must be buried within the ground. Where the material is to be loaded onto the back of an open top vehicle, the material must be covered with a tarpaulin (or similar) to prevent the material from leaving the vehicle whilst it is in motion. After the material has been emptied from the truck, the areas of the truck which were previously exposed to the material and the tarpaulin must be thoroughly washed with Sterigene (or other suitable agent) prior to the truck or tarpaulin being used for the transportation of any other material.</p>	<p>k. All footwear, clothing, tools, vehicles and equipment used on site must be cleaned of all soil, vegetation, or other material that has, or may have, come from a kauri contamination zone and must be thoroughly washed with Sterigene (or other suitable agent) on entry and exit from the site, on every occasion, to avoid the spread of kauri dieback (Phytophthora agathidicida (formerly PTA)).</p>	<p>Advice Note: Further advice can be found within the guidelines titled ‘Hygiene Procedures for Kauri Dieback’ and ‘Procedures for Tree Removal and Pruning’ published by the Ministry for Primary Industries Kauri Dieback Management Programme which can be found at <a href="http://www.kauridieback.co.nz">www.kauridieback.co.nz</a> or copies can be obtained from Auckland Council.</p>	<p><b>No potential risk</b></p>
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		<p>I. Conditions (j) to (l) above will not apply if the consent holder is able to demonstrate, to the satisfaction of the Team Leader, Monitoring NW, that the site in question is free of infection from kauri dieback (Phytophthora agathidicida (formerly PTA) and that any proposed actions relating to trees, soil, and other material on site will pose no potential risk for the spread of kauri dieback within or beyond the site.</p> <p>Advice Note: The process for identifying the absence of kauri dieback (Phytophthora agathidicida) includes a biosecurity assessment, soil sampling, analysis by a suitably qualified and experience person, and reporting to the council.</p> <p>General Advice Note: The pathogen that causes kauri dieback (Phytophthora agathidicida (formerly PTA)) is classified as an unwanted organism under the Biosecurity Act 1993 and in accordance with section 52 of that Act no person shall knowingly communicate, cause to be communicated, release, cause to be released, or otherwise spread the organism.</p> <p>(End of section from Matakana Link Road)</p> <p><b>Record of PTA sites</b></p> <p>m. The Requiring Authority to maintain an up-to-date record of all sites where Phytophthora agathidicida (formerly PTA) is known to exist within 1 km of the designation boundary. This record must be provided along with an analysis of all recently identified sites as part of any request made under part m of this condition.</p>
Protect specific blocks	New	<p>Add a condition whereby the Requiring Authority is required to design the project in a manner that minimises the amount of the bush block identified as WN_T_Mahu_02 requiring removal—especially the mature bush in the western portion. The Requiring Authority is to document the proposed impact and its reasoning (including all options considered) and submit to a Commissioner for approval. No work may proceed until approval is given.</p>
	New	<p>Add a condition requiring the all of the bush block identified as WN_T_MAHU_03 is to be protected.</p>

				See the Location Map in Appendix B. Add a condition requiring that corridor planting be provided between the western remnant of block WN_T_Mahu_02 and block WN_T_Mahu_03.
	New			See the Location Map in Appendix B. Add a condition(s) requiring pre-construction ecological surveys that— <ul style="list-style-type: none"> <li>• Include a walk-over of the entire Designation to identify all native bush and wetlands</li> <li>• Identify any nationally or regionally threatened species of flora and fauna.</li> <li>• Establish the current ecological value of all native bush and wetlands in accordance with the EIANZ Guidelines</li> </ul>
Bush and Wetland Survey	New			See the Location Map in Appendix B. Add a condition that requires the results of the bush and wetland survey to be considered in the final Project design and— <ul style="list-style-type: none"> <li>• That the final design avoids to the extent feasible any losses of native bush and wetlands, and where not feasible minimises the ecological value of the losses (Note: This is intended to recognise that a smaller amount of high value bush can exceed the value of a larger amount of low value bush)</li> <li>• That a report be provided that discusses all factors that form part of the final design including the analysis of all alternative bush and/or wetland options considered in the previous sub-condition.</li> <li>• The report submitted to a commissioner for approval before any Project works start.</li> </ul>
	New			(Note: This condition partially covers similar matters as DC 54. As such there is an opportunity to rationalise them.)
<b>Air Quality</b>				
	DC 86		<i>The Requiring Authority shall avoid, as far as practicable, objectionable or offensive odour, dust and</i>	Remove the reference to “as far as practicable”.

		<p><i>fumes arising from construction activities beyond the boundary of the Designation impacting on HSRs.</i></p>	<p>(Note: The concept of as far as is practicable is not acceptable. Such a term should not be in a consent conditions. Dust is dust. If dust is being generated the water trucks need to be at work. If odour is an issue then fix the odour. That may mean aeration of topsoil or adding an additive to break down the bacteria. This is basic site management.)</p>
	<p>DC 87</p>	<p><i>The Requiring Authority shall prepare a Construction Air Quality Management Plan (CAQMP) to outline the measures to be adapted to meet Conditions 86. The CAQMP shall be prepared by a Suitably Qualified and Experienced Person and shall include:</i></p> <p>...  <i>b. Identification of HSRs that may be adversely affected by emissions of odour, dust or fumes from Construction Works;</i>  <i>c. Methods for mitigating dust that may arise from:</i></p> <p>...  <i>ii. dust trackout from construction site exits onto sealed roads, potentially including the use of vacuum sweeping, water sprays or wheel washes for trucks;</i></p> <p>...  <i>f. Methods for monitoring and reporting on the state of air quality during Construction Works, including wind speed, wind direction, air temperature and rainfall;</i>  <i>g. Methods to remediate objectionable and/or offensive dust deposits from Construction Works on HSRs, potentially including cleaning exterior surfaces of houses or driveways and/or cleaning of water tanks and replenishment of water supplies.</i>  <i>h. Procedures for maintaining contact with stakeholders and notifying of proposed construction activities, with reference to the SCMP, including complaints procedures;</i></p> <p>...</p>	<ul style="list-style-type: none"> <li>• This condition needs to be expanded to identify methods to avoid or remedy—not just mitigate—dust.</li> <li>• 87.b needs to require that all HSRs within 200m of any Project works are included in the identification along with any other HSRs that the Suitably Qualified and Experienced Person believes should be included. A mechanism is required to add further HSRs as a result of observations or complaints</li> <li>• 87.c refers to “mitigating”, but some of the conditions like ii are actually “avoiding”. This needs clarifying.</li> <li>• 87.c.ii needs to also include methods to avoid dust being washed into streams</li> <li>• 87.f needs to include monitoring of surface moisture both on open areas and on haul roads.</li> <li>• 87.f needs to include the monitoring of short duration air borne dust measurements—both for the rock crusher and more generally. This monitoring is at a minimum to be continuous, maintain a permanent log and provide automated alerts (eg text or email) when defined thresholds are reached. The monitoring is to be appropriately located according to wind direction (i.e. downwind of Project works). (Note: The rock crusher requires a watering process. This is standard site management.)</li> <li>• 87.g needs to include obtaining the agreement with the occupiers as to the appropriate methods to remediate dust. (Note with regard water supplies it is important that this agreement is reached prior to the start of Project works.)</li> <li>• 87.h needs to include the need to contact each resident before works starts</li> </ul>

		<i>j. Contact details of the site supervisor or Project manager and the Project Liaison Person (telephone number and email or other contact address).</i>	<ul style="list-style-type: none"> <li>• 87.j rather than exist separately, this condition needs to integrate with the project complaints procedure</li> <li>• Add a condition that requires dust mitigation activities to be immediately undertaken should surface moisture levels drop to the threshold whereby dust can be generated</li> <li>• Add a condition to require work to cease should project related dust be observed beyond the designation boundary or monitoring equipment detects dust at a concentration whereby it is likely to be visible at the designation boundary. Work may continue only after the cause has been mitigated (e.g. through dust suppression.)</li> </ul>
Flora and Fauna	New		Add a condition to minimise the effects of dust on flora and fauna within the designation boundary.
Rock Crusher	New		Require that sector the rock crusher be located— <ul style="list-style-type: none"> <li>• in the southern north of Bridge 22</li> <li>• elsewhere at least 500m from residences except where not practicable</li> </ul> (Note: A similar condition is in the Construction Noise and Vibration conditions)
<b>Operational Noise</b>	DC 89 Table 2	<i>The Requiring Authority shall design and construct the Project to ensure that the operational State highway achieves the predicted Noise Criteria Categories identified in Table 2 at each of the identified PPFs as far as practicable adopting the Best Practicable Option. Achievement of the Noise Criteria Categories shall be by reference to a traffic forecast for a high growth scenario in a design year at least 10 years after the programmed opening of the Project.</i>	<ul style="list-style-type: none"> <li>• Remove reference to “as far as practicable”.</li> <li>• NZTA to identify for these conditions a draft basis for— <ul style="list-style-type: none"> <li>○ calculating the financial implications in accordance with s(2) BPO (b) of the RMA, and</li> <li>○ how any “other things”, “the sensitivity of the receiving environment” and “effects on the environment” are considered alongside the “financial implications” under s(2) BPO of the RMA.</li> </ul> </li> <li>• An analysis addressing all sections of s(2) BPO of the RMA is to be provided to all residents where the noise levels at their PPF is increased as a result of the Project being operational.</li> <li>• Table 2 needs to identify actual mitigated noise levels at each PPF rather than just category of compliance.</li> </ul>

Building Modification	New		<p>A clause is required to cover the eventuality that building modification is not practical. It should require at the owner's choice either a monetary payout or property purchase under the Public Works Act.</p> <p>If a monetary pay-out is chosen then the process to the extent applicable must follow the Public Works Act (including establishing values and covering of costs)</p> <p>The reference to Construction Works needs to be replaced with a reference to Project opening. (Note: This avoids confusion around when Construction Works ends where OGPA is laid.)</p> <p>This condition requires the following added—</p> <ul style="list-style-type: none"> <li>• Explicit confirmation that noise monitoring is undertaken (note that a subsequent version of the specification may change that)</li> <li>• Monitoring to include all locations used for the Project's Assessment of Environmental Effects Ambient noise monitoring that are within 200m of the designation boundary provided that occupiers agree. Where occupiers do not agree equivalent locations must be identified and used.</li> <li>• The monitoring results are to be input into a project wide noise model in order to recalibrate and rerun it. This will predict noise levels at all potentially affected PPFs.</li> <li>• Require that affected residents are advised and that mitigation is undertaken as soon as practicable anywhere that the audit finds non-compliance.</li> </ul>
Audit	DC 100	<p><i>Within 12 months of completion of Construction Works, the Requiring Authority shall prepare, a post-construction review report in accordance with the NZ Transport Agency P40 Noise Specification 2014, or any subsequent version, and provide the postconstruction review report to the Manager for information.</i></p>	
Other Mitigation	New		<p>Require noise barriers built on the western side of the mainline of the alignment in the vicinity of 211 Kaipara Flats Road.</p>
Designation	New		<p>Require that 211 Kaipara Flats Road be included within the designation.</p>
<b>Resource Consent Conditions</b>			

<p>Construction Environmental Management Plan</p>	<p>RC 17</p>	<p>The CEMP shall be prepared, having regard to the NZ Transport Agency Guideline for Preparing Environmental and Social Management Plans (April 2014), or any subsequent version including:</p> <p>a. Roles and responsibilities of construction management staff, including the overall manager responsible for environmental management.</p> <p>b. An outline construction programme, proposed staging, proposed hours of work and methods to inform Auckland Council of upcoming Construction Works, which shall occur at annual intervals or key construction times throughout the duration of Construction Works.</p> <p>c. Contact details of the site supervisor or Project manager and the Project Liaison Person (telephone number and email or other contact address).</p> <p>d. Methods and systems to inform and train all persons working on the site of potential environmental sensitivities and how to comply with these conditions.</p> <p>e. Measures to be adopted to maintain the land affected by Construction Works in a tidy condition in terms of disposal / storage of rubbish, storage and unloading of construction materials and similar activities.</p> <p>f. The location of construction site infrastructure including site offices, site amenities, contractors' yard access, equipment unloading and storage areas, contractor car parking and security.</p> <p>g. Means of providing for the health and safety of the general public.</p> <p>h. Procedures for the refuelling and maintenance of plant and equipment to avoid discharges of fuels or lubricants to Watercourses.</p> <p>i. Measures to address the storage of fuels, lubricants, hazardous and/or dangerous materials, along with</p>	<p>Add requirements to—</p> <ul style="list-style-type: none"> <li>• 17.a or 17.c to include identification of the person responsible for complaints, and the person responsible for complaints escalation—or link to the complaints process to identify these people</li> <li>• 17.b should be extended to require that the project be staged and identify in the CEMP the stages of the project to the extent practicable. The objectives of this staging are to— <ul style="list-style-type: none"> <li>○ minimise open ground,</li> <li>○ minimise duration of works (prior to final pavement and road “fit-out”) within 500m of any residences</li> <li>○ initiate final planting at each site at the earliest opportunity (or in the first planting season following the completion of works (prior to final pavement and road “fit-out”)</li> </ul> </li> <li>• 17.e to be extended to require land acquired for the project but not being used by the project to be maintained in a tidy state. NZTA needs to also provide a mechanism to ensure that this also applies to land outside of the designation.</li> <li>• 17.f to be extended to require the identified facilities to be located at least 400m from all residences and screened from all residences</li> <li>• 17.j to link with the complaints process</li> <li>• 17.k to link with a new Incident management process</li> <li>• Add a new point requiring complaint and incident reporting and provide a link to that condition.</li> </ul>
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		contingency procedures to address emergency spill response(s) and clean up. j. Procedures for responding to complaints about Construction Works; k. Procedures for Incident management. l. Methods for updating the CEMP as required.	
<b>Incident Management</b>	RC 48-49		Link these incident management conditions to an overall incident management condition (covered above). (Note: These conditions relate to erosion and sediment control incidents specifically and should be treated as a specific case within an overall incident management regime.) Add a requirement that there be no works within the watercourse of the Mahurangi River.
Works in watercourses	RC 54	<i>The Consent Holder shall design and construct the Project to include bridge structures with no piers in the Bed of the following Watercourses (as identified on Maps 14 – 16):</i> a. Mahurangi River (Left Branch); b. Hōteu River; c. Waitairaire Stream; and d. Maeneene Stream.	
Permanent culvert design	RC 59	<i>The Consent Holder shall design and construct permanent culverts to:</i> a. Minimise the risks of non-performance of the culvert, such as blockage, taking into account the risk of a vegetation/soil/rock debris flow; and b. Incorporate energy dissipation and erosion control to minimise the occurrence of bed scour and bank erosion in receiving environments.	Add requirements that permanent culverts — <ul style="list-style-type: none"> <li>• be designed to meet the 100 year ARI,</li> <li>• be no larger than required by standard component sizes in order to achieve this.</li> </ul> (Note: This is to avoid overengineering culverts)
Stormwater	RC 80	<i>The Consent Holder shall ensure that:</i> a. All stormwater from the Project is captured, treated and discharged through offline Stormwater Management Wetlands to the extent practicable; and b. All stormwater management devices and controls are designed to: ...	Clarify that 80.b applies to both Project stormwater and operational storm water.  (Note: Reading it leads to the impression that 80.b only applies to the Project stormwater discussed in 80.a)

	New		Add a requirement that requires all diverted water (including clean and dirty, construction and operation) to have outfall into an existing natural stream. (And be subject to the rules regarding that).
<b>Construction Air Quality</b>	RC 101 - 103		Rename this Construction Air Quality Management Plan (CAQMP) to avoid confusion with another plan of the same name in DC 86 to 88.
	RC 101	<i>The Consent Holder shall avoid, as far as practicable, objectionable or offensive odour, dust and fumes arising from the operation of a rock crusher, beyond the boundary of the Designation impacting on HSRs.</i>	The “as far as practicable” needs to be removed. (Note: Refer to note with RC 102)
	RC 102	<i>The Consent Holder shall prepare a Construction Air Quality Management Plan (CAQMP) to outline the measures to be adopted to meet condition 101. The CAQMP shall be prepared by a Suitably Qualified and Experienced Person and shall include: a. A description of the works, and periods of time when emissions of odour, dust or fumes might arise from rock crusher; b. Identify the location(s) of any mobile rock crusher for the duration of construction c. Identification of HSRs that may be adversely affected by emissions of odour, dust or fumes from the rock crusher(s); d. Methods for mitigating dust that may arise from mineral extraction and rock crushing, potentially including minimum setbacks from HSRs where necessary, emissions control equipment (e.g. enclosure and/or water sprays at transfer points), and monitoring of weather conditions and visual inspections; e. Methods for undertaking and reporting on the results of daily inspections of Construction Works that might give rise to odour, dust or fumes;</i>	<ul style="list-style-type: none"> <li>• This condition needs to be expanded to identify methods to avoid or remedy—not just mitigate—dust.</li> <li>• 102.b needs to identify specific locations that the rock crusher cannot be used— <ul style="list-style-type: none"> <li>○ South of bridge 22 in the Southern sector</li> <li>○ Within 500m of HSRs</li> </ul> </li> <li>• 102.c needs to require that all HSRs within 200m of any Project works are included along with any other HSRs that the Suitably Qualified and Experienced Person believes should be included. A mechanism is required to add further HSRs as a result of observations or complaints</li> <li>• 102.d refers to “mitigating” but nowhere are there any requirements to avoid or remedy dust. These are needed.</li> <li>• 102.f needs to include monitoring of source material moisture.</li> <li>• 102.f needs to include the monitoring of short duration air borne dust. This monitoring is at a minimum to be continuous, maintain a permanent log and provide automated alerts (eg text or email) when defined thresholds are reached. The monitoring is to be appropriately located according to wind direction (i.e. down wind of Project works).</li> <li>• 102.g needs to include obtaining the agreement with the occupiers as to the appropriate methods to remediate dust.</li> </ul>

		<p><i>f. Methods for monitoring and reporting on the state of air quality during Construction Works, including wind speed, wind direction, air temperature and rainfall;</i></p> <p><i>g. Methods to remediate objectionable and/or offensive dust deposits from Construction Works on HSRs, potentially including cleaning exterior surfaces of houses or driveways and/or cleaning of water tanks and replenishment of water supplies.</i></p> <p><i>h. Procedures for maintaining contact with stakeholders and notifying of proposed construction activities, with reference to the SCMP, including complaints procedures;</i></p> <p><i>i. Construction operator training procedures; and</i></p> <p><i>j. Contact details of the site supervisor or Project manager and the Project Liaison Person (telephone number and email or other contact address).</i></p>	<p>(Note with regard water supplies it is important that this agreement is reached prior to the start of Project works.)</p> <ul style="list-style-type: none"> <li>• 102.h needs to include the need to contact each resident before works start</li> <li>• 102.j rather than exist separately, this condition needs to integrate with the project wide complaints procedure</li> </ul> <p>Add a condition to require work is to cease should project related dust be observed beyond the designation boundary or monitoring equipment detects dust at a concentration whereby it is likely to be visible at the designation boundary. Work may continue only after the cause has been mitigated (e.g. through dust suppression.) (Note: NX2 has had far too much dust generation that has been poorly managed or not managed at all during weekend works.)</p>
<b>Lighting</b>	New		<p>Require that—</p> <ul style="list-style-type: none"> <li>• street lighting (or whatever its called on motorways) to follow the Dark Sky standards for street lighting including the requirement to minimise light-spill to the extent practicable</li> <li>• all street lighting, road side and gantry lighting be not more than 3,000°K and 2,700°K where practicable. (i.e. the LED “warm” white or “cooler”).</li> </ul> <p>Require that the road is designed so that vehicle headlights cannot spill onto existing residences. And that this must be achieved by natural land forms, earthworks, walls or bunds rather than by plantings.</p>
<b>Kaipara Flats Road Realignment</b>	New		<p>Require that any realigned section of Kaipara Flats Road—</p> <ul style="list-style-type: none"> <li>• have a maximum design speed of no more than 80kph</li> <li>• Maintain sight lines in accordance with the latest standards at all driveway crossings</li> </ul>

			(Note: Proposed condition under Ecology requires that the realignment not adversely affect any of WN_T_Mahu_03.)
<b>Fill Disposal and Borrow Sites</b>	New		<p>Require that all fill disposal sites be—</p> <ul style="list-style-type: none"> <li>• Located at the sites identified in Figure 5-2, 5-3 and 5-4 of the AEE</li> <li>• Should further sites (within each sector) be required than they must be located— <ul style="list-style-type: none"> <li>○ At least 200m from any residences</li> <li>○ Not occupy flood plains, depleted wetland areas and riparian areas</li> <li>○ Not have any adverse ecological effects</li> </ul> </li> <li>• Be screened from all residences until planting is complete</li> <li>• Within each sector be filled in a manner that minimises the number of incomplete fill disposal sites between construction seasons</li> <li>• Be landscape planted in the first planting season after being filled</li> </ul>
	New		<p>Require that all borrow sites—</p> <ul style="list-style-type: none"> <li>• Have no adverse ecological effects</li> <li>• Be at least 200m from residences</li> <li>• Be screened from all residences until the first cycle of landscape planting is complete</li> <li>• Be landscape planted in the first planting season after use</li> </ul>

Appendix A1 View of WN\_T\_Mahu\_03



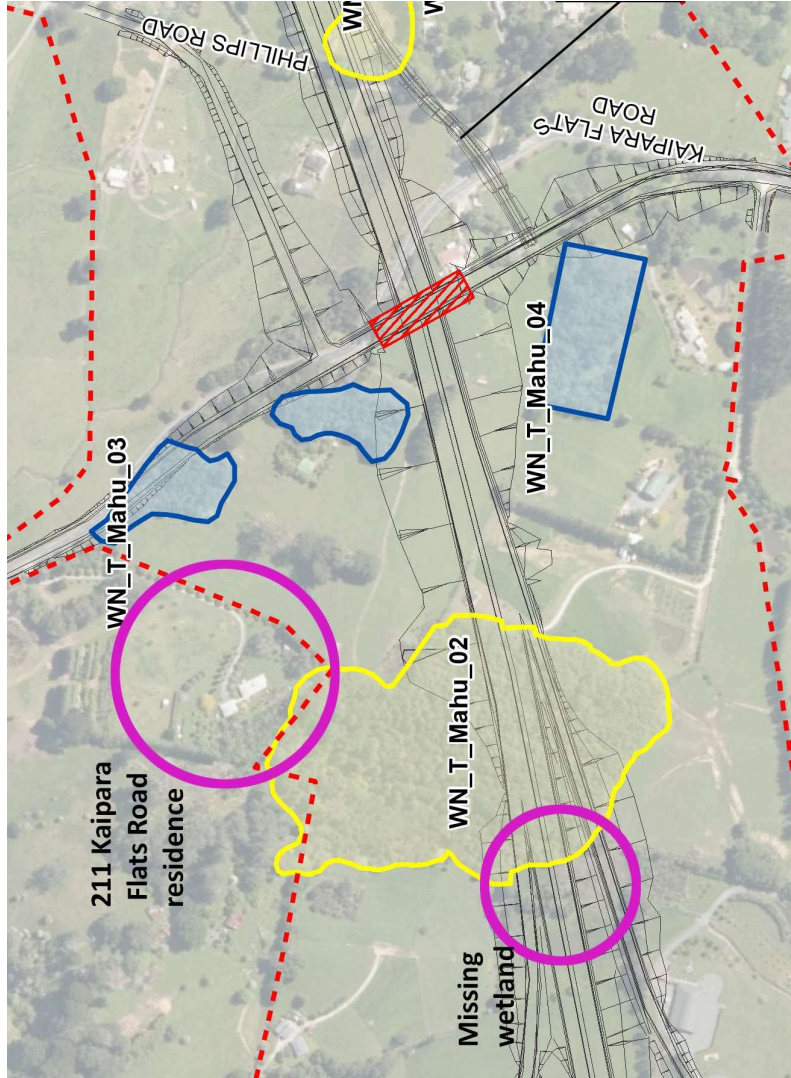
The view northwards from the residence at 211 Kaipara Flats Road highlighting WN\_T\_Mahu\_03 and its predominance in our view.



Appendix A2 View of WN\_T\_Mahu\_02



The view of the residence at 211 Kaipara Flats Road highlighting WN\_T\_Mahu\_02 and its role (along with additional foreground plantings) as a visual backdrop that ties our residence into the surrounding environment.



Clipped from EV-001—Ecological Assessment Terrestrial Values Map showing the location of the residence at 211 Kaipara Flats Road along with the locations of the two bush blocks incorrectly identified (WN\_T\_Mahu\_02 and WN\_T\_Mahu\_03) and the missing wetland.





**Consulting Advice Note**

Date: 27 February 2019

From: Jon Styles

To: Alison Pye

**RE: Matakana Link Road – Review of Noise and Vibration Effects**

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**Introduction**

As requested, I have prepared final comments on the noise and vibration related effects arising from the proposal to construct and operate the Matakana Link Road between Matakana Road and SH1 just north of Warkworth.

The principal documents referred to herein are:

- 1) *Matakana Link Road, Assessment of Acoustic Effects*, Rp 002 20171125, Marshall Day Acoustics, 9<sup>th</sup> October 2018 (the MDA Report);
- 2) *Section 92 Response*, Project No. 20181125, Marshall Day Acoustics, 8<sup>th</sup> May 2018 (the MDA Response);
- 3) *Logger Measurements* Project No. 20171125, Marshall Day Acoustics, 19 February 2019 (Second MDA Response); and
- 4) *Matakana Link Road Construction Noise and Vibration Management Plan Stage 1*, Rp 003 20171125, Marshall Day Acoustics, 22<sup>nd</sup> January 2019 (the Draft CNVMP).

**Road Traffic Noise**

The MDA Report has predicted the noise levels for the two stages of the project alone, as well as in the context of the traffic noise from the existing and future flows on SH1 and Matakana Road. The assessment of effects is relatively complex given the uncertainty around some of the receivers, the zoning of the surrounding land and the traffic flows for Stage 2.

Subject to the comments below, I generally agree with the prediction and assessment methods used in the MDA Report. I agree that the modelling of noise for the various future scenarios and stages is useful for understanding the effects of this project in the context of the noise generated by traffic on the surrounding road network.

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I note that much of the land surrounding the project is likely to be developed for industrial or business purposes, and because it will be developed following the notification of this NoR, it can reasonably be expected that activities established close to the designation would not be sensitive to road traffic noise.

### *Ambient Noise Levels and Model Calibration*

Section 4 of the MDA Report sets out the results of long term noise measurements and short term noise measurements for the purpose of characterising the existing noise environment and calibrating the computer noise model.

The results of the ambient noise measurements at 245 Matakana Road were queried in the Council's s92 request and the MDA Response repeated that the measurements were robust, and that an average noise level of 50dB  $L_{Aeq}$  was confirmed. Following a further query on that response, MDA confirmed that further noise measurements would be undertaken from the property at a location that was less-affected by noise from wind in vegetation. The results of the second survey were provided to the Council on the 19<sup>th</sup> February 2019. The second survey confirms that an average ambient noise level of 48dB  $L_{Aeq}$  was measured, where the predicted traffic noise level for the current situation was 50dB  $L_{Aeq}$ .

### *Noise Level Predictions*

As a result of my review, the noise level predictions for the three most-affected receivers have been revised by MDA. I understand that Ms Wilkening will be providing a revised version of Appendix G to the MDA Report in her evidence before the hearing. The revisions relate specifically to 245 Matakana Road and 42 and 27 SH1.

**245 Matakana Road** – The revised predictions for this receiver show that the Existing (2017) situation is considerably quieter (5dB) than was initially predicted. This means that if the project is not constructed, traffic growth on the existing network to the year 2036 will increase the noise level at this dwelling by 4dB. The noise from constructing and operating Stage 1 of the project will add another 3dB to the Do-Nothing scenario. The project will therefore result in a noise level increase of 3dB for this receiver by bringing traffic closer to the dwelling, compared to not constructing the project.

**27 SH1** – The revised predictions for this receiver show that the Do-Nothing scenario will be 4dB quieter than originally predicted, and constructing and operating Stage 1 of the project will result in a total noise level, (including noise from the existing SH1) that is 1dB lower than the Do-Nothing scenario. The noise from traffic on Stage 1 alone (in the absence of noise from SH1) is predicted to be only 52dB, which is 11dB quieter than the noise from SH1 in the year 2036. The project will therefore result in a noise level reduction of 1dB for this receiver, compared to doing nothing.

42 SH1 - The revised predictions for this receiver show that the Do-Nothing scenario will be considerably noisier (7dB) than originally predicted, and constructing and operating Stage 1 of the project will result in a total noise level, (including noise from the existing SH1) that is 1dB lower than the Do-Nothing scenario. The noise from traffic on Stage 1 alone (in the absence of noise from SH1) is predicted to be only 56dB, which is 13dB quieter than the noise from SH1 in the year 2036. The project will therefore result in a noise level reduction of 1dB for this receiver, compared to doing nothing.

I also queried why the properties in Clayden Road were predicted to experience significant levels of traffic noise in the Design Year, when the current noise levels are not particularly high at all. Ms Wilkening has advised by email that the traffic flows on Clayden Road are expected to increase from approximately 1000 per day in 2017 to more than 20,000 per day in 2036 as the land to the north is developed. I note that this is a significant increase in traffic.

I agree with MDA that overall, the road traffic noise effects of the project will be neutral to positive for many of the existing receivers, with increases in road traffic noise levels of more than 1dB arising at only 2 properties (245 Matakana Road, +3dB, and 42A SH1, +5dB). At all other properties, the change in noise levels between Do-Nothing and Stage 1 is between +1dB and -3dB, with most receivers experiencing a reduction in noise. Changes of +1dB to -3dB are expected to be just noticeable to not noticeable for most people.

### *Conclusion*

Overall, I generally agree with the MDA Report and the revised predictions, and I note that the noise level changes for the existing receivers will be relatively small (+/- 3dB) when comparing a scenario where the project is not constructed and traffic flows continue to grow, and a scenario where Stage 1 of the project is constructed and the predicted traffic flows are realised. The only exception is 42A SH1 where construction and operation of Stage 1 of the project is expected to increase the noise levels by 5dB, and will shift the dwelling from a Category A PPF to a Category B PPF in accordance with NZS6806:2010. I agree with MDA that if the dwelling will be occupied when the road opens, then some mitigation will be required to ensure that the noise levels remain below 57dB  $L_{Aeq(24hr)}$ . Such mitigation may include laying a low noise pavement (or at least 2-3dB quieter than the chipseal proposed) or perhaps barriers, (which I expect to be impracticable in this case). This should be controlled by a condition of consent.

### **Construction Noise and Vibration**

Section 5 of the MDA Report sets out the construction noise assessment for the project. I note that the assessment is not complete or detailed due to the fact that a construction methodology is not available. However, it is possible to predict the general level of noise and vibration effects given that the project involves construction methods and plant that are common and for which noise emission data is generally available, and this is the approach that MDA have taken.

I agree with the sound power levels and noise level predictions set out in section 5.4 of the MDA Report, and the statement below Table 5 which states that compliance with the project noise criteria should be achievable at distances of between 20-50m depending on the degree of mitigation (screening) that is practicable to apply.

Section 5 of the MDA Report usefully sets out that the construction of Stage 1 of the project would include the earthworks for Stage 2, so that when Stage 2 is constructed, only generally minor works would be required.

As stated in section 5.4 of the MDA Report, the surrounding land will likely be developed or occupied by new buildings prior to Stage 2 construction works commencing, and possibly before Stage 1 construction works commence. This means that the conditions controlling construction noise and vibration effects need to be appropriate for a future environment, as well as for the existing environment.

### *Mitigation Measures*

Section 5.6 of the MDA Report sets out the general construction noise mitigation measures that are proposed. I note that these measures are very general, and there is no specificity on the measures that will be employed in this case. Instead, the MDA Report states that a Construction Noise and Vibration Management Plan will be adopted which will set out the measures to be adopted, and will also be updated prior to construction once the final methodology is known.

I generally support this approach, although I note that it is important that the effects which would be permitted by the proposed conditions are assessed and understood in this process. The MDA Report only assesses the construction noise levels on buildings that exist now, which for the most-part are quite some distance from the works.

### *Construction Noise Effects*

The assessment of construction noise and vibration effects in section 5.7 of the MDA Report is brief, and does not provide any assessment of the effects of the work on people. It also states that “*Construction activity which complies with the construction noise limits in Section 3.2 is considered to be acceptable*”, (where the noise limits in Section 3.2 are those from NZS6803:1999).

It is not clear whether this statement means that the noise would be acceptable to the receiver or to MDA. In my experience, it is very common for construction noise levels that are compliant with the construction noise controls to cause significant disruption and annoyance to receivers, especially if the works are undertaken for long periods, at night or on Sundays or Public Holidays – all of which are possible in this case. Even works of typical duration during the day that only just comply with the construction noise limits can cause significant short term adverse

effects on some receivers. Although such effects are envisaged by NZS6803, it does not mean that there are no effects to consider. The MDA Report does not assess the effects of noise levels over the limits in Section 3.2 even though it states that such levels will be generated from time to time at some receivers.

In my view, it is important that the noise effects arising from all works and the effects authorised by the conditions are clearly described and understood. I consider that section 5.7 of the MDA Report does not describe the effects, nor is it helpful in providing an understanding of how people will be affected by noise arising from the construction works. The dwelling at 245 Matakana Road could be as close as 10m from the nearest works and close to the construction of a major intersection, and could be exposed to construction noise and vibration levels that could cause considerable disruption and annoyance. Such effects are not described or assessed.

To provide some context, I have included a brief description of the typical construction noise effects in Table 1 below. This is confined to daytime works only.

<b>External Noise Level</b>	<b>Potential Daytime Effects Outdoors</b>	<b>Internal Noise Level</b>	<b>Potential Daytime Effects Indoors</b>
65 to 70 dB $L_{Aeq}$	People would not want to spend any length of time outside, except when unavoidable through workplace requirements.	45 to 50 dB $L_{Aeq}$	Concentration would start to be affected. TV and telephone conversations would begin to be affected
70 to 75 dB $L_{Aeq}$	Outdoor activities would experience considerable disruption.	50 to 55 dB $L_{Aeq}$	Phone conversations would become difficult. Personal conversations would need slightly raised voices. Office work can generally continue, but 55 dB is considered to be a tipping point for offices. For residential activity, TV and radio sound levels would need to be raised.
75 to 80 dB $L_{Aeq}$	Some people may choose hearing protection for long periods of exposure. Conversation would be very difficult, even with raised voices.	55 to 60 dB $L_{Aeq}$	Continuing office work would be extremely difficult and become unproductive. In a residential context, people would actively seek respite.

**Table 1 – Construction Noise Effects on People during the Daytime**

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Based on the MDA Report, I expect that noise levels of 65dB to 75dB would be typical for the closest receivers to the works, with works up to 80dB  $L_{Aeq}$  being possible for short periods only, although the proposed conditions do not limit the construction noise levels. For the remainder of the existing receivers, noise levels would be generally below 75dB  $L_{Aeq}$ . For future receivers close to the designation, the noise levels could be 70-75dB on a regular basis when works are nearby.

### *Construction Vibration*

Section 5.7 of the MDA Report discusses the likely construction vibration levels from the project, focussing principally on the receivers in the existing environment. The assessment is limited to a very brief evaluation of the restrictions on the project that might arise if vibration levels need to be mitigated.

The MDA Report does not provide an assessment of the effects of construction vibration that might be experienced by the existing receivers (245 Matakana Road in particular) or the potential future receivers, and in particular for Stage 2 works.

Furthermore, the MDA Report discusses the application of the 2mm/s amenity limit for vibration in the AUP, but the proposed condition set omits any reference to human amenity limits for vibration. Instead, the proposed vibration limits are taken straight from the DIN4150-3:1999 standard for protecting buildings from damage. Human annoyance begins at vibration levels much lower than the DIN4150-3 limits, and vibration up to just below these limits would not likely be tolerated by residential or commercial receivers for short periods, if at all.

For most roading projects of this nature (and larger) it is common to have a vibration limit of 1mm/s or 2mm/s as a threshold for investigating further management and mitigation options, including communicating with affected receivers. These thresholds and the measures that follow are very effective in enabling good communication with those affected, avoiding significant adverse vibration effects on people and significant levels of complaint. However, those thresholds are absent in the proposed condition set, and have not been assessed or recommended in the MDA Report.

It is my view that the condition set must be updated to include a limit for and reference to annoyance from vibration in the fashion usually adopted for projects of this nature, along with procedures in the CNVMP for dealing with infringements to the annoyance limit (which would obviously be permitted subject to the management measures being implemented). The effects of vibration on people should also be assessed in the MDA Report, or in evidence at the hearing.

### *Conditions*

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I have reviewed the proposed condition set and I note that there are several matters which require attention, and there are several conditions which permit a greater level of noise and vibration effects than have been assessed in the MDA Report.

For example, condition 17 sets out the vibration limits from DIN4150-3:1999 that protect buildings from structural damage, and condition 18 permits those limits to be exceeded in circumstances to be confirmed by the CNVMP. There is no assessment of the effects of these vibration levels on people or buildings.

In a similar fashion, condition 16 requires compliance with the guideline noise limits in NZS6803:1999, unless it is not practicable to do so. If compliance is not able to be practicably achieved, the limits can be exceeded subject to the process set out in condition 20. However, there is no assessment of the effects of such high noise levels on the people that may be affected.

The MDA Report describes the best-case scenario for construction noise and vibration effects, whereas the proposed conditions provide for a much greater level of effect, enabling construction noise and vibration limits that are much higher than what has been assessed. Whilst I appreciate that flexibility is desirable, the effects of the more flexible conditions have not been assessed.

For a normal project where construction would be expected to commence soon after approval and where the receiving environment was not expected to change appreciably, it would be reasonable to reduce the scope of the conditions to meet the level of effect that had been assessed. However, in this case the conditions will need to deal with more receivers near to the works during Stage 2 – the precise nature of which is unknown at this time. It would therefore be prudent to retain a flexible set of conditions, provided the proposal properly assesses the effects on people and buildings that the proposed condition set permits. That includes the effects of high noise and vibration levels on people during the day and potentially at night. I recommend that the Requiring Authority completes this assessment in evidence, or adjusts the conditions to limit the effects to those set out in the MDA Report.

## **Submissions**

I have reviewed the submissions which relate to noise from Mahurangi Community Sport and Recreation Collective, Goatley Holdings Ltd and Stellan Trust.

The submission from the Mahurangi Community Sport and Recreation Collective seeks mitigation /protection against traffic noise/ distraction at the interface of the showgrounds and seeks engagement in the design process. Section 6.4.2 of the MDA Report states that the sports grounds are not a PPF in accordance with NZS6806:2010, but does go on to briefly assess the effects. The MDA Report states that the predicted noise level for Stage 1 is 50dB  $L_{Aeq(24hr)}$  and 49dB  $L_{Aeq(24hr)}$  for Stage 2. These predictions are at MP2 at the northern corner of

the north-eastern sports field. The MLR is some distance away from this position, but comes much closer to the playing fields west of MP2. Inspection of the noise level contours for Stage 1 (at page 39 of the MDA Report) show that noise levels will be approximately 55dB  $L_{Aeq(24hr)}$  across much of the field, with the north-western corner subject to noise levels of approximately 60dB  $L_{Aeq(24hr)}$ .

Given that these predictions are 24 hour averages, the noise level during daylight hours (when traffic is busier than at night) could be 2-3dB higher than the predicted figures. This means that the noise level across the north-western field would be from 52-53dB  $L_{Aeq}$  to 62-63dB  $L_{Aeq}$  when the fields are in use. It is generally accepted that a level of 55dB  $L_{Aeq}$  would be the upper desirable limit for sports fields, where higher noise levels could give rise to difficulties in communication between team members, especially over large distances on a rugby or football field.

I therefore agree with the submission from Mahurangi Community Sport and Recreation Collective insofar as the north-western fields are concerned. All other fields further removed from the MLR will be subject to noise levels that would not unreasonably interfere with the use of the facilities.

The submissions from Goatley Holdings Ltd and Stellan Trust consider that the road should be surfaced with hot-mix to limit noise and also to maximise ride quality. I agree that the use of a 'hotmix' or asphalt surface will reduce noise levels compared to the chip seal surface that is proposed for Stage 1, but I also note that it is generally more expensive than chip seal, which is probably why it has not been proposed for Stage 1.

I note that if the dwelling at 42A SH1 was to remain a PPF during Stage 1, then the western section of the MLR may need to be paved with asphalt or a surface quieter than chip seal to ensure compliance with the operational noise conditions. Such a surface may also be required to address the submission from the Mahurangi Community Sport and Recreation Collective. Other than for those receivers, I understand that the remainder of the surrounding land would be developed for commercial landuses which would generally not be sensitive to traffic noise, especially if they are established after notification of this NoR. I therefore do not support the submissions from Goatley Holdings Ltd and Stellan Trust.

## Summary

### *Operational Noise*

Overall, I generally agree with the MDA Report and the revised predictions, and I note that the noise level changes for the existing receivers will be relatively small (+/- 3dB) when comparing a scenario where the project is not constructed and traffic flows continue to grow, and a scenario where Stage 1 of the project is constructed and the predicted traffic flows are realised. The only exception is 42A SH1 where construction and operation of Stage 1 of the project is expected to



increase the noise levels by 5dB, and will shift the dwelling from a Category A PPF to a Category B PPF in accordance with NZS6806:2010. I agree with MDA that if the dwelling will be occupied when the road opens, then some mitigation will be required to ensure that the noise levels remain below 57dB  $L_{Aeq(24hr)}$ . Such mitigation may include laying a low noise pavement (or at least 2-3dB quieter than the chipseal proposed) or perhaps barriers, (which I expect to be impracticable in this case). This should be controlled by a condition of consent.

### *Construction Noise and Vibration*

I agree with the sound power levels and noise level predictions set out in section 5.4 of the MDA Report, and the statement below Table 5 which states that compliance with the project noise criteria should be achievable at distances of between 20-50m depending on the degree of mitigation (screening) that is practicable to apply.

I note that the MDA Report has not assessed the construction noise and vibration effects on people, and that the information that has been provided relates only to the effects arising from the best case scenario and only in respect of the existing receiving environment. I consider that the MDA assessment has not provided an assessment of the effects that the proposed condition set enables, in either the existing environment or the future environment for Stage 2.

I consider it prudent to retain a flexible set of conditions, provided the proposal properly assesses the effects on people and buildings that the proposed condition set permits. That includes the effects of high noise and vibration levels on people during the day and potentially at night. I recommend that the Requiring Authority completes this assessment in evidence, or adjusts the conditions to meet the assessment.

I am also of the view that the conditions require some updating to provide greater certainty on the measures that will be adopted to ensure the Best Practicable Option is adopted through the CNVMP, and also to introduce a vibration limit for human amenity, that would be used as trigger to initiate communication with those affected and a greater level of care scrutiny in the investigation of the BPO to minimise the effects. I will provide advice to the Council on the condition set.

**Appendix D HGT2 Traffic Report**

# KAIPARA FLATS ROAD AND CARRAN ROAD REVIEW

**TO:** David Mason  
**FROM:** Ella Constable

**HGT2 PROJECT NO:** 1040 142606 01  
**DATE:** 15 December 2017

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Harrison Grierson Consultants Limited have been engaged to investigate the implications of the existing and proposed truck volumes on Kaipara Flats Road and Carran Road in relation to the Te Ara Tuhono Puhoi-Warkworth construction.

The letter, dated 12 June 2017 prepared by Northern Express Group (NX2) outlines the use of Kaipara Flats Road and Carran Road for the movement of construction material. The number of construction vehicles is restricted within the three stages of construction. The first stage, which is currently active allows up to 17 truck and trailer construction vehicles per hour. The second stage allows up to 100 truck and trailer and construction units per hour. The last stage, stage three, places no restrictions on the vehicle class or the number of vehicle movements. This stage is scheduled to start in August 2018. Our observations of the existing road conditions are similar to those that you outlined when we met on Tuesday 19 September 2017. The issues are set out below.

## 1.0 EXISTING ROAD OPERATION

### 1.1 KAIPARA FLATS ROAD

We consider that the increase in truck movements are likely to create a safety issue at the one-way bridge on Kaipara Flats Road. Whilst the queuing time at the bridge is likely to increase, it is anticipated that an increase of truck movements will likely impact the safety of the one-lane bridge. Whilst vehicles slow to a stop to allow oncoming vehicles to cross the bridge, thereby reducing the probability of a head on conflict, the increase in truck movements will increase the probability of conflict. Additionally, as wait times increase, drivers may become more impulsive to take opportunities to cross the one-way bridge. This may result in drivers misjudging the time until an oncoming vehicle approaches and not allowing sufficient time to cross the bridge. Alternatively, drivers could increase their vehicle speeds in order to cross the bridge in time. We are concerned at the possible safety implications of this occurrence.

The geometry of the 90 degree bend on Kaipara Flats Road is restrictive for truck turning movements. Eastbound trucks are likely to track over the centreline of the road. The visibility beyond the corner is very limited. Drivers of oncoming vehicles will have very little time to react if a truck and trailer occupy the oncoming lane. The 35km/h advisory speed sign will aid oncoming drivers to adjust their vehicle speed to a speed that is considered acceptable.

Overall, the section of Kaipara Flats Road between State Highway 1 and Carran Road is of a standard expected of a rural local road, but will be used for a purpose significantly beyond this.

### 1.2 KAIPARA FLATS/CARRAN ROAD INTERSECTION

Trucks turning left into Carran Road from Kaipara Flats Road will almost certainly cross the centreline to undergo the manoeuvre. This is likely to increase the probability of head on crashes with oncoming vehicles. There is also a small likelihood that vehicles will form a queue behind the turning trucks, however this will be minimal. During our site visit, we were unable to observe trucks turning left into Carran Road. The southern portion of the intersection would benefit from road widening in order to ease the left turn manoeuvres. This can be suggested to NX2.

### 1.3 CARRAN ROAD

Carran Road is not an ideal route for trucks, especially truck and trailer units that are currently using the road. Firstly, the road is too narrow to allow two truck and trailers to pass one another in opposite directions. Secondly, the steep gradients, especially just south of the intersection with Kaipara Flats Road are causing trucks to slow down. This magnifies the force applied to the pavement and as a result, the road is beginning to rut. We cannot confirm that this is a result of the NX2 trucks, but it will undoubtedly increase the degradation of the pavement as truck numbers increase.

Thirdly, there is limited visibility at the crest of the hill just south of the Kaipara Flats Road intersection. This is not such an issue as the driver's eye height in a truck is higher than that of a car.

As the geometry of Carran Road demands slower vehicle speeds, there is a lower consequence of a serious crash.

### 1.4 ROAD SAFETY

A search was conducted of the New Zealand Transport Agency's (NZTA) Crash Analysis System (CAS) for crashes in the five-year period from 2012 to 2016 as well as all crashes that had been entered for 2017.

There have been no recorded crashes within a 50m radius of the one-lane bridge, the 90 degree bend nor the intersection of Kaipara Flats Road and Carran Road. Therefore, there is no evidence to suggest that there is an existing safety issue at these locations.

We understand that there was an incident involving a truck losing control which resulted in the load falling off onto the road. This may either not have been recorded or occurred prior to 2012. The same can be said about the incident involving the bus manoeuvring into the ditch to avoid crossing the centreline whilst being observed by a traffic officer (we did not observe these incidents).

### 2.0 OTHER MATTERS

We question whether 100 truck movements per hour is possible. This is due to the time taken to physically load or unload a truck. If instead the consented limit is 100 trucks (one-way movements) per hour, this would seem more realistic. Regardless, the increase in trucks will have an impact on the local road network and the quality of the roads due to the very significant increase in the number of truck movements.

We have also made contact with NX2 to question the use of the single access road between State Highway 1 and Carran Road. A representative of NX2 has confirmed that the access road within the Motorway Designation between SH1 and the southern end of Carran Road is a site haul road which will be used by earth moving machinery. While some trucks will use this haul road for the delivery of material (sand and aggregate), NX2 will also be using Kaipara Flats Road and Carran Road to access other sections of the motorway construction.

NX2 are happy to schedule a meeting to discuss the haul road and any other questions should you wish.

### 2.1 CONDITIONS OF CONSENT

The document titled 'Final Report and Decision of the Board of inquiry into the Ara Tuhono-Puhoi to Wellsford Road of National Significance: Puhoi to Warkworth Section (Volume 3 of 4: Conditions)' outlines the final conditions of consent. The conditions that relate directly to Kaipara Flats Road and Carran Road have been listed below, in italics

**D17** *The Requiring Authority shall manage construction traffic and construction parking to:*

- a) *Protect public safety including the safe passage of pedestrians and cyclists;*
- b) *Minimise delays to road users;*
- c) *Minimise interruption to property access; and*
- d) *Inform the public about any potential impacts on the road network.*

As described above, we are concerned about public safety of vehicles, pedestrians and cyclists using Kaipara Flats Road. The delays to road user at the one way bridge and at the corner of Kaipara Flats Road and Carran Road are also of concern. We are even more concerned about Carran Road, which is clearly

unsuitable for the possible volumes that could use this road. This effects the condition on consent outlined in D17a, b and c.

**D18** *The Requiring Authority shall prepare a Construction Traffic Management Plan (CTMP) for the Project to identify how Conditions D16A and D17 will be met.*

*The CTMP shall include the following:*

- a) *Details of traffic management activities and sequencing proposed for the Project;*
- b) *Methods for managing construction related traffic movements;*
- c) *A process for preparing Site Specific Traffic Management Plans; and*
- d) *Provisions to ensure that local traffic will not be held up by construction activities for an unreasonable period of time (such time period to be specified).*
- e) *Provisions for emergency services to have access along all local roads 24 hours per day, unless construction requires the temporary closure of a road, in which case, as part of the relevant SSTMP, an emergency action plan shall be developed and agreed with emergency services prior to any temporary closure so that an agreed access via an alternative route is available for the duration of that closure.*

Particularly in relation to item b) above, the left turn from Kaipara Flats Road into Carran Road cannot be made by truck and trailer units without crossing the road centerlines. We are unaware of how this unsafe manoeuvre is to be managed.

**D20** *In compliance with the CTMP, the Requiring Authority shall prepare a Site Specific Traffic Management Plan (SSTMP) or Plans where any Project construction activity varies the normal traffic conditions of any public road. The purpose of the SSTMP(s) is to identify specific construction methods to address the particular circumstances, local traffic and community travel demands within the area covered by the SSTMP.*

In accordance with D17 d) above, we are advised that neither the CTMP nor SSTMP has been provided outlining methods to address vehicle tracking, pedestrian and cycle safety, or delays at the one way bridge with the proposed traffic volumes along Kaipara Flats Road and Carran Road.

**D22** *The SSTMP(s) shall comply with the version of the NZ Transport Agency Code of Practice for Temporary Traffic Management (COPTTM) which applies at the time the relevant SSTMP is prepared. Where it is not possible to adhere to this Code, the COPTTM's prescribed Engineering Exception Decision (EED) process shall be followed.*

**D23** *A SSTMP shall be prepared in accordance with Conditions D20 to D22 for:*

- (d) Carran Road and Kaipara Flats Road from Woodcocks Road to SH1, unless construction traffic is specifically prohibited from using this route.*

Given the safety issues raised on both Kaipara Flats Road and Carran Road, and the alternative site access currently being constructed to the south of Kaipara Flats Road, we recommend that you apply to Auckland Transport to have the use of Carran Road and Kaipara Flats Road specifically prohibited due to unmanaged safety and ongoing maintenance issues which are currently evident (particularly on Carran Road) and will get worse with the level of trucks proposed by the development.

**D23A** *At least 5 days prior to the applicable construction traffic commencing, the Requiring Authority shall provide the SSTMP to the relevant Road Controlling Authority for approval.*

**D23B** *The Requiring Authority shall implement each SSTMP for the duration of the Construction Works to which the particular SSTMP applies.*

We note that the original letter from NX2 referred you to the following condition;

**Upgrade to Kaipara Flats Road Intersection**

*D70A Prior to Kaipara Flats Road being used by any Heavy Vehicle for construction and prior to the Project opening to traffic, the intersection of Kaipara Flats Road and State Highway 1 shall be upgraded to ensure that turning movements at the intersection can be made safely. To assess safety, the improvements shall undergo a detailed design road safety audit prior to construction of the intersection in accordance with the procedure set out in the New Zealand Transport Agency (NZTA) Guideline "Road Safety Audit Procedures for Projects" (May 2013 or as superseded by another NZTA publication). The audit shall give particular consideration to the safe operation of the intersection 10 years after opening of the Project.*

It is clear that this condition refers to the intersection only and does not relate to the use of Kaipara Flats Road or Carran Road. Issues associated with the safe and efficient use of these roads to provide possible access to the site are covered in previous conditions.

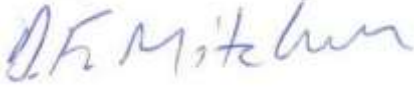
Our summary of the site is that without further consideration of vehicle tracking and safety issues, along with road reconstruction and ongoing maintenance monitoring, Kaipara Flats Road and Carran Road (in particular), are not suitable for the numbers of trucks proposed in the consent.

### 3.0 SUMMARY OF KEY ISSUES

1. There are adverse consequences of queuing at the one-way bridge.
2. The overall standard of Kaipara Flats Road and Carran Road are not suitable for the volumes proposed.
3. It is unsafe for large truck/trailers to left turn from Kaipara Flats Road into Carran Road.
4. Carran Road is too narrow for two-way truck traffic.
5. There is a lack of mitigation to these in either the CTMP or the SSTMP.

Clearly conditions D18 and D23 are conditions that AT should be made aware of in terms of the issues related to truck movements. There are serious safety and operational issues that they have the ability to address through the consent and need to be proactive with the management of this area.

Yours sincerely  
**Harrison Grierson**

Author:	Reviewed and approved by:
<b>Ella Constable</b>	<b>David Mitchell</b>
Graduate Transportation Engineer	Technical Director- Traffic and Transportation
	

29 June 2020

Auckland Council - Premium Unit

VIA: Online submission

**RE: Waka Kotahi New Zealand Transport Agency Application for Resource Consent – Warkworth to Wellsford**

BUN60354951

LUC60354952, LUS60354955, WAT60354953, WAT60355184, WAT 60356979, DIS60354954, LUC60355185, DIS60355186

**1. Introduction to Submitter:**

First Gas Limited (Firstgas) own and operate approximately 2,500 kilometres of high-pressure natural gas transmission pipelines through the North Island and are confirmed as a Requiring Authority.

The gas transmission pipelines, located below the ground, is supported by ancillary above-ground infrastructure, and delivers gas from production stations in Taranaki to various towns and cities throughout the North Island, including within Auckland and Whangarei, for commercial, industrial, and domestic use.

In the context of the Resource Management Act 1991, the Firstgas assets and operations deliver significant benefits to the wider North Island. The transmission (and distribution) of natural gas provides for people and communities' social well-being and their health and safety. The gas transmission network is recognised as both regionally and nationally significant infrastructure.

**2. Understanding the Notice of Requirement and resource consent application:**

Waka Kotahi - The New Zealand Transport Agency (NZTA) intend to construct and operate a new four lane dual carriageway highway. The works will include three interchanges, twin bore tunnels, a viaduct, a bridge and a series of cut and fills across the project area.

To enable the works, NZTA have lodged a Notice of Requirement (NOR) to protect the proposed highway and works corridor and enable the works, being the construction, operation and maintenance of a new four lane state highway.

NZTA have also applied for resource consent in relation to multiple activities, including earthworks, vegetation removal, structures and temporary works, diversion of streams and ground water, discharge to air, and stormwater management.

**3. Firstgas assets within the subject area:**

Firstgas owns and operates the 'Westfield to Maungatapere Gas Pipeline' and the Wellsford Delivery Point which are located within the consent application area.

This infrastructure is part of network which conveys natural gas between Auckland and Whangarei and is the communities' only source of natural gas. The pipeline operates under high-pressure and is a transmission asset, as well as being identified as critical infrastructure.

The pipeline corridor is designated in the Auckland Unitary Plan, reference '9101 Taupaki to Topuni Gas Pipeline' which provides for the 'operation, maintenance and repair, upgrade and renewal of the existing gas transmission pipeline and ancillary facilities as required for the transportation of gas.'

#### **4. Overview of Policy Framework Relating to Gas Infrastructure within the extent of Proposed Designation Area and Resource consents:**

Matters for the Council to consider in respect of the application, include consistency with the Auckland Unitary Plan's direction and framework and the Regional Policy Statement. In the context of existing gas infrastructure, the provisions of note within the Regional Policy Statement for Auckland contained within Chapter B of the Unitary Plan are:

##### *B3.2.1 Objectives*

- (1) Infrastructure is resilient, efficient and effective.*
- (2) The benefits of infrastructure are recognised, including:
  - (a) Providing essential services for the functioning of communities, businesses and industries within and beyond Auckland;*
  - (b) Providing for public health, safety and the well-being of people and communities;**
- (6) Infrastructure is protected from reverse sensitivity effects caused by incompatible subdivision, use and development.*

##### *B3.2.2 Policies*

###### *Provision of infrastructure*

- (1) Enable the efficient development, operation, maintenance and upgrading of infrastructure.*
- (2) Recognise the value of the investment in existing infrastructure.*

###### *Reverse sensitivity*

- (4) Avoid where practicable, or otherwise remedy or mitigate, adverse effects of subdivision, use and development on infrastructure.*
- (5) Ensure subdivision, use and development do not occur in a location or form that constrains the development, operation, maintenance and upgrading of existing and planned infrastructure.*

Further, Chapter E26 Infrastructure provides for Network Utilities objectives and policies, including:

##### *E26.2.1. Objectives*

- (4) Development, operation, maintenance, repair, replacement, renewal, upgrading and removal of infrastructure is enabled.*
- (6) Infrastructure is appropriately protected from incompatible subdivision, use and development, and reverse sensitivity effects.*

##### *E26.2.2 Policies*

###### *Adverse effects on infrastructure*

- (3) Avoid where practicable, or otherwise, remedy or mitigate adverse effects on infrastructure from subdivision, use and development, including reverse sensitivity effects, which may compromise the operation and capacity of existing, consented and planned infrastructure.*

#### **5. Firstgas operating standards and codes:**

Firstgas is required to ensure the protection and integrity of the pipeline is maintained, and to ensure the safety of the public, property and environment. Pipelines are required to meet the safety and operational requirements of the Health and Safety in Employment (Pipelines) Regulations 1999, and the operating code Standard AS2885 Pipelines – Gas and Liquid Petroleum (AS2885).

Third party interference is one of the main risks to the safety and integrity of the underground pipelines. Activities which may affect the existing gas infrastructure need to take into account the location and protection requirements of the pipelines and associated infrastructure. Activities in the vicinity of the pipeline will also need to be carried out in a way which does not compromise the safe and efficient operation of the network, including the ability to legally and physically access the infrastructure with necessary machinery to undertake works.



## **6. Submission Statement:**

Firstgas is neutral to the resource consent application but seeks to ensure that the outcome provides an appropriate framework to enable the ongoing operation, maintenance, and upgrading, of the existing infrastructure, which includes access; while also protecting the asset from activities associated with the consenting activities. This framework also ensures that Firstgas are able to continue to comply within its industry standard for the operation and maintenance of gas and liquid petroleum pipeline assets – AS225.

It is noted that the application identifies the option of realignment of the pipeline. As this requirement has not yet been confirmed, Firstgas seek inclusion of additional consent conditions in order to protect the integrity of the pipeline infrastructure.

The designated pipeline corridor '9101 Taupaki to Topuni Gas Pipeline' also includes restrictions included within this designation, which specifically state that no person shall plant any tree or shrub, disturb the soil below a depth of 0.4mm from the surface; or do anything on or to the land which would or could damage or endanger the pipeline within the designated corridor without first obtaining written consent of Firstgas. Firstgas seek in this submission that the consent conditions reflect the designation requirements, to ensure clarity of priority to all parties.

Furthermore, Section 176 of the Resource Management Act 1991 states that no person shall undertake any use of the land, and change the character, intensity and scale of the use of the land, that would prevent or hinder work to which the designation relates, without prior written consent of that requiring authority.

Firstgas seeks that the content of this submission be factored into future decision-making deliberations, to the extent that the resource consent decisions issued by Auckland Council includes clear provisions which protect the existing infrastructure and does not restrict nor compromise its ongoing safe and effective operation, maintenance and upgrade abilities, including access and ensures that the purpose of the existing designation is upheld.

## **7. Specific Submission Points to the Applicant's Resource Consent**

Firstgas seek the inclusion of the following consent conditions:

1. Any activity within 20 metres of existing infrastructure to which this consent relates shall require the written authorisation from the infrastructure asset owner to undertake such works, prior to commencement of the work; the authorisation of which is not to be unreasonably withheld.
2. The high-pressure gas pipeline shall be accurately shown and labelled on all design, tender, and construction drawings.
3. Prior to the commencement of works on the site, agreeing the necessary pipeline protection measures with First Gas Limited.

Firstgas consider that the inclusion of these conditions will enable and protect the existing infrastructure, and provide the opportunity for assessment of the possible impacts of that activity on the existing infrastructure by Firstgas, who, as the infrastructure owner, have the technical and operational experience relating to the efficient and safe management of the infrastructure asset.

## Amy Cao

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**From:** Unitary Plan  
**Sent:** Tuesday, 23 June 2020 2:25 PM  
**To:** Amy Cao  
**Cc:** Blair Masefield  
**Subject:** FW: Submission on the NOR and Resource Consent for Warkwarth to Wellsford Motorway  
**Attachments:** Warkworth to Wellsford Hgwy FB Submission to Council.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Kia Ora Amy

Please see attached a joint submission for the W2WW RC app and NoR.

Please log and respond to the submitter if you have not already received this submission.

Thanks.

Warm regards,  
Sophia

Kia pai tō rā

**Sophia Coulter | Planning Technician | Plans and Places Department**  
Auckland Council, Level 24, 135 Albert Street, Auckland 1011  
Visit our website: [www.aucklandcouncil.govt.nz](http://www.aucklandcouncil.govt.nz)



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**From:** William Jennings <W.Jennings@forestandbird.org.nz>  
**Sent:** Tuesday, 23 June 2020 1:44 PM  
**To:** Unitary Plan <unitaryplan@aklc.govt.nz>  
**Subject:** Submission on the NOR and Resource Consent for Warkwarth to Wellsford Motorway

Good Afternoon

Please find attached for filing the above submission from Forest and Bird on NZTA's application for a notice of requirement and resource consents on its proposed motorway from Warkworth to Wellsford.

Kind regards  
Will

**William Jennings**  
Senior Environmental Lawyer

**Royal Forest and Bird Protection Society of New Zealand Inc.**  
DDI: 03 940 5525 EXT: 405 M: 0224319489  
[www.forestandbird.org.nz](http://www.forestandbird.org.nz)



This email may be subject to legal privilege.



**Submissions on:**  
**Resource Consents concerning land between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hoteo River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana; and**  
**Notice of Requirement to designate land for the Warkworth to Wellsford Motorway**

15 June 2020

To: Auckland Council  
Private Bag 92300  
Auckland 1142

From: Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)  
PO Box 2516  
Christchurch  
Attention: William Jennings

Email: [w.jennings@forestandbird.org.nz](mailto:w.jennings@forestandbird.org.nz)  
Telephone: 03 940 5525

**Introduction**

The Royal Forest and Bird Protection Society of New Zealand Incorporated (Forest & Bird) is New Zealand's largest independent nature conservation organisation, with many members and supporters. Our mission is to be a voice for nature on land, in fresh water and at sea.

We have 47 branches throughout the country, seven of which, including the Warkworth Area Branch within which this application lies, are in the Auckland region and involved in a wide range of conservation and advocacy activities.

Forest & Bird has for many years had a strong interest and involvement in the greater Auckland area. This includes instigating and working with others to implement the North-West Wildlink, a wildlife linkage connecting the Hauraki Gulf Islands with the Waitakere Ranges.

This work has involved advocating for greater protection of indigenous biodiversity on land, in freshwater and in the coastal environment, and in protecting and enhancing the healthy functioning and integrity of indigenous ecosystems across the region.

Forest & Bird could not gain an advantage in trade competition through this submission.

Forest & Bird wishes to be heard in support of this submission, and we would consider presenting this submission jointly with others making a similar submission at a hearing.

Forest & Bird welcomes the opportunity to submit on the consent application.

## **1. Submission**

- 1.1. There is a wide range of environmental and sustainability (including Climate Change implications) issues associated with the proposed highway. Of particular concern are the significant adverse effects on freshwater ecosystems, terrestrial biodiversity; and other flow down effects to the Kaipara Harbour and the Mahurangi Harbour from sedimentation and other contaminants.
- 1.2. Forest & Bird believes more can be done to avoid, remedy or mitigate adverse effects on the environment and sets out its concerns with the application in relation to the following key issues:
  - (a) Impact on threatened Hochstetter's frogs;
  - (b) Impacts on the Hotoe River, Oruawharo River, and Mahurangi River catchments;
  - (c) Impacts on wetlands;
  - (d) Impacts on the Kaipara and Mahurangi Harbours;
  - (e) Terrestrial indigenous biodiversity impacts;
  - (f) Inadequacy of proposed mitigation and offset and compensation package;
  - (g) Providing for numerous conditions and management plans through the Outline Plan of Works;
  - (h) Inadequate conditions on the proposed designation; and
  - (i) Inadequate conditions of consent.

- 1.3. Forest & Bird has serious concerns about the council considering a resource consent application for an activity that is not scheduled to commence until 2030. The existing environment could change dramatically. More or less conditions could be required and other significant indigenous biodiversity could be present in 2030. These concerns are not abated by the proposed conditions which are split between the NOR and the resource consents. Particularly since many ecological conditions are provided for in the NOR and the significant reliance upon management plans that are yet to come into existence.

## 2. Effects on waterways and wetlands

- 2.1. The preservation of the natural character of the wetlands, and lakes and rivers and their margins, and the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna are Matters of National Importance<sup>1</sup> and must be provided for in achieving the purpose of the Act. The National Policy Statement for Freshwater sets out further direction for the management of freshwater. In particular, to consider and recognise Te Mana o te Wai in the management of fresh water and to safeguard the life-supporting capacity, ecosystem processes and indigenous species.
- 2.2. The project does not protect these values, nor do the applications set out an adequate assessment of effects upon which measures to avoid, remedy and mitigate can be applied and any residual effects determined for further consideration of offsetting or compensation measures (i.e., the applications rely heavily on yet to be developed management plans).
- 2.3. The Ecology report, states "*In the absence of mitigation, the Project will result in the loss of some aquatic habitat...*" and could "*...fragment aquatic ecosystems by preventing the movement of aquatic species through engineered structures.*" In terms of effects on freshwater values prior to mitigation the Ecology Report summarises them as:
  - 2.3.1. In the Warkworth North Section the overall level of ecological effects on freshwater ecological values are moderate;
  - 2.3.2. In the Dome Valley Forest Section Forest & Bird considers that it is difficult to make a resource consent assessment on a site that will change dramatically (forest harvesting) before any construction will begin, irrespective the ecology report has tried to predict the freshwater values that could be present post-harvest. The Ecology Report states that the overall level of ecological effects on freshwater ecological values:
    - 2.3.2.1. Pre-Harvest are very high; and
    - 2.3.2.2. Post-Harvest are moderate.
  - 2.3.3. In the Hoteo North Section the overall level of ecological effects on freshwater ecological values are low with some areas of high value features having a higher level of ecological effect.
- 2.4. The Warkworth North Section has a high spatial sensitivity. This means that any adjustment in size or positioning of the Project could increase effects on the environment.

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<sup>1</sup> Section 6 (a) and (c) of the Resource Management Act 1991

- 2.5. The Project through its best efforts, it states, has managed to avoid the direct impact of 103 ha of native vegetation. Of the 13 ha that will be affected approximately 1.5 ha is of high value indigenous wetland and kahikatea-dominated swamp forest. This 1.5 ha block is scheduled for clearance. The Ecology Report recommends in terms of mitigation for the loss of this high value indigenous biodiversity the enhancement of other sites. This amounts to offsetting or compensation. However, it is difficult to ascertain what exactly it is because the term 'mitigation' is used universally for the entire assemblage of the mitigation hierarchy. Without clearly defining an avoid, remedy, mitigate, offset, compensate condition mechanism it is very difficult to say whether the mitigation package proposed meets the requirements of the Auckland Unitary Plan.
- 2.6. It is not apparent that the proposal will avoid, remedy or mitigate adverse effects in those areas which will be lost or affected. Particularly since most if not all ecological plans and the Biosecurity Plan for Kauri Dieback are proposed to be dealt with through the Outline of Works. There will be no opportunity for groups such as Forest & Bird or even the Department of Conservation to have a say on the management plans and oppose those management regimes if they are deemed inadequate.

### **3. Impact on threatened migratory fish**

- 3.1. The reclamation of streams will result in the loss of habitat for the migratory fish which are found in these streams and upon which they depend for completing their complex life cycles.
- 3.2. These include galaxiids and particularly inanga, which has a threat status of 'At risk – Declining' and which requires not only a suitable aquatic environment but also suitable adjacent terrestrial vegetation to enable spawning.
- 3.3. Long-fin eel is also 'At risk – Declining' and depends on these streams for completing its life cycle.
- 3.4. The proposals to recover and relocate fish depend on the provision of suitable alternative locations. However, it is uncertain how successful this will be in reducing the impact on the ability of migratory fish to complete their life cycles.
- 3.5. Forest & Bird is supportive of the proposition to provide fish passage through all culverts. But is concerned by the use of the term that have viable upstream habitat. While in some instances the upstream habitat may not be viable at the moment, the habitat upstream could regenerate or be more agreeable to species in the future, and its potential accessibility to fish should not be cut off just because it is somewhat inconvenient for construction or "not considered necessary". Such arbitrary decisions are not consistent with the requirements of the NPS-FM or the RMA. Providing for fish passage would be relatively low cost and much easier to implement across the board at the construction phase, rather than having to retrofit it in future. Passage should be provided for at all sites where it is affected by the project.

### **4. Impact on birds, bats, kauri snails, Hochstetter's frogs and lizards**

- 4.1. These semiaquatic frogs are known to occur in the streams of the Dome Valley Forest Section. Survey work has not been done on every waterway for Hochstetter's presence. The Ecology Report says that management of Hochstetter's will need to apply to every waterway that is suitable Hochstetter's habitat.
- 4.2. Threat status of 'At risk - Declining' would suggest that any disturbance, including the proposed relocation, would add further risk to the survival of these frogs.
- 4.3. The Ecology report states that Hochstetter's frogs are susceptible to the loss of habitat from sediment and siltation in waterways. The management of frogs, it appears, will not commence until after the forest is harvested but before construction of the highway. Forest & Bird considers that the applicant should work together with the forestry block owner to mitigate any losses of the frogs through harvesting. Presumably if the forests were replanted then the frogs may return to their pre-harvest numbers. This may not be the case with a highway.

## **5. Terrestrial indigenous biodiversity impacts**

- 5.1. The avoidance of identified SEAs is supported however this focus alone does not achieve objective B7.2.1 Objective (2) which sets out to maintain indigenous biodiversity through protection, restoration and enhancement in areas where ecological values are degraded, or where development is occurring. Nor does it fulfil RPS B7.2.2 Policy (1) which sets out direction for the identification and evaluation of areas of indigenous biodiversity and habitats of indigenous fauna.
- 5.2. Nor does avoiding SEAs necessarily achieve Objective D9.2, to protect significant ecological areas, as those areas can be indirectly affected by the proposed activities.
- 5.3. While the proposal includes enhancement activities, these are provided as mitigation, offset and compensation to adverse effects of the proposal. It is therefore not appropriate to consider that plan provisions for enhancement are met without also considering the adverse effects and loss which will result from the proposal. Similarly, objectives and policy direction to "maintain" ecological values, water quality etc cannot necessarily be considered in an overall broad judgment way.

## **6. Mitigation**

- 6.1. It is very difficult to get a picture for any mitigation when the mitigation hierarchy is all rolled into one throughout the application material. Forest & Bird has serious concerns about any mitigation hierarchy measure being set out in the NOR conditions rather than through the resource consent conditions. This is because in order to change an Outline Plan of Works if the requiring authority is unwilling to do so the Council must lodge an appeal. Whereas if it is a condition of a consent then the Council does not have to lodge an appeal to either approve or not approve a management plan.
- 6.2. Also the NOR conditions are vague in terms of the mitigation for threatened species.
- 6.3. More work is required to establish a baseline of understanding as to what biodiversity exists and how best to protect significant indigenous biodiversity.



## 7. Proposed conditions

- 7.1. The lapsing date for the resource consents is too long. Forest & Bird is concerned that the existing environment could change dramatically and more, possibly less, indigenous biodiversity could be present. Forest & Bird considers that the lapse date should be much less to reflect the current environment.
- 7.2. The proposal has split the conditions between the Notice of Requirement and the resource consent application. Forest & Bird has some concerns about how the matters are split. For example a consent is required for vegetation removal but there are no terrestrial ecology conditions in the consent conditions. They are found in the NOR conditions. Having the conditions split like this does not allow the decision maker to make a fully informed decision and consider which effects will actually be mitigated particularly since many of the conditions will only be met through the Outline Plan of Works. The Council has only limited scope to disapprove of an Outline Plan of Works through an appeal process. Whereas if the applicant had to provide an ecological management plan under a resource consent condition then the Council would retain full discretion to approve or disapprove or modify the management plan without going through an appeal process.
- 7.3. In general both the Notice of Requirement conditions and the consent conditions place considerable reliance on detailed plans being submitted post any NOR or consent approval which means there is a lack of transparency during the public consultation stage. And Forest & Bird would like to see a reshuffling of management plans to be provided with more being provided for through the resource consent process where it is applicable for example indigenous biodiversity.
- 7.4. Forest & Bird considers that the management plan approach taken is particularly fraught. Specific conditions need to be included which management plans can implement and be measures against for compliance purposes. Conditions are needed to set out limits and specific measures to give confidence that mitigation measures will be implemented by the applicant. Incorporating such matters into management plans which can be amended after the grant of NOR or consent is inappropriate. For example, conditions should include:
  - 7.4.1. The timing of activities to avoid bird breeding periods;
  - 7.4.2. Measures for pest control, including during construction; and
  - 7.4.3. Confirmed mitigation measures; and
  - 7.4.4. The avoidance of SEAs, and wetlands.
- 7.5. Where management plans cannot be finalised before or as part of the grant of consent, the draft management plans should be incorporated into the general condition 1. There is a number of management plans which have not yet been drafted which has made consideration of the application difficult with respect to the measures the applicant plans to address adverse effects.
- 7.6. When adequate information is provided as part of this NOR and consenting process specific conditions can be set out for these matters which may reduce the number of and/or complexity of the management plans currently proposed.

7.7. Forest & Bird has the following comments on specific draft conditions

7.7.1. The conditions for amendment and certification of management plans need greater certainty including:

- A process for independent certification
- the position title of the person at Auckland Council where certification requests or receipt of certified amended plans will be sent to.
- the request is submitted at least 20 working day before works, allowing flexibility to provide additional notice to council.
- that a council response must be received before works commence.

7.8. The ongoing ecological monitoring proposed by the applicant are not adequate to ensure that the benefits of the offset and compensation package will be achieved and sustained.

7.9. Overall, the conditions are uncertain and leave decision making on key environmental effects until after the grant of consent.

## **8. Relief sought**

8.1. Forest & Bird seeks that the application be declined.

8.2. However, should the Council decide to grant this consent, we seek that the conditions of consent and the NOR are amended so that Forest & Bird's concerns are resolved.

Thank you for the opportunity to make this submission.



William Jennings

Counsel for Forest & Bird

## Contact details

Full name of submitter: Shane Morgan

Organisation name:

Full name of your agent: Watercare Services Limited

Email address: [lindsay.wilson@water.co.nz](mailto:lindsay.wilson@water.co.nz)

Contact phone number: 022 011 6507

Postal address:

Private Bag 92 521 Victoria Street West  
Auckland Central  
Auckland 1142

## Submission details

Name of requiring authority: Warkworth to Wellsford Motorway

The designation or alteration: Warkworth to Wellsford Motorway

The specific provisions that my submission relates to are:  
Those set out in the attached submission

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:

Watercare neither supports nor opposes the application, but seeks to ensure that any decision 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 to Wellsford and Warkworth now and in the future.

I or we seek the following recommendation or decision from Auckland Council:  
As per Watercare's attached submission

Submission date: 26 June 2020

Supporting documents

Watercare Services Submission NoR Application BUN60354951 Warkworth to Wellsford.pdf

Watercare Services GIS Map Wellsford Assets\_20200626155532.356.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.

SUBMISSION ON A NOTICE OF REQUIREMENT (BUN60354951) BY WAKA KOTAHI –  
THE NEW ZEALAND TRANSPORT AGENCY

**TO:** **Auckland Council**  
Resource Consents  
Private Bag 92300  
Auckland 1142

**NAME OF SUBMITTER:** Watercare Services Limited

**ADDRESS FOR SERVICE:** [lindsay.wilson@water.co.nz](mailto:lindsay.wilson@water.co.nz)

**DATE:** 29 June 2020

## INTRODUCTION

1. This is a submission from Watercare Services Limited (**Watercare**) on the following application lodged by Waka Kotahi - The New Zealand Transport Agency (the **Applicant**):

- Notice of Requirement BUN60354951

2. The Applicant has lodged the Notice of Requirement to enable the construction, operation and maintenance of a new four lane state highway to replace State Highway 1 in the following location:

...between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hōteu River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana.

(the **New SH1** or the **Application**).

3. The Application was publicly notified on 18 May 2020.
4. Watercare could not gain an advantage in trade competition through this submission.
5. Watercare's key interest in the Application is ensuring that its Wellsford Water Treatment Plant (**WTP**), its Wellsford Wastewater Treatment Plant (**WWTP**) and its northern water

supply sources are protected. Specifically, Watercare wishes to ensure that the Application does not result in:

- (a) Increases in the risk of flooding in the Hōteu River floodplain affecting the WTP and the WWTP;
  - (b) Adverse effects on Watercare's water supply pipes which run under the proposed alignment of the New SH1;
  - (c) Adverse effects on the water quality of Watercare's northern water supply sources;
  - (d) Adverse effects on the quantity of Watercare's groundwater sources from drawdown of the groundwater table associated with the Application;
  - (e) Impacts on Watercare's ability to access its WTP on Wayby Valley Road arising from the construction phase of the project; and
  - (f) Adverse implications for Watercare's planned revegetation and riparian planting in the Hōteu River and its tributaries.
6. Through this submission, Watercare also seeks to ensure that the conditions of the Application provide for regular consultation and engagement with Watercare leading up to, and throughout construction of, the New SH1 including thorough involvement in the preparation of all relevant management plans.
7. Watercare neither supports nor opposes the application, but seeks to ensure that any decision 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 to Wellsford and Warkworth now and in the future.

## STATUTORY CONSIDERATIONS

8. The relief sought in this submission aims to ensure that the Council's decision on the Application gives appropriate regard to:
- (a) The Resource Management Act 1991 (**RMA**), in particular the purpose of and principles in Part 2;
  - (b) Part 2A of the Health Act 1956 which relates to drinking water; in particular, section 69U which requires every drinking-water supplier to take reasonable steps to contribute to the protection from contamination of each source of raw water from which it takes raw water;
  - (c) The National Policy Statement for Freshwater Management, in particular parts A and B and the National Value in Appendix 1 that water quality and quantity enable domestic water supply to be safe for drinking with, or in some areas without, treatment;
  - (d) The Resource Management (National Environmental Standards for Sources of Human Drinking Water) Regulations;

- (e) Relevant provisions of Chapter B of the Auckland Unitary Plan (Regional Policy Statement) in particular B3 Infrastructure, transport and energy, B7 Natural Resources and B10 Environmental risk;
  - (f) Relevant provisions of Chapter E of the Auckland Unitary Plan (Auckland-wide) including E1 Water quality and integrated management, E2 Water quantity, allocation and use; E4 Other discharges and contaminants; E8 Stormwater – discharge and diversion; E9 Stormwater quality – high contaminant generating car parks and high use roads and E36 Natural Hazards and Flooding;
  - (g) Other relevant documents and plans of Auckland Council, including:
    - The Auckland Plan 2050;
    - Te Tahua Taungahuru Te Mahere Taungahuru 2018 – 2028 / The 10-year Budget Long-term Plan 2018 – 2028;
    - The Auckland Future Urban Land Supply Strategy 2015 and 2017;
    - The Water Supply and Wastewater Network Bylaw 2015; and
    - The Water and Wastewater Code of Practice for Land Development and Subdivision and the Watercare Asset Management Plan 2016 - 2036.
9. It is further noted that the National Environment Standard on Human Drinking Water requires regional councils to ensure that the effects of activities on drinking water sources are considered in decisions on resource consents. Regional councils are required to:<sup>1</sup>
- (h) decline discharge or water permits that are likely to result in community drinking water becoming unsafe for human consumption following existing treatment; and
  - (i) place conditions on relevant resource consents that require notification of drinking water suppliers if significant unintended events occur (e.g. spills) that may adversely affect sources of human drinking water.

## **WATERCARE'S PURPOSE AND MISSION**

- 10. Watercare is a council-controlled organisation under the Local Government Act 2002, and is wholly owned by Auckland Council.
- 11. Watercare provides integrated water and wastewater services to approximately 1.6 million people in Auckland, making it New Zealand's largest provider of water and wastewater services. Watercare collects, treats and distributes drinking water from 11 dams, 26 bores and springs, and four river sources. A total of 437 million litres of water is treated each day at 15 water treatment plants and distributed via 89 reservoirs and 90 pump stations to 450,000 households, hospitals, schools and commercial and industrial

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<sup>1</sup> Resource Management (National Environmental Standards for Sources of Human Drinking Water) Regulations 2007.

properties. Watercare's water distribution network includes more than 9,000 km of pipes. The wastewater network collects, treats and disposes of wastewater at 18 treatment plants and includes 7,900 km of sewers.

12. Watercare is required to manage its operations efficiently, with a view to keeping overall costs of water supply and wastewater services to its customers (collectively) at minimum levels, consistent with effective conduct of the undertakings and maintenance of long-term integrity of the assets.
13. 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 Auckland Future Urban Land Supply Strategy.<sup>2</sup>
14. As part of its growth strategy for Auckland, the Council has identified Warkworth and Wellsford as future urban areas, earmarked to support significant future business and residential development. Over 1,000 hectares of land immediately surrounding Warkworth and Wellsford has been zoned Future Urban in the Auckland Unitary Plan. Watercare is working to ensure that it can continue to service Warkworth and Wellsford with potable water, and to service the wastewater requirements of these towns, throughout their rapid growth.
15. Watercare currently extracts raw water from the Hōteu River for Wellsford's municipal water supply. This water is treated at its water treatment plant on Wayby Valley Road (the location of the Wellsford WTP is shown on the plan **attached** to this submission). The maximum abstraction from the Hōteu River is 270,000m<sup>3</sup> annually, or 1,300m<sup>3</sup> per day at a maximum rate of 20 l/s.
16. Watercare also operates the Wellsford WWTP, located on State Highway 1, 1.8km south of Wellsford. This plant's treatment process comprises an oxidation pond and wetland. Treated wastewater is discharged to an unnamed tributary of the Hōteu River.

## SUBMISSION

17. Watercare recognises the importance of the Applicant's Warkworth to Wellsford Project, and the expected improvements that it will deliver to the safety, route security and travel time reliability of the State Highway network north of Auckland. Watercare understands that the project will bring significant benefits to Northland and the Auckland region.
18. The indicative alignment of the New SH1 is in close proximity to Watercare's WTP on Wayby Valley Road and its WWTP located off the existing State Highway 1. Watercare's water supply mains would also pass underneath the proposed alignment of the New SH1.
19. Construction of the New SH1 is estimated to commence in 2030 and to last for approximately seven years. The New SH1 will essentially have an indefinite lifespan.
20. The Application therefore deals with a very long time horizon. Over this time, the receiving environment is expected to significantly change. Watercare's operations and assets in the vicinity of the New SH1 are expected to change significantly over this time as the Warkworth and Wellsford communities undergo rapid growth, as well as the

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<sup>2</sup> Local Government (Auckland Council) Act 2009, s58.



continued need to plan for the anticipated projected effects of climate change. Watercare is therefore dealing with considerable uncertainty in predicting potential implications of the Application on its existing and future operations and assets.

21. Watercare is also cognisant of the potential cumulative effects of this project, combined with the potential adverse effects of the proposed Dome Valley Regional Landfill project, upon the water quality and quantity of the adjacent surface water and groundwater resources of the area.
22. Through this submission, Watercare wishes to ensure that the construction and operation of the project is managed in a way to protect these assets and Watercare's ability to safely and reliably provide water and wastewater services to Wellsford, Warkworth and other northern towns now and in the future.
23. Watercare seeks conditions that expressly require it to be involved in the project development in the lead up to, and throughout, the construction period of the New SH1 including through consultation on relevant management plans. This will allow Watercare to ensure that any adverse impacts on its assets and operations are avoided, remedied or mitigated.
24. Without derogating from the generality of above, the specific aspects of the Application that Watercare wishes to assert an interest in are listed at paragraph 5 and are detailed in the following sections.

### ***Flooding***

25. The New SH1 passes through the Hōteō River floodplain in Wayby, within which the Wellsford WTP and Wellsford WWTP are located. This catchment is currently subject to flooding.
26. Watercare is concerned at the potential for both flood inundation and water velocity risk to increase as a result of the proposed earthworks, displacement effects, the construction of culverts within the floodplain and the increase in impervious area arising from the New SH1.
27. A small change in flood levels could result in significant adverse effects. For example, any flooding at the site of the WWTP could lead to the dam failing and spilling sludge and wastewater down the Hōteō River, resulting in adverse environmental and cultural effects, as well as implications on Watercare's surface water take.
28. In addition, there is a large degree of uncertainty as to the future Average Recurrence Interval (**ARI**) of flooding in the area as a result of climate change. Given the indefinite lifespan of the New SH1, Watercare cannot be confident that the proposed conditions which relate to current ARI levels will avoid an increase in flood hazard risk at the Hōteō River floodplain.
29. Watercare is in the process of designing an upgrade to the WWTP. This upgraded plant is proposed to be sited on higher ground. Watercare insists that it be informed of, and consulted on, any changes to the floodplain levels and flood velocities proposed by the Applicant, in order to ensure they are allowed for in any new Watercare infrastructure.

30. Due to the existing flood risk in the Hōteō River floodplain, the potential for significant adverse effects should this risk increase, and the uncertainty around the future ARI of flood events in the area, Watercare seeks that the conditions of consent require:
- (j) that the Applicant take a precautionary approach to flood hazard risk in the Hōteō River floodplain;
  - (k) that the Application does not result in any increase to the existing flood hazard risk in the Hōteō River floodplain;
  - (l) that the design and construction associated with the New SH1 be undertaken in a manner as to reduce the existing flood risk in the Hōteō River floodplain, to the extent possible; and
  - (m) that the Applicant consult with Watercare on any proposed changes to the flood plain levels in the Hōteō River floodplain.

### ***Water Supply Pipes***

31. Watercare's water supply main runs underneath the proposed alignment of the New SH1. This raises potential issues in terms of:
- (n) damage during the construction period of the New SH1; and
  - (o) accessibility for maintenance and repair of the water main.
32. Watercare seeks that any decision on the Application contains conditions to protect against any adverse effects on the watermain during construction of the New SH1. It also seeks conditions enabling it to have continued access to its watermain system. These conditions should include:
- (p) a requirement that the Applicant re-route Watercare's water supply pipe to run adjacent to the tributary stream and avoid being covered by the New SH1 alignment; and
  - (q) a waiver of the requirement under section 176(1)(b) of the RMA to seek written consent from the Applicant for on-going access to its infrastructure assets associated with routine operation and maintenance.

### ***Water Quality***

#### ***Construction Phase***

33. The application material outlines the potential for small amounts of oil and grease to be released into the Hōteō River due to accidental spills during the construction of the New SH1, as well as the possibility for litter, other floatable materials and an increased sediment load to enter the waterways.
34. Any adverse effects on the water quality of the Hōteō River have the potential to compromise Watercare's surface water take for the supply of potable water to Wellsford.
35. The Application material states that construction water discharges from the project are expected to have only a small influence on water quality and the operation of

Watercare's WTP and proposes several mitigation, monitoring and reporting conditions in the draft conditions of consent.

36. Watercare seeks to be involved in the preparation of relevant management plans, and seeks greater assurance that it will be notified of an event that may result in large sediment loads being discharged from the site to the Hōteio catchment.
37. Watercare seeks amendments to the conditions of the consent requiring that Watercare:
  - (r) be consulted on, and have the opportunity to provide input in the drafting of, relevant management plans relating to water quality of the Hōteio River;
  - (s) be notified in the event of a breach of water quality trigger levels.
38. Watercare seeks to maintain an interest in this aspect of the proposal to ensure that any adverse effects are appropriately avoided, mitigated or remedied.

#### *Operational Phase*

39. Once operational, the New SH1 corridor is expected to result in an increase in contaminants (heavy metals, fuels, oils generated by vehicles), sediment and gross pollutants (litter) being discharged into the Hōteio River. These discharges have the potential to adversely affect the quality of Watercare's water take from the Hōteio River and its provision of municipal water supply to Wellsford.
40. Watercare seeks to maintain an interest in this aspect of the proposal and to be informed of any breaches of water quality standards disclosed through monitoring results as soon as reasonably practicable.

#### **Water quantity effects**

41. The Application proposes to divert watercourses with potential adverse effects on downstream and freshwater systems arising from increases in imperviousness, changes in catchment area and surface flows. The Application states that the effects on surface water and groundwater from these diversions is minimal and localised in the project's surface water drainage system. No mitigation or monitoring has therefore been proposed. Water take consents are to be subject to a future consenting process.
42. While Watercare accepts the Applicant's evaluation, it is concerned that the construction period for the New SH1 has a very long time horizon. There is a high degree of uncertainty in water demand and supply over this time, however we can expect water to become an increasingly valuable resource as the populations of Warkworth and Wellsford grow and, due to the projected effects of climate change, the increased occurrence of drought and incidences of high intensity rainfall events. There are also likely to be other activities placing pressure on the region's water supply (including, for example, an application currently before the Council for a new regional landfill in the Dome Valley).
43. Watercare also notes that the construction period for the New SH1 will coincide with the dry season (in which any Council-imposed water restrictions are more likely to be required) adding to competition for the water resource.
44. Watercare has interests in any potential drawdown effects on freshwater systems, however minimal, given the significance of these water sources for municipal supply.

Watercare wishes to maintain an interest in this aspect of the application and to be involved in any future assessment of water quantity effects through the detailed design stage of the project.

### ***Traffic and Access Effects***

45. The proposal involves temporary traffic measures throughout its construction phase, and is likely to result in increased traffic congestion. The Applicant proposes an adaptive management approach to traffic effects.
46. Watercare has an interest in ensuring that these traffic related issues do not impede its access to its Wellsford WTP on Wayby Valley Road or to the Wellsford WWTP located adjacent to the existing SH1.
47. Watercare wishes to remain interested in this aspect of the Application, and to be consulted on in the development of any traffic management plans prior to the construction phase of the project to ensure that any adverse effects on it are adequately avoided, remedied or mitigated.

### ***Revegetation and Riparian Planting***

48. Watercare's Wellsford WWTP discharges water into a tributary of the Hōteu River. As part of Watercare's most recent resource consent for the plant, it has undertaken to provide riparian planting for nutrient attenuation and to enhance the ecological value of the Hōteu River. Watercare is also considering options to implement positive offset mitigation planting in the wider catchment to further attenuate discharges from the WWTP and improve overall water quality.
49. The New SH1 indicative alignment passes over part of this unnamed tributary of the Hōteu River. The Application material shows that the Applicant intends to undertake some riparian planting in the area.
50. Watercare is keen to understand any impacts of the Application on the tributary. If this project requires the removal of existing wetlands, changes the inflows into the tributary, discharges additional contaminants or reduces the length of the tributary prior to it entering the Hōteu, this may impact the water quality and/or quantity of the Hōteu River which may have implications on Watercare's activities.
51. Watercare sees an opportunity to collaborate with the Applicant and other interested parties including local iwi and/or hapu and local businesses to revegetate the area. As a minimum, the organisations should be looking to ensure any wetlands on this tributary are replaced and the length of the tributary is not significantly shortened.
52. Watercare seeks provision for these concerns in any conditions.

### **DECISION SOUGHT**

53. Watercare seeks such conditions for the New SH1 as are necessary or appropriate to give effect to its concerns outlined in this submission and to ensure that Watercare's assets and operations are not adversely affected by the proposed New SH1 either during construction, or when fully operational.

54. Watercare also seeks conditions expressly requiring that it be consulted on in the preparation of relevant management plans affecting or potentially affecting the matters raised in this submission.
55. Watercare wishes to be heard in support of its submission.



Shane Morgan  
**Chief Operations Officer**  
**Watercare Services Limited**

Address for service:  
Lindsay Wilson  
Policy Planner  
Watercare Services Limited  
Private Bag 92 521  
Wellesley Street  
**AUCKLAND 1141**

Phone: 022 011 6507  
Email: [lindsay.wilson@water.co.nz](mailto:lindsay.wilson@water.co.nz)





# Watercare Services Limited - Wellsford Assets



## DISCLAIMER

This map/plan is illustrative only and all information should be independently verified on site before taking any action. Copyright Watercare Services Limited. Land Parcel Boundary information from LINZ (Crown Copyright Reserved). Stormwater information where shown is supplied by Auckland Council. Whilst due care has been taken, Watercare Services Limited gives no warranty as to the accuracy and completeness of any information on this map/plan and accepts no liability for any error, omission or use of the information. Height datum: Auckland 1946.



A3 Scale: 1:8000  
Created: 26/06/2020



NOTE: Where applicable, Water supply is shown in BLUE, Wastewater is shown in RED and Stormwater in GREEN







# 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](mailto:unitaryplan@aucklandcouncil.govt.nz) or post to :

Attn: Planning Technician  
Auckland Council  
Level 24, 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) Richard Gardner

Organisation Name (if submission is made on behalf of Organisation)  
Federated Farmers of New Zealand (Auckland Province) Incorporated

### Address for service of Submitter

Private Bag 92-066, Auckland 1142

Telephone:  Fax/Email:   
Contact Person: (Name and designation if applicable)

### This is a submission on a notice of requirement:

<b>By:</b> Name of Requiring Authority	New Zealand Transport Agency
<b>For:</b> A new designation or alteration to an existing designation (describe)	Warkworth to Wellsford Motorway

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

The whole application

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### My submission is:

In support of the notice of requirement  In opposition to the notice of Requirement   
Neutral [include box]

### The reasons for my views are:

(see the attached document)

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(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).

That the Requirement be confirmed, subject to the matters discussed in the attached document

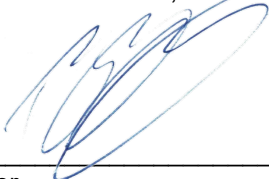
I wish to be heard in support of my submission



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



29 June 2020

Signature of Submitter

Date

(or person authorised to sign on behalf of submitter)

**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

TELEPHONE 0800 327 646 | WEBSITE [WWW.FEDFARM.ORG.NZ](http://WWW.FEDFARM.ORG.NZ)



**To: AUCKLAND COUNCIL**

**On the: Waka Kotahi – The New Zealand Transport Agency Applications for Notices of Requirement and Resource Consents**

**To enable the construction, operation and maintenance for a new four lane state highway between Wyllie Rd and tying into the existing SH1 to the north of Te Hana**

Date: 29 June 2020

Contact: Richard Gardner  
Senior Policy Advisor  
Federated Farmers of New Zealand

Private Bag 92-066  
AUCKLAND 1142

P: 09 379 0057  
F: 09 379 0782  
E: [rgardner@fedfarm.org.nz](mailto:rgardner@fedfarm.org.nz)

## SUBMISSION TO AUCKLAND COUNCIL

ON: Waka Kotahi – The New Zealand Transport Agency Applications for Notices of Requirement and Resource Consents

To enable the construction, operation and maintenance for a new four lane state highway between Wyllie Rd and tying into the existing SH1 to the north of Te Hana

Federated Farmers of New Zealand (Auckland Province) Incorporated ("Federated Farmers" or "the Federation") thanks the Auckland Council and Waka Kotahi The New Zealand Transport Agency for the opportunity to submit on the Notices of Requirement (the "NOR") and the applications for resource consent (the "Consent Applications"), lodged by Waka Kotahi The New Zealand Transport Agency to enable the construction, operation and maintenance for a new four lane state highway between Wyllie Rd and tying into the existing SH1 to the north of Te Hana (together, the "Proposal").

### **General Comments**

The broad purpose of this submission is to state Federated Farmers' general support for the Proposal.

In general terms, Federated Farmers supports the NOR and the Consent Applications, subject to the proviso that the land owners upon whose land is associated with the Proposal are fully indemnified and receive full compensation for any of their land that is acquired for the Proposal or is affected by the Proposal, and in particular compensation for any disruption the works and activities associated with the Proposal may bring about to the activities they undertake on their land.

Nevertheless, in more general terms, the Federation is concerned to see that, in making its decisions, the Council (or the Commissioners appointed to decide on the Proposal) is satisfied that any proposals for activities that are proposed to be authorised by way of a notice of requirement, such as those involved in the present application, are properly evaluated before a decision is made as to whether they are to be approved or otherwise. The decision-makers should be satisfied that the Proposal properly promotes the sustainable management of natural and physical resources before approving the NoR or granting any resource consent. Provided proper arrangement are in place for the compensation of those affected by the Proposal, Federated Farmers considers that approval of the Proposal and its associated resource consent applications will result in the sustainable management of natural and physical resources being promoted.

### **Specific Submission**

**The reasons for my/our submission are:**

Federated Farmers wishes to see it ensured that the interests of landowners whose land is involved in the Proposal and in particular those whose land is to be taken as part of the Proposal are properly taken into consideration and that any reverse sensitivity issues that

might arise, such as between the land involved in the Proposal and farmland adjacent to that land, are properly addressed.

Federated Farmers is concerned to see that the Council is satisfied that any activities that are proposed to be authorised by way of the notices of requirement are properly evaluated before a decision is made as to whether they are to be approved or otherwise. It is considered that the Council should be satisfied that the Proposal, in terms of its notices of requirement and the associated resource consent applications, properly promotes the sustainable management of natural and physical resources before it approves the notices of requirement or grants any resource consent. Provided proper arrangements are in place for the compensation of those affected by the Proposal, Federated Farmers considers that approval of the Proposal as a whole will result in the sustainable management of the natural and physical resources of the Country being promoted.

As regards the use, and where appropriate, the taking of such land as may be necessary for the implementation of the Proposal, Federated Farmers considers that the Council should ensure that there are arrangements in place for the land owners upon whose land the road and the other works associated with the Proposal are located to be fully indemnified and to receive full compensation for any of their land that is acquired for the Proposal or is affected by the Proposal, and in particular compensation for any disruption the works and activities associated with the Proposal may bring about to the activities they undertake on their land.

In general terms, it is considered that those who live and who undertake normal rural type activities on farmland in close proximity to the site where the Proposal is to take place should be able to continue to carry on their activities without having their lives disturbed once works on the site commence, and they should be able to continue to carry on their activities after the works involved in the Proposal are completed and as the foreshadowed road comes into use.

As regards reverse sensitivity, a matter that is of concern to members when development situations such as those advanced in the Proposal arise, is that of the potential for conflicts between the new land uses that are proposed and existing land uses, and with that the associated issues of reverse sensitivity.

It is considered that any developments associated with the Proposal should include adequate internal buffer zones so as to allow any future activities that might take place on surrounding farmland, to take place, such as residential development, and the development of home stays, farm stay accommodation, home occupations, etc. Federated Farmers would be extremely concerned should any externalisation of the effects of the developments of the effects associated with the Proposal take place, with the cost of the effects of the Proposal being borne by adjacent land owners rather than the owner of the land that is associated with the Proposal.

## **The Federation**

Federated Farmers of New Zealand is a primary sector organisation that represents the majority of the country's farming businesses. The Federation has a long and proud history of representing the interests of New Zealand's farming communities, primary producers, and agricultural exporters. Federated Farmers of New Zealand (Auckland Province) Incorporated

is the province<sup>1</sup> of Federated Farmers of New Zealand which represents those members with farming interests in the Auckland Province.<sup>2</sup>

The Federation aims to add value to its members' farming business. Our key strategic outcomes include the need for New Zealand to provide an economic and social environment within which:

- Our members may operate their business in a fair and flexible commercial environment
- Our members' families and their staff have access to services essential to the needs of the rural community
- Our members adopt responsible management and environmental practices.

The total agricultural sector is even more important to the economy than it was fifteen years ago. Its contribution to the New Zealand economy has risen from around 14.2 percent of GDP in 1986/87 to around 17 percent today (including downstream processing). Some authorities consider agriculture's current contribution to the New Zealand economy to be about 20 percent of GDP.

Federated Farmers looks forward to further consultation with the Auckland Council on the Proposal.



Alan Cole  
Auckland Provincial President, Federated Farmers of New Zealand

Address for service of person making submission:

Richard Gardner  
Senior Policy Advisor  
Federated Farmers of New Zealand  
Private Bag 92-066  
Auckland

Ph: 379-0057  
Fax: 379-0782  
Email: [rgardner@fedfarm.org.nz](mailto:rgardner@fedfarm.org.nz)

<sup>1</sup> Branches, in terms of the Incorporated Societies Act are known as "provinces".

<sup>2</sup> The Auckland Province of Federated Farmers consists of the Auckland Council area together with that part of the former Franklin District that is located in the Waikato region.

## Contact details

Full name of submitter: Andrew David Miller

Organisation name:

Full name of your agent:

Email address: [millerstheyounger@gmail.com](mailto:millerstheyounger@gmail.com)

Contact phone number:

Postal address:  
1/56 Moore Street  
Howick  
Auckland 2014

## Submission details

Name of requiring authority: Warkworth to Wellsford Motorway

The designation or alteration: Warkworth to Wellsford Motorway

The specific provisions that my submission relates to are:  
See my attachment

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:  
See my attachment

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

Submission date: 2 June 2020

Supporting documents  
AMILLER SUB.pdf

## Attend a hearing

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

## Declaration

I accept and agree that:

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

## Submission on joint application for resource consent and notice of requirement under the RMA (BUN60354951 and NOR)

### Details

Date: 2/06/2020

Applicant/Requiring authority: NZTA

Submitter name: Andrew David Miller

Contact: 02102319245 [millerstheyounger@gmail.com](mailto:millerstheyounger@gmail.com)

Address: 56A Moore Street, Howick, Auckland

### Scope of submission

1. My submission is for both the RC and NOR applications but primarily on the proposed designation extents which would impact the RC application.

### Submission

2. I am a user of the motorway network and have an interest in infrastructure projects of this nature.
3. Overall, I support the proposal and agree that the proposal will have significant positive effects. Additionally, I agree that the proposal will generally align with the sustainable management purpose of the RMA.
4. My submission relates to the Puhoi to Warkworth (P2WK) interchange area shown in figure 1 in Appendix 1. The proposal designation area is particularly wide and a large area of rural land (a scarce resource) will be lost to the design. The size is also most as large as the town of Warkworth itself. This seems very large even to a lay person such as me – see Appendix 2.
5. I am not a specialist on traffic matters or road design and imagine that the selected layouts have some justification. However, it is unclear why such wide and sweeping curves are required for the on/off ramps. It is requested that the local authority consider querying the Applicant/Requiring Authority as to why this is required and whether a more 'compact' design



is possible to reduce the adverse effects of the loss of rural land. It might also mean less bridges over the rivers are required.

6. I think that north and south boundary on ramps are appropriate and have no concerns with the proposed connectivity.

**Relief sought**

7. Overall, I wish for council/the decision maker to **grant** the proposal.
8. I do not wish to be heard in support of my submission but would consider making a joint submission with other parties
9. Ask the applicant/requiring authority to consider an amended alignment for the tie-in for the P2WK motorway to reduce the size of the interchange for the reasons outline above.

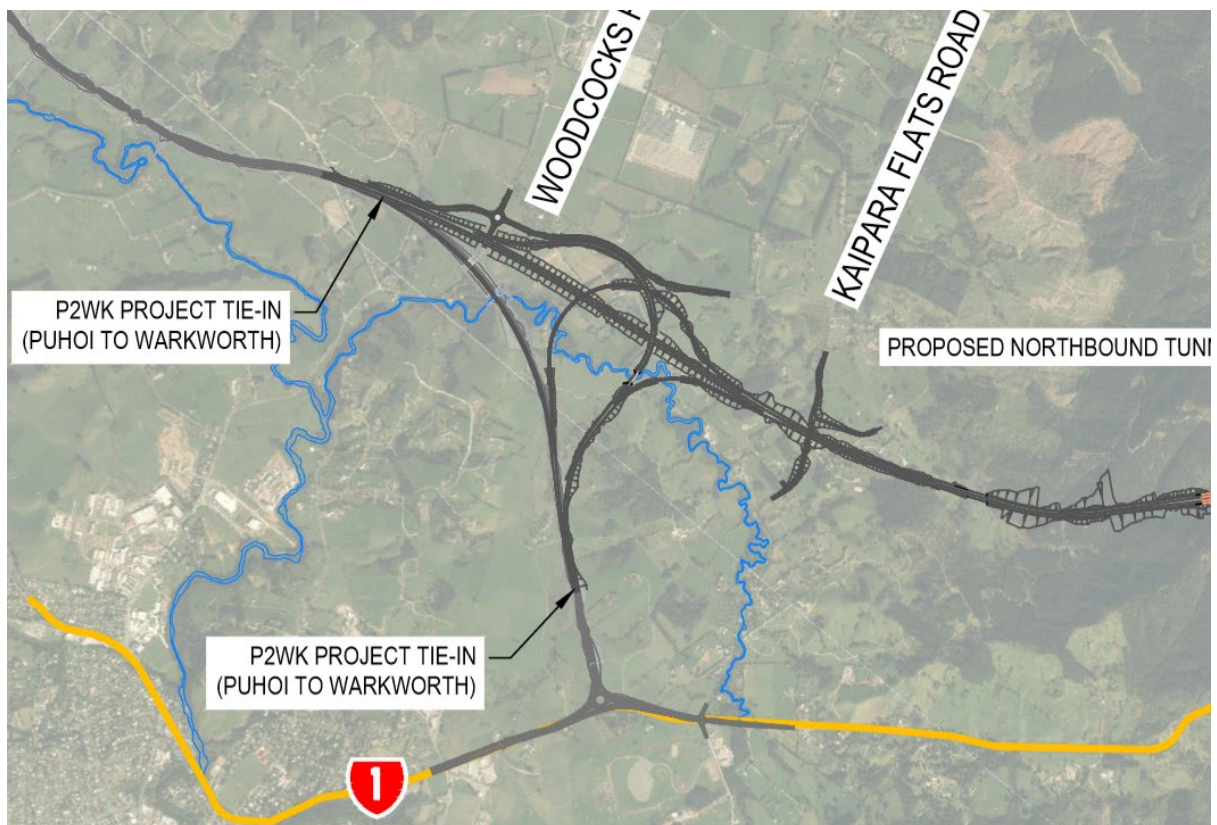
Sincerely,

Andrew Miller

02102319245

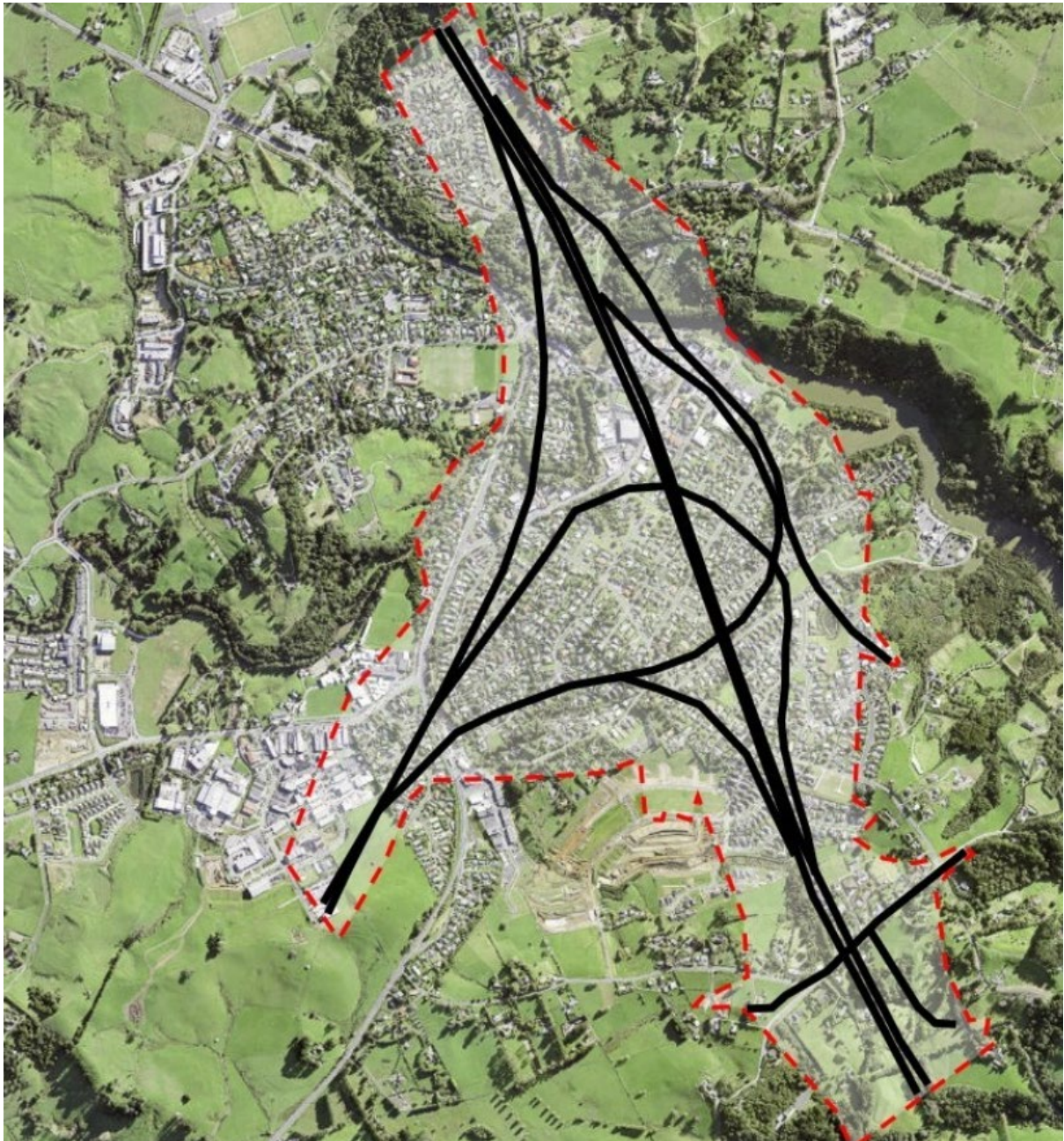
Attached: Appendix 1 and 2

Appendix 1:



Source: Application documents

Appendix 2:



Source: <https://www.greaterauckland.org.nz/2019/03/20/warkworth-to-wellsford-updated-alignment/>



29 June 2020

Auckland Council  
Unitary Plan  
Private Bag 92300  
AUCKLAND 1142  
Attention: Planning Technician

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

Dear Sir/Madam,

ARA TŪHONO – NZTA WARKWORTH TO WELLSFORD:  
DESIGNATION AND RESOURCE CONSENT APPLICATION

I refer to the application by the Waka Kotahi – NZ Transport Agency for a designation and resource consents for the construction and operation of the Ara Tūhono Warkworth to Wellsford project, a new four-lane state highway.

Please find enclosed a submission by the Director-General of Conservation in respect of both the notice of requirement for a designation and the application for resource consents.

I support the new highway project in principle, but I oppose granting of the designation and consents unless suitable conditions can be imposed to provide certainty that the adverse effects will be properly identified and avoided, remedied, or mitigated, and residual effects offset or compensated for. Because of the long delay before these consents will be exercised, and the heavy reliance on management plans and ecological surveys produced at a later date, the conditions will need to be rigorous and should be subject to a review once baseline surveys have been completed and prior to the start of construction.

Please contact Graeme Silver in the first instance if you wish to discuss any of the matters raised in this submission (phone 027 564 5767 or email [gsilver@doc.govt.nz](mailto:gsilver@doc.govt.nz)).

Nāku noa, nā



Kirsty Prior  
Operations Manager  
Tāmaki Makaurau/Auckland Mainland

cc. NZ Transport Agency, [warkworth-wellsford@nzta.govt.nz](mailto:warkworth-wellsford@nzta.govt.nz)

**Department of Conservation *Te Papa Atawhai***  
Kirikiriroa/Hamilton Office  
Private Bag 3072, Hamilton 3240, New Zealand  
[www.doc.govt.nz](http://www.doc.govt.nz)



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## Submission on notice of requirement and application for resource consent (form 13 and 21)

### Resource Management Act 1991

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- To:** Auckland Council
- Name of submitter:** Lou Sanson, Director-General of Conservation
- Applicant:** New Zealand Transport Agency
- Description of activity:** Construction and operation of the new SH1 bypassing Warkworth and Wellsford.
- Locations:** State Highway 1, between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hoteo River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana
- Notice of requirement:** NOR – SH1 Warkworth to Wellsford
- Consent applications:** BUN60354951, LUC60354952, LUS60354955, WAT60354953, WAT60355184, WAT60356979, DIS60354954, LUC60355185, DIS60355186.
- Trade competition:** I am not a trade competitor for the purposes of section 308B of the Resource Management Act 1991.
- My submission relates to:** The whole application but in particular the parts related to adverse effects on terrestrial ecology, freshwater ecology, avifauna, invertebrates, bats, herpetofauna, marine ecology and ecological mitigation and offset proposals.
- My submission is:** I oppose the application.

#### My interest in the application

1. The functions of the Department of Conservation (DOC) are established by section 6 of the Conservation Act 1987. DOC's functions include (amongst other things) management of land and natural and historic resources for conservation purposes, preservation so far as is practicable of all indigenous freshwater fisheries, protection of recreational freshwater fisheries and freshwater fish habitats and advocacy for the conservation of natural resources and historic heritage.

2. DOC is also the authority responsible for processing applications under the Wildlife Act 1953 and the Freshwater Fisheries Regulations 1983. I understand that approvals under both of those Acts will be required prior to the start construction and will be considered separately by DOC.
3. A large part of the project occurs in one of DOC's 14 priority river restoration catchments, the Hōteao.
4. I appreciate the consultation that the Applicant has undertaken to date for the Ara Tūhono project. This has assisted my understanding of the proposal and environmental effects associated with it. DOC has had opportunity to provide early feedback on draft technical reports on several occasions.

### **Reasons for my submission**

5. The need for a new route for State Highway 1 that avoids the Dome Valley is well established. DOC accepts the need for this new route and supports the project's objectives, particularly with regard to improving safety for road users.
6. I support in principle the Applicant's selected route as it generally minimises the natural areas that will be directly impacted by the new highway. By routing the new highway through mostly modified environments, the relative impacts of the proposal have been reduced.
7. Over most of its length, the proposal involves a change in land use from plantation forestry and pastoral farming to a state highway with associated amenity planting for screening. In the short term, construction effects will be significant and require intensive management.
8. In the longer term this provides an opportunity to achieve positive environmental outcomes rather than just maintaining the status quo of a previously degraded environment, an opportunity that could be lost once the state highway is in place. This would contribute to the progressive improvement sought by the Auckland RPS and Unitary Plan, and give effect to policy B7.3.2(6) which requires restoration and enhancement where practicable when undertaking development.
9. However, the proposal will still have some significant adverse effects. Some natural areas will be directly impacted and those adverse effects will need to be remedied and mitigated, and residual effects should be offset or compensated for. About 27

kilometres of stream habitat (permanent and intermittent) will be directly affected by modification and many more will be indirectly affected by sedimentation.

10. The Kaipara and Mahurangi harbours will be the eventual receiving environment for any sediment load from the construction and operation of the highway. Both these harbours have already been significantly impacted by increased sedimentation from past land uses. Sedimentation of the Kaipara Harbour has been identified as a key environmental issue by the Integrated Kaipara Harbour Management Group and Auckland Council<sup>1</sup>. The Mahurangi Harbour has similar sedimentation issues and Auckland Council has produced a control plan for that catchment<sup>2</sup>.
11. The development of this new highway and the associated plantings will effectively be a permanent change in land use. This creates an opportunity for a net ecological benefit, an opportunity that could be lost once the state highway is in place. The goal should be to improve the status quo, not merely to maintain it.
12. Treating the existing environment in the Matariki forest section of the new highway in its post-harvest state creates an artificially low baseline. In the absence of a new highway designation, the forest would be replanted and the impacts of harvesting would be temporary on a time scale of about 10 years. The ecological values of a re-growing plantation forest will be permanently lost on the footprint of the new highway, and should be factored into the required mitigation of the highway.
13. It is important that the construction and operation of the new highway does not undermine restoration work being carried out in the Hōteio catchment. It is part of DOC's Nga Awa river restoration programme applying a 'mountains to the sea' approach to the restoration of 14 catchments<sup>3</sup>. The Hōteio is also one of seven priority catchments in Auckland Council's Sustainable Catchment Programme, and is part of the Ministry for the Environment's first named Exemplar Catchment (Kaipara Harbour) in the Healthy Waters programme<sup>4</sup>.
14. The ecological impacts that DOC is most concerned about include:
  - a. sedimentation of freshwater and marine receiving environments

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<sup>1</sup> Hart, G and Scott, K (2014). Hoteio River catchment: environment and socio-economic review. Prepared for Auckland Council by Landcare. Auckland Council technical report, TR2014/021

<sup>2</sup> Temple, T and Parsonson, M (2014). Erosion and sediment control plan for the Mahurangi catchment. Prepared by SouthernSkies Environmental Limited for Auckland Council. Auckland Council technical report, TR2014/038

<sup>3</sup> <https://www.doc.govt.nz/our-work/freshwater-restoration/nga-awa/>

<sup>4</sup> <https://www.mfe.govt.nz/action-for-healthy-waterways>



- b. loss of instream habitat through diversion and culverting of water courses
  - c. destruction of terrestrial and wetland habitat, and the relocation of fauna
  - d. effects on bats, frogs, birds, herpetofauna and invertebrates
  - e. kauri dieback and other biosecurity risks
15. Another aspect of the application that is of concern is related to the long time interval before the consents will be exercised. This has limited the extent to which accurate baseline surveys of the existing environment can be completed before consent is granted. It has created a particularly heavy reliance on management plans to identify, then mitigate, effects.
16. My submission provides general comments on the approach taken by the applicant and includes, without being limited to such matters, some examples of specific requests for improved clarity and certainty of some of the proposed conditions (see attachments 1 and 2).

#### Sedimentation

17. The new highway is a high risk earthworks site. The area has some of the highest rainfall in the Auckland region, nearly half (45%) of the work will be on slopes greater than 10°, large areas of bare land will be exposed and sediment issues already exist in the freshwater and marine receiving environment. As such the very best controls and proactive procedures should be used.
18. Current sediment loss from most of the catchment is greatly elevated over pre-development levels. A considerable amount of work is being undertaken to address this. There is an opportunity for NZTA to contribute to that work. Allowing an increase in sediment yield from the site would undermine it.
19. I support the overall approach to addressing the impacts of sedimentation, that is the monitoring of cumulative and acute discharges of sediment from the work sites to determine the total sediment load discharged into the environment. We consider this to be a better approach than attempting to monitor the receiving environment where sediment sources cannot be easily distinguished.
20. I support the limits on active earthwork areas, and the requirement for rapid stabilisation of worked areas.
21. I have outstanding concerns relating to the timing and thresholds for responding to sediment discharges during construction. I understand that the applicant proposes to

retrospectively mitigate sediment discharges through sediment reduction activities after completion of the project but only to the extent that cumulative sediment discharges exceed 5% of the baseline yield for the entire catchment.

22. I consider that threshold to be too high given the SEA-M status of most of the Kaipara and Mahurangi harbours, the ONF status of the Hōteu River's main channel, and the degree of historical impacts on these environments. There should be no net increase in sediment load into the river network and marine receiving environment.
23. Sediment mitigation activities should commence proactively as opportunity arises rather than wait until construction is complete.
24. I note that the sediment reduction benefits of the amenity and ecological mitigation plantings will be counted towards the sediment mitigation. As some of these areas have already been identified there is scope to begin planting before and early during the construction phase, thereby maximising the sediment reduction benefits, as well as enabling earlier establishment of suitable habitat for fauna relocation (discussed below).
25. I presume that any in-channel works carried out as part of any sediment reduction programme will require additional consents as they will have the potential for additional adverse effects on instream habitat.

*Loss of instream habitat*

26. During construction of the new highway 27.1 km of permanent and intermittent stream will be lost. Of this, 18.3 km will be diverted and the applicant is not proposing to mitigate for this on the basis that the diverted streams will have equivalent ecological value. I do not agree with this assessment. Diverted stream have a simplified ecological structure and are often lined with artificial substrate. While a lower mitigation ratio may be appropriate for the diverted watercourses this effect must be addressed.
27. The monitoring of freshwater impacts is reliant on the selection of representative streams. The choice of these should be independently reviewed and assessed to ensure adequate coverage. Normal practice is to survey all affected streams and it is not clear why that will not be done for this project. There is a significant risk that threatened or at-risk species may be undiscovered and adversely affected.
28. The proposal to carry out an integrated mitigation programme to maximise the benefits of enhancement and restoration work is supported.

*Destruction of terrestrial and wetland habitat and relocation of fauna*

29. I support the approach taken by the applicant to minimise the area of indigenous vegetation and habitat that is directly affected by the highway. I also support the applicant's proposal to integrate the mitigation effort in order to achieve better ecological outcomes through larger scale restoration rather than a piecemeal and fragmented approach.
30. I support the ratios proposed for mitigating loss of indigenous vegetation (6:1 and 3:1) but request that mitigation also be provided for the lost habitat values of the plantation forest.
31. Areas being planted or enhanced for mitigation purposes should be protected by legal mechanisms such as QEII covenants and fenced to a stock exclusion standard. The plantings should be managed and maintained for a period of at least 5 years to ensure their survival, and any failure during this period (such as due to drought) be replanted.
32. While the full scale of mitigation work required will not be known until the final alignment is confirmed and ecological surveys have been completed, we would encourage the applicant to commence ecological planting and rehabilitation work early so that suitable habitat for relocating fauna becomes available, and more suitable, during the course of construction. It is likely that existing suitable habitat for relocating fauna will already be occupied, so it will be necessary to establish new habitat for relocated fauna and carry out pest control in these areas.

*Kauri dieback and other biosecurity risks*

33. Conditions for managing the risk of kauri dieback and other biosecurity risks are supported.
34. Some additional references are requested. These relate to another specific pest species of concern (Argentine ants), and other biosecurity guidance documents that are in production and will be released shortly.

*Inadequate baseline surveys and reliance on management plans*

35. This designation and consent will not be exercised for an unusually long time with construction scheduled to begin in 2030. The ecological surveys carried out prior to application are a small sample of what is required to understand its effects.

36. It is acknowledged that the detailed baseline ecological assessment must be done closer to the time of construction, and once the final alignment has been confirmed, but this means that the current assessment of ecological effects is to some degree speculative and based on a hopefully representative sample. As the full details of effects will not be known until long after consent has been granted, the extent and degree of mitigation, offsetting and compensation required will also not be known until then.
37. Essentially the panel is being asked to approve an application without knowing the potential effects to the degree of certainty normally required, and to then rely on the degree of mitigation and offsetting being determined later. It will be assumed that the level of mitigation, offsetting and compensation will be scaled up as necessary once the extent and intensity of adverse effects becomes apparent.
38. This has resulted in a heavy reliance on a management plan approach in the proposed conditions. This is not ideal as management plans can only be certified as complete, and does not allow for major changes to the proposal if effects are found to be unacceptable.
39. Several conditions use the phrase “minimising” and “to the extent practicable”. These are good principles to operate by, but are subjective and do not provide a meaningful performance standard. More objective conditions should be set for the management plans and monitoring where possible.
40. The management plan conditions often reserve an inappropriately high level of discretion to the applicant. For example, condition 52 imposes a limit of 14 days on stabilisation of worked areas, but allows the CESP to set a different limit.
41. The risks of this approach are not insurmountable and DOC does not see them as reason for declining the designation and consent application, but these risks need to be acknowledged and taken into account when setting rigorous and enforceable conditions that clearly state the prerequisites to be met before construction can begin.
42. The process for certification of management plans should provide the ability for Council to seek amendments to the plan and obtain an independent peer review. Conditions should include a process for auditing and reviewing plans, and time-bound steps to follow if a threshold is exceeded and additional mitigation is required.

43. The proposed 'deeming' of a management plan to be certified if no response is received from Council within 20 days is unacceptable and would compromise the integrity of the management plan approach that this proposal relies so heavily on.
44. As a significant quantity of new information will be provided to council before construction, timeframes should be imposed for the delivery of that information that provides council with adequate time to consider it. Scope should be provided for Council to review the consent conditions if necessary prior to the start of construction.
45. I also note that conditions on a designation cannot be reviewed by the Council at a later date, when more information is available. For this reason it is important that the conditions of consent are comprehensive. The applicant is seeking consent for vegetation alteration and removal but all conditions relating to that are included in the proposed designation conditions. These should be transferred to, or replicated, in the consent conditions.

#### **Decision sought**

46. I seek the following:
  - a. That the consent authority declines the resource consent applications and recommends to the requiring authority that the notice of requirement be withdrawn; or
  - b. If the consent authority is minded to approve the application, that it imposes the following requirements:
    - i. Additional information is to be provided by the Applicant to address the matters outlined in this submission;
    - ii. Suitable consent and designation conditions to ensure the concerns outlined in this submission are adequately and appropriately addressed (including setting of environmental standards and triggers, monitoring measures, preferred methodologies and contingencies for failure to meet standards);
    - iii. A comprehensive approach to managing the effects of the proposed construction and operation of the highway, prioritising measures to avoid, remedy then mitigate adverse effects, and, where there are

residual effects, offsetting or (when offsetting cannot be achieved) environmental compensation;

- iv. Suitable review conditions to require as a condition precedent to the commencement of construction that: (a) baseline surveys be completed at the appropriate time to the required standard; and (b) the conditions be reviewed once the baseline surveys have been completed;
- v. The nature of the conditions that I seek include (but are not necessarily limited to) the following:
  1. Retain the consent and designation conditions I support as described in attachments 1 and 2;
  2. Amend the consent and designation conditions as described in attachments 1 and 2;
- c. Such other relief as may be necessary and appropriate to address my concerns described above and in attachments 1 and 2.

I **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.

A copy of this submission has been served on the applicant.



Kirsty Prior  
Operations Manager  
Tamaki Makaurau/Auckland Mainland  
Acting pursuant to delegated authority on behalf of Lou Sanson, Director-General of Conservation

Date: 29 May 2020

Note: a copy of the Instrument of Delegation may be inspected at the Director-General's office at Conservation House Whare Kaupapa Atawhai, 18/32 Manners Street, Wellington 6011.

**Addresses for service:**

Attn: Graeme Silver, Planner

gsilver@doc.govt.nz

027 564 5767

Department of Conservation

Kirikiroa/Hamilton Office

Private Bag 3072

Hamilton 3240

Attn: Michelle Hooper, Solicitor

mhooper@doc.govt.nz

027 324 6314

Department of Conservation

Kirikiroa/Hamilton Office

Private Bag 3072

Hamilton 3240

## Attachment 1: Submission table on proposed designation conditions

Condition		Reason	Decision sought
<b>general</b>	Support with amendments	The designation conditions include matters that are authorised by resource consents. These conditions need to be transferred or duplicated in the consent conditions as they are not subject to a section 128 review.	Transfer or duplicate the conditions relating to consents to the consent conditions, such as those relating to vegetation alteration and removal.
<b>various</b>	Support with amendment	Various management plans and ecological surveys must be completed “prior to the start of project works”. A timeframe for these plans to be delivered to council should be specified that provides opportunity for council to consider the information. Because of the large volume of management plans and the heavy reliance on them to manage adverse effects, the normal 20 working day turnaround of a section 176A outline plan is not appropriate I note that conditions 15, 19, and 20 include timeframes for preparation of reports and plans, and I support those.	Amend various conditions (eg. 28, 55, 66, 68) to provide a suitable timeframe for council to consider the surveys and management plans, prior to the lodging of an online plan.
<b>54</b>	Support with amendments	Clear outcomes are required for the project and its management plans. These establish good principles for the ecological management of the project but are generally not measurable. Some objective performance standards should also be included.  This condition refers to the construction of the project but should apply to the operation and maintenance phase as well.	Retain, amend to include operation and maintenance, and where possible, include objectively measurable performance standards:  <i>“...managing the construction, operation and maintenance of the Project...”</i>
<b>55</b>	Support with amendments	I support the requirement for an ecological management plan but seek additional clauses relating to monitoring the success of planting and rehabilitation efforts, managing pest and weed incursions, replacing any unsuccessful planting, and providing for permanent legal protection of the planted and rehabilitated areas such as through a QEII covenant. I note that some of these clauses are already included for the landscape plantings.	Retain and amend to address: <ul style="list-style-type: none"> <li>• pest and weed management</li> <li>• monitoring</li> <li>• replacement of failed plantings</li> <li>• ongoing legal protection</li> </ul>
<b>62</b>	Support with amendments	I support the condition to undertake restoration planting and habitat rehabilitation, and the mitigation ratios.  A further ratio is required for the permanent loss of plantation forest that will not be replanted as a result of the highway development.	Retain this condition and add a requirement for ecological mitigation to offset the habitat loss resulting from the change of land use from plantation forest to road.
<b>65</b>	Support with amendments and correction	I support the requirement to complete planting and rehabilitation within 5 years but recommend that a deadline be set for this work to commence as soon as areas become available to do so because the benefits will not be realised for some time. In addition, where relocation of fauna is required, new habitat may need to be established for them.	Retain with the addition of starting date/time for restoration planting and habitat rehabilitation, and correct the reference to the ULDMP to read EMP.



		I note that the condition refers to ULDMPs but the restoration planting and habitat rehabilitation is described in the EMP.	
<b>66 &amp; 67</b>	Support with amendments	I support the requirement for bat surveys prior to construction but the requirement to recommend methods to avoid injury or mortalities, and recommend methods to maintain or enhance habitat, does not provide any certainty that these methods will be implemented.	Retain and amend to require the assessment and avoidance of effects at a population level.
<b>73, 74 &amp; 76</b>	Support with correction	Reference to the DOC's local area manager should be to the Operations Manager.	<i>"...the Local Area Operations Manager, Department of Conservation.."</i>
<b>76</b>	Support with amendments	I support this condition as these risks are significant and potentially permanent. I support specific reference to kauri dieback, Myrtle rust and plague skink, and request the inclusion of Argentine ants.	Retain with amendments  <i>"..and other biosecurity hazards such as Myrtle rust, Argentine ants and plague skink."</i>
<b>77</b>	Support with amendments	I support this condition and note that there is additional guidance that will soon be available and should be referred to.	<i>"...consistent with "Hygiene Procedures for Kauri Dieback", "Land disturbance activities (including earthworks) around kauri", " Vehicle and Heavy Machinery Hygiene", "Landfill Disposal of Contaminated Material" and "Procedures for Tree Removal and Pruning" and other relevant guidelines published by the Ministry for Primary Industries Kauri Dieback Management Programme..."</i>
<b>101</b>	Support with amendments	Maintenance and replacement of landscape plantings for 5 years is supported. A similar requirement should apply to ecological plantings and is discussed under condition 55 above.	Retain and amend to cover ecological plantings as well (or alternatively amend condition 55 to address this).

## Attachment 2: Submission table on proposed consent conditions

Condition		Reason	Decision sought
<b>2</b>	Support with amendment	The review condition is generally appropriate and reasonable.  As baseline surveys will be carried out and delivered to the consent authority prior to construction, it would be appropriate to provide for a possible review of conditions at that time, before construction begins.	Amend this condition to allow a potential review after baseline surveys have been carried out and before construction commences.
<b>5</b>	Oppose	Deeming management plans to be certified by default is unacceptable. This major project places a heavy reliance on a suite of management plans to identify and address	Delete condition 5.

		significant adverse effects after consent has been granted.	
21	Support with amendments	The outcomes sought for erosion and sediment control area supported. These are sound principles. However they are capable of objective measurement. Wherever possible, objective performance standards should be included, even if they are arbitrary to a degree and may need to be reconsidered later through a variation to the consent.	Amend this condition, or add an additional one, to include measureable performance standards.
24(f)	Clarification	Reference to rainfall events in the Hōteio Inlet and Mahurangi Harbour should probably refer to rainfall events in the catchments, rather than the receiving marine water body.	Amend the condition to clarify.
24(h)	Support with amendment	This condition is supported but replacing the term 'limit' with 'minimise' would be clearer and be consistent with the erosion and sediment control outcomes stated in condition 21	Replace 'limit' with 'minimise'.
26	Support with amendments	Clarification is required on the circumstances in which it is 'not practicable' to design clean and dirty water diversion to channels to a 100 year storm event	Delete " <i>where practicable</i> " and state the circumstances when a 100 year ARI design standard does not need to be met.
31	Support	This condition is strongly supported as accurate measurement of sediment yield is essential for identifying and mitigating the effects of this project.	Retain
37	Support with amendments	I support this condition as a suitable approach to offsetting construction sediment effects, and the deadline for the sediment reduction activities to achieve complete offsetting. However a timeframe for starting the sediment reduction activities should also specified. Ideally this should as be as soon as possible, but no later than completion of construction.	Amend to include a deadline for commencing the sediment reduction activities.
44 & 45	Support	I support the maximum open earthworks areas of the Hōteio and Oruawharo catchments.	Retain.
51	Oppose	The requirement to stabilise within 14 days is supported, but the ability of a management plan to alter this timing is not. This is a key erosion control method and changes to the timeframe should only be possible through a variation to the consent.	Delete " <i>or time otherwise certified with the Manager within a CЕССР,</i> ".
52	Support with correction	There appears to be a grammatical error in the wording of this condition.	Clarify by deleting " <i>shall be stabilised against erosion</i> ".
55	Support with amendment	Monitoring of water levels in the wetland complex is essential and should be used to identify the natural range in variability in levels. We request a longer time period of monitoring to confirm the natural variability.	Retain and extend the duration of monitoring to enable natural variability to be determined.
56	Support with amendments	I support the conditions to protect the high value Kourawhero wetland complex.	Amend to state:

		Maintenance of pre-construction water table levels is supported. Natural variability in water levels should also be allowed to continue. Diversion channels should avoid the wetland complex.	<i>"...maintain the pre-construction water table level and natural variability..."</i> <i>"Minimising-Avoid intrusion of diversion channels into or through..."</i>
<b>61 &amp; 62</b>	Neutral	It should be noted that any restriction on fish passage will require a permit under the Freshwater Fisheries Regulations.	
<b>63</b>	Oppose	Deeming management plans to be certified by default is unacceptable. This major project places a heavy reliance on a suite of management plans to identify and address significant adverse effects after consent has been granted.	Delete the second to last sentence of condition 63, starting <i>"If a response has not been received..."</i> .
<b>64</b>	Support with amendments	The identification of erosion prone streams should be subject to an independent review.	Retain and amend to provide for an independent review before monitoring starts.
<b>66</b>	Support with amendments	Pre-construction baseline survey and monitoring should be provided with an adequate lead-in time to allow the consent authority to consider the information and review consent conditions if necessary (see comment on condition 2). A suitable lead-in time would be for the consent authority to determine. We would suggest 3 months.	Amend to allow Council time to consider baseline data and review conditions if necessary.
<b>76 &amp; 77</b>	Clarify	These conditions refer to off-setting and compensation measures as mitigation. Restoration and enhancement of sites not directly impacts by works, but still within the designation, is off-setting and compensation.	Amend these (and other) conditions to clarify the terminology used.
<b>80</b>	Support with amendments	This condition is supported, particularly the requirement to minimise changes to water flows in the Kourawhero Wetland Complex. However this principle should be backed up with a measurable performance standard such as any change to water levels shall be within the range of natural variability.  Clarification is required of when it would not be practicable to capture, treat and discharge stormwater through constructed wetlands.	Amend condition 80(vi) to include measurable standards for maintaining wetland water levels and the proportion of stormwater that is captured and treated before discharge.

## Contact details

Full name of submitter: Angela and Geoffrey Still

Organisation name:

Full name of your agent: Angela Still

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Contact phone number: 021 425 710

Postal address:

[wwstills@outlook.com](mailto:wwstills@outlook.com)

Warkworth

Warkworth 0984

## Submission details

Name of requiring authority: Warkworth to Wellsford Motorway

The designation or alteration: Warkworth to Wellsford Motorway

The specific provisions that my submission relates to are:

The Specific part this submission relates to is: 1. The area identified as the "Warkworth Interchange"  
2. The nature of the application 3. The proposed Conditions

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 Proposal will have major negative environmental impacts on: Landscape & Visual amenity The Mahaurangi River environment Noise quality & volume – construction & operational Air quality Construction traffic Night light Social & personal considerations The Notice of requirement does not recognise the significant level of these negative impacts. It leaves the actual design to a later decided organisation. The conditions proposed do not go far enough to protect the environment and impacted people

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

Decline the Notice of Requirement. Failing that rigorous conditions that protect the environment & people impacted.

Submission date: 29 June 2020

## 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.

# 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](mailto:unitaryplan@aucklandcouncil.govt.nz) or post to :

Attn: Planning Technician  
Auckland Council  
Level 24, 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)

*Edwin and Toni*

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

Dando Family Trust

### Address for service of Submitter

39 Phillips Road, RD1, Warkworth 0981

Telephone:

021 439994

Fax/Email:

toni.dando@gmail.com

Contact Person: (Name and designation if applicable)

### This is a submission on a notice of requirement:

By:: Name of Requiring Authority

New Zealand Transport Agency

For: A new designation or alteration to an existing designation (describe)

Warkworth to Wellsford Motorway

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

See attached PDF document.

### My submission is:

In support of the notice of requirement

In opposition to the notice of Requirement

Neutral [include box]

### The reasons for my views are:

See attached PDF document

(continue on a separate sheet if necessary)

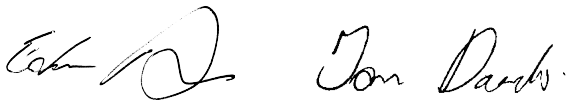
**I seek the following recommendation or decision from the Council** *(give precise details including the general nature of any conditions sought).*

See attached PDF document

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



29 June 2020

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.

## About our property

We live on a lifestyle block at 39 Phillips Road, Warkworth. We are a family of 5 – Edwin (49), Toni (45), Henry (13), George (11) and William (9). The proposed motorway will run through all of our Phillips Road neighbours' properties, leaving ours the only house on Phillips Rd.

All three of our children were born in Christchurch. William was born on 1<sup>st</sup> March 2011 – one week after the major earthquake. During the earthquake, Edwin was in a restaurant in downtown Christchurch and many people around him died. He is lucky to be alive. George was thrown around violently while Toni was loading groceries into the car and has received ongoing treatment for suspected post-traumatic stress syndrome related to the earthquake, aftershocks and resulting disruptions to our lives. Our entire family (except William who wasn't born) have heightened sensitivity to loud noises and vibration. As a result, we all startle easily and get upset when the ground vibrates.

We left Christchurch in June 2011 and lived on Waiheke Island, which served as a recovery place for us for 2 years. In 2012 we decided Waiheke was not a long-term proposition for us so started researching options, finally settling on Warkworth. In December of that year, we sold Edwin's business to raise funds to buy our dream property. After becoming aware of how the earthquake and subsequent move from Christchurch had impacted our children's security, we agreed that would be our last move until the children left home. We purchased 39 Phillips Road in January 2014. In 2015 we built an architecturally designed home - our lifelong dream. It was designed to make the most of the peaceful rural view across Kaipara Flats Road.

In addition to the house, we have significantly invested both time and money in the property. We have:

- Put in a 160m bore
- Put in solar power
- Put in a new sewerage system
- Planted over 3000 trees, mostly natives
- Designed and developed a 45 tree orchard, including shelter belts and fencing
- Established a 500 sqm organic vegetable garden
- Established a chicken run for our own egg production
- Re-fenced large sections of the property
- Repaired farm drainage and creeks
- Participated in the Auckland Council Waterway Protection Project, fencing off large areas of stream and wetland and planting thousands of trees
- Built a studio with ensuite
- Concreted a 300sqm area between the house and garage
- Reshaped the driveway
- Built timber storage
- Built firewood storage



We have worked almost every weekend in the last 7 years to develop the property. After extensively studying the likely impacts of climate change, we established this property around the principle of resilience and are working towards being self-sufficient. The recent Coronavirus pandemic was a case in point - we barely left the property as we are largely self-sufficient.

We have compromised many things normal families do, like going to the beach with the kids on weekends, or hanging out together, in order to develop this property. We built a sanctuary to get away from everything and recover. Now everything we were trying to escape has landed at our doorstep. Needless to say, our entire family is hurting badly.

The property has everything we dreamed of - a quiet, peaceful rural setting full of life. It has excellent quality water (both streams and bore), a good climate, and with all the permaculture and organic work we have been doing the native wildlife has returned. We have Kereru, Tui, and Bellbirds. We grow almost all our own food. We harvest our own firewood for sustainable water and home heating.

We invested a huge amount of time and energy to design and build a home that perfectly suits our specific needs. We both work from home, Toni full-time and Edwin 4 days per week. As knowledge workers, we relish the ability to concentrate and work in relative silence. Although we work from home, we also frequently need to leave the property in a time-dependent manner; for example to run children to school buses and after school activities, and for Edwin to attend business meetings.

Our long-term plans were to assess selling the property once the children leave home (estimated 2031 - just as Edwin turns 60) and retire somewhere close to where the children end up. However, the motorway has crushed this dream. Realistically, we will not find a buyer for this property when there is a motorway construction next door. With the project forecast to run for 7 years, the earliest we could consider selling would be 2037. We are acutely aware that these forecasts are only estimates and could change considerably. Our freedom to make decisions regarding our property and long-term plans has been removed.

The impact on our mental health has already been immense. Both of us are experiencing anxiety, depression and an overwhelming sense of helplessness. Every time we come home, we feel anxious. Every morning when we wake up and think about our property we feel "why bother?". We do our best to hide this from our children, but they too are aware of what is happening and are feeling very unsettled due to their home life being under threat. We are not anti-progress. We don't disagree with the motorway, but being the last house left on Phillips Road, we feel we alone are paying a grossly unfair price for this.

In addition to the severe impact this is having on our lives, we have serious concerns about the impact of the proximity of the motorway, including traffic, haulage, noise, vibration, dust, water quality, the impact on ecology, and our standard of living, during both the construction and operational stages. We do not believe the application documents adequately outline the effects the proposal will have on our property and way of life. Additionally, the proposal does not adequately mitigate these potential effects.

We outline our concerns in more details below.

## Traffic and property access during construction

The Southern Section is recognised as having the heaviest traffic increase and most likely to experience traffic impact from construction vehicles. The forecast is for up to 40 heavy vehicles per hour (one every 1.5 minutes) and up to 490 light vehicles per day. The Southern Section has three Site Access Points, with Phillips Road being the closest to the remainder of the new motorway. It is highly likely that Phillips Road will be a point of significant construction traffic. As the only property on Phillips Road NZTA has not acquired or will acquire, our access will be severely impacted. We see several problems with this:

1. We do not believe it is acceptable for us to have our property access compromised by such a significant volume of heavy traffic.
2. This level of construction traffic will reduce the number of people willing to visit us - something vitally important to us as rural people.
3. We are concerned about the financial impact on the project of continually delaying construction traffic for the sake of maintaining access to the last property left on Phillips Road.
4. As a small operational farm, we need to move livestock on and off our property.

We seek that these effects on us be appropriately mitigated. Measures may include:

- NZTA to purchase our property at agreed market value.

Failing that then:

- A guarantee of ease of access to our property for ourselves, visitors and stock trucks with a maximum wait time of 1 minute, with no more than 3 delays in a given 24 hour period.
- Repairs to any damage to our vehicles caused by construction-related work (paint, glass, dust, tyres etc).

## Haulage during construction

In addition to the above, we are concerned about the impact of haulage. The roads surrounding our property have been identified for haulage, namely Woodcocks Road, Carran Road and Kaipara Flats Road. The latter two roads are hilly and the trucks will need to use engine braking. This will adversely impact both our quality of enjoyment of our property (peace and quiet), our access to the property and the condition of the surrounding roads.

We seek that these effects on us be appropriately mitigated. Measures may include:

- NZTA to purchase our property at agreed market value.

Failing that then:

- Haulage to only occur during business hours (9am to 5pm, 5 days per week excluding public holidays)
- Roads to be regularly cleaned when dirty
- Our vehicles to be regularly checked for any damage caused by stray haulage material
- Our vehicles to be regularly cleaned at NZTA's expense.
- Trucks to avoid using engine-braking at all times.

## Construction Noise and Vibration

As noted above, our property is within the 200m designation buffer of the designation boundary and has been identified as impacted by construction noise (PPF 26). Noise monitoring performed by NZTA showed a current noise level of 28 dB. Currently, our property is almost always completely silent throughout the night and is very quiet during the day.

The Proposal requests noises levels of:

- Weekdays 6:30am - 7:30am, 55dB (196% current)
- Weekdays 7:30am - 06:00pm, 70dB (250% current)
- Weekdays 6:00pm - 8:00pm, 65dB (232% current)
- Weekdays 8:00pm - 06:30am, 45dB (161% current)
- Saturdays 7:30am - 06:00pm, 70dB (250% current)
- Saturdays 06:00pm - 07:30am, 45dB (161% current)
- Sundays and Public Holidays 7:30am - 06:00pm, 55dB (196% current)
- Sundays and Public Holidays 6:00pm - 07:30am, 45dB (161% current)

Toni has chronic insomnia and has ongoing treatment for this. Henry also suffers from insomnia. Both struggle to sleep if we stay in a suburban setting. Both wake when it rains, even in a modern home. They cannot tolerate anything like this level of noise. These impacts on us are significant, and adverse.

We also both work from home, Toni full time and Edwin 4 days per week. We cannot work through ground vibration and construction noise.

Finally, as people who are still dealing with the long-term impacts of the Christchurch Earthquake, we cannot live through any ground vibration or sudden noises. The impact on us is devastating.

We seek that these effects on us be appropriately mitigated. Measures may include:

- NZTA to relocate our family to alternative accommodation for the duration of the construction.

Failing that then:

- NZTA to purchase our property at agreed market value.

## Working hours during construction

We strongly disagree with the application for the project to work 24 hours a day seven days a week. Work should be restricted to business hours only - 9am to 5pm, weekdays only, and excluding public holidays.

## Visual impact during construction and operation

The construction and operation of the motorway will have significant visual impact on our property and the surrounding environment.

With all of our neighbouring properties falling within the proposed designation, it is very likely that the main site office for the construction will be in line of sight from our property.

We do not consent to our property being visually impacted by the construction of the motorway.

## Operational Noise

As noted above, we enjoy a peaceful, quiet life and chose this property for that purpose. We are seriously concerned about the operational noise of the motorway once completed.

We seek that these effects on us be appropriately mitigated. Measures may include:

- NZTA to purchase our property at agreed market value.

Failing that then:

- NZTA to build earth bank screening motorway, planted with noise suppressing trees and vegetation
- NZTA to fund the planting of tall, high growth trees along our eastern boundary to screen noise
- Noise to be regularly measured against a baseline.
- Low noise road surfaces materials to be guaranteed.
- Everything possible that could be done to reduce noise is done.

## Dust

We are very concerned about the dust impact caused during construction. We have witnessed the impact of this first hand during the construction of the Puhoi to Warkworth motorway. Edwin

is asthmatic and allergic to dust. In addition, we rely on a combination of rain water and bore water for our household use. We are concerned about the impact of dust on this.

We do not consent any movement of dust onto our property.

We seek that these effects on us be appropriately mitigated. Measures may include:

- NZTA to purchase our property at agreed market value.

Failing that then

- NZTA to erect dust screening to prevent movement of dust onto our property.
- NZTA to provide regular house soft-wash of our home should it incur any construction dust.
- NZTA to pay to divert our rainwater collection to drainage, and provide regular tankers of freshwater, as required.
- NZTA to clean any part of our property impacted by construction dust
- Everything possible that could be done to prevent dust is done.

## Light

We are very concerned about the light from construction and traffic management that may impact us. Our home was designed to use double glazing and no curtains. It gives us the opportunity to truly experience country living.

We seek that these effects on us be appropriately mitigated. Measures may include:

- NZTA to purchase our property at agreed market value.

Failing that then:

- NZTA to ensure there is no increase in light levels at our house.

## Water quality

As noted above, we rely on a combination of rainwater and bore water. We use bore water extensively during summer months both as household water (including drinking) and garden irrigation. We are concerned about the impacts on groundwater caused by construction and by the alteration of the land structure.

We seek that these effects on us be appropriately mitigated. Measures may include:

- NZTA to purchase our property at agreed market value.

Failing that then:

- Our bore water to be tested monthly both during the construction phase and for 3 years following completion of the project
- NZTA to fit a suitable filter to our bore water system.

## Impact on ecology

We have significant concerns about the impact of the construction on the waterways, flora and fauna both on our property and on the area as a whole. As stated above, we have invested significant efforts into re-establishing native trees and birds on our property.

## Disruption of pests' habitats

In addition to the negative impact on the welcome native wildlife, we are concerned that the construction of the motorway will disrupt the habitat of mice, rats and other pests, increasing the risk of them invading our house.

## Flooding concerns

We have significant concerns about the impact of the both construction and operational phases on the risk of flooding in the area. Our valley has been documented to be at high risk of flooding, and Kaipara Flats Road is closed due to flooding several times a year. Compared with the current surfaces (grassed farmland), the surface area of a motorway is non-absorbent, and our valley will be surrounded on two sides by the motorway above it. While we are aware that some additional drainage has been proposed, we are concerned that it is not sufficient and that the impact of the water leaving the drainage area has not been adequately accounted for. This concern links to our above concern about the ecological impact.

## Impact on property value

The proposed motorway will have a negative impact on the value of our property and surrounding properties, particularly during the periods of decision making and construction. This has not been adequately addressed in the proposal.

## Extended lapse period sought

We oppose the proposal to extend the lapse period for implementation of the proposed designation, on the grounds that this extension will prolong the above-mentioned impact on our mental health and our ability to make long-term decisions regarding our property.

## The nature of the application

The current proposal is an indicative alignment only, with the actual construction and operation to be determined in the future. This means it is not possible to adequately assess the impact of the construction and operation of the motorway on our property and surrounding environment. Given that the NZTA already own two properties immediately adjacent to ours, this is of major concern.

Thus, we reserve the right to raise any concerns arising from changes to the current proposal.

We seek the following relief:

- (a) That the application is declined; or
- (b) That appropriate conditions are imposed; or
- (c) That our property is purchased by NZTA now.

**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](mailto:unitaryplan@aucklandcouncil.govt.nz) or post to :

Attn: Planning Technician  
Auckland Council  
Level 24, 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)

<sup>NAIM</sup>  
MR ERDEM + MRS AMANDA OGUZ  
CLATRE

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

NA

**Address for service of Submitter**

215 KAIPARA FLATS ROAD, WARKWORTH, AUCKLAND, 0981

Telephone:

021 158 4715

Fax/Email:

amanda.oguz@gmail.com

Contact Person: (Name and designation if applicable)

**This is a submission on a notice of requirement:**

**By::** Name of Requiring Authority

New Zealand Transport Agency

**For:** A new designation or alteration to an existing designation (describe)

Warkworth to Wellsford Motorway  
NOR-SH1 Warkwoth to Wellsford

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

PLEASE SEE ATTACHED PDF SUBMISSION

**My submission is:**

In support of the notice of requirement

In opposition to the notice of Requirement

Neutral [include box]

**The reasons for my views are:**

PLEASE SEE ATTACHED PDF 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 SEE ATTACHED PDF SUBMISSION

I wish to be heard in support of my submission

I do not wish to be heard in support of my submission

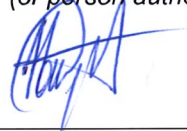
If others make a similar submission, I will consider presenting a joint case with them at a hearing



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

26/06/2020

Date



26/06/2020

**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.

## INTRODUCTION

We, Amanda Oguz (aged 31 Years) and Erdem Oguz (aged 39 Years) and our daughter, Charlotte Oguz (10 months old) live at 215 Kaipara Flats Road. It is a one hectare section (including a covenanted wetland that takes up a substantial area of the property) of quiet and tranquil land, zoned as Mixed Rural in the Auckland Unitary Plan. It is an elevated section overlooking Kaipara Flats Road and the surrounding valley (including Philips Road). We have a 2 bedroom, 65 square meter cottage on the section. Our property is within approx. 300m of the proposed designated route of the Southern Section and the designation boundary of the project stops at our road side (Kaipara Flats Road) boundary line at the end of our driveway (approx. less than 100m from our house). We will be significantly impacted by the adverse effects of construction as well as the ongoing operation of the proposed motorway as well as the Kaipara Flats Road realignment (noise, vibration, dust, outlook, haulage routes etc). In effect we will be surrounded on all 4 sides by the project during its construction or haulage routes.

As young first home buyers in Auckland, we prioritized the quiet rural lifestyle, over the hustle and bustle of Auckland suburbia, having unhappily lived in close proximity to SH1 on the North Shore for many years. We were more than happy to compromise on the grueling commute as this was to be our 'forever dream home' where we would raise our family and 'live happily ever after'. We value peace, quiet and privacy.

We completed thorough due diligence before our purchase (in late 2016) and reviewed the Auckland Unitary Plan (which had just been released) as well as much other research to ensure we were making a sound investment. We were aware of the Puhoi to Warkworth phase of the project, however, it would not have impacted on our property. There was nothing to indicate that the path of the proposed Warkworth to Wellsford stage would run so close to our new dream home.

Due to budget constraints, we were unable to build our main dwelling (dream home) initially and opted to build a minor dwelling (cottage) first and with a view to build the main dwelling within five years. We have been living on the property since March 2018 and had planned to start the construction work for the main dwelling no later than 2023.

We have designed our minor dwelling (cottage) to maximize the outlook of the current tranquil surrounds and have invested considerable time, money and emotional energy into landscaping to proactively attract native birds and other species. Our preferred build site for our main dwelling (dream home) was chosen to maximize its north facing aspect would have its outlook even more dramatically impacted by the proposed motorway and Kaipara Flats Road realignment. Due to the nature of the contour of the land we would have very limited options unless we invest considerable sums of money to engineer and excavate the site to minimize the impact on its outlook and exposure to noise (both construction and operational).

We all have existing health issues that would be adversely impacted by this project.

We cannot accurately describe in words the gut wrenching blow we experienced when we were notified of the project out of the blue. The project has taken away all the certainty from our future. The only comparable experience we can liken it to be how we felt when our respective fathers died from cancer

and a car accident in our adolescent years. In an instant we experienced the loss of our idyllic dream lifestyle, the loss of all certainty in our future, the loss of any choice regarding our home and destiny as a family. All very deep and personal intangible aspects of our lives that are impossible to quantify.

Where we would prefer to spend our evenings and weekends going through photos of our baby or conducting in leisurely hobbies etc, we feel we have no option but to become experts in an untold number of expert fields to even begin to understand the volume of documentation that will have drastic impact on our lives. We have no choice but to understand it to the best of our ability and engage with experts at our own cost so that we can have any hope of being fairly heard let alone even having a chance of having our conditions met or being compensated appropriately. The process is frankly not fair and takes advantage of overwhelming people and providing such a difficult labyrinth to navigate that most people just give up. It should not be acceptable that NZTA can dominate, intimidate and manipulate the lives of affected residents like this. We do not want to be seen as “victims of progress”, however, we refuse to be “victims of the process”.

If the project is not to commence until at least 2030; Amanda will be in her 40's, Erdem in his 50's and Charlotte will be a teenager. These next few decades are supposed to be our prime years to grow and live as a family. If construction is to last for longer than the 7 years suggested; Amanda will be in her 50's, Erdem in his 60's and Charlotte in her 20's. The operation of the motorway will commence in what should be our quiet twilight years. This project and its uncertainty will be a heavy black cloud over our foreseeable future unless our following concerns can be adequately addressed.

## CONCERNS

This submission relates to the following areas: -

### 1. THE DESIGNATION AND DESIGN OF THE MOTORWAY PROPOSALS THAT RELATE TO THE AREA SOUTH OF THE PROPOSED TUNNELS.

#### REASONS:-

- a. The proposal will have major adverse effects on our quality of life during both the construction and operation of the motorway and the Kaipara Flats Road realignment.
- b. The application documents do not accurately reflect the actual effects that the proposal will have on those affected and the environment.
- c. It does not adequately mitigate or remedy the potential adverse effects on us as residents or the surrounding environment.

During the construction phase, we will experience significant and fairly constant impacts from noise, vibration, dust, light spill (if there is night time construction), storm water management, traffic nuisance, annoyance, sleep disturbance, health impacts and general anxiety. These effects will arise from the construction site itself, but also from the immense volume of construction traffic past our property.

Once operational we expect effects of noise, vibration, dust, annoyance, sleep disturbance and health impacts will continue as motorway traffic passes as close as 300m from our house.

- i. There will be adverse effects on the environment generally to the natural waterways, wetlands, flora and fauna and pests in the vicinity;
  - ii. The proposed motorway will have a detrimental visual impact on the landscape.
- d. The proposed motorway will have significant adverse effects on our property value and adverse economic impacts which have not been adequately addressed.

And

## 2. THE NATURE OF THE APPLICATION.

REASONS: -

- a. The route has been presented as an indicative alignment and the wording of all documents appear to be open ended to allow for the contractor who takes the project to determine the design, materials, construction methods and operation etc to their choosing as long as they stay within the boundary of the proposed designation.
- b. This denies us the ability to review and have influence on the project through the design stage. It is contrary to the intent of the Resource Management Act 1991.
- c. This makes it impossible for us to determine exactly how the motorway will impact us and the environment, which creates a huge amount of uncertainty for us and limits our ability to make informed decisions regarding major elements of our future. For example, due to the disruption and stress this project will create in our lives for the foreseeable future we will have extreme difficulty in deciding:
  - i. Whether or not we cut our losses and sell (in the midst of a global economic recession in a rapidly developing Auckland city where we are unlikely to find another property similar in our price range after absorbing the loss in our current property value).
  - ii. Whether or not, and to what extent, we stay and build our main dwelling (with limited equity due to the decrease in our property value).
  - iii. Whether or not we have subsequent children.
- d. The detrimental human cost has not been considered or appropriate mitigations put in place during the project process.
- e. The baseline surveys relating especially to noise are inadequate.

And

## 3. THE PROPOSED CONDITIONS.

REASONS: -

- a. The proposed conditions favour the delivery of the project over the environment and affected parties.

- b. They are not robust enough to identify all adverse effects with certainty or ensure that the adverse effects will be adequately and fairly mitigated, proactively monitored and remedied.
- c. There is no degree of certainty whether predictions and are accurate, reliable or whether proposed mitigations are adequate.
- d. The proposed submission does not include an acceptable complaints process for either effected residents or contractors.

## RELIEF SOUGHT

### THE RELIEF SOUGHT IS:-

1. Decline the application by NZTA.

### FAILING THAT:-

1. Require the Authority to confirm/ lock down the design of the motorway alignment along with the associated infrastructure so that we can have certainty over what is proposed.
2. Require the Authority to confirm the use of designation/boundary showing exact locations for site access points, haulage routes, depot locations for equipment and vehicles, bulk storage areas, traffic control points, etc. so that we can predict the impact on our life during the construction and ensure appropriate mitigations are in place.
3. Require the Authority to apply robust conditions that will ensure that we are impacted by the proposal (both during construction and operation) in the least way possible as well as publish detailed Management Plans prior to Resource Consent being approved. Specifically regarding mitigating and proactively monitoring the following areas to minimise the impact on the residents living near the project boundary:
  - a. Noise pollution
  - b. Light pollution – in accordance with the Dark Sky.org standards
  - c. Vibration
  - d. Air/dust pollution – Prevent it coming across our boundary line
  - e. Visual impact
  - f. Storm water/flooding
  - g. Environmental impacts
  - h. Traffic management
  - i. Waste management
  - j. Pest management
  - k. Water usage
4. Apply conditions that mitigate/improve the effects of the proposal on the social, economic and cultural impacts as well as the general amenity of the area and people affected by the proposal
5. Require the Authority to limit work hours to Monday to Friday from 0600 till 1800 and not to work on weekends, public and statutory holidays.
6. Require the Authority to apply robust conditions ensuring local development in accordance with Auckland City Council's Warkworth Structure plan.
7. Due to the fact there are critically endangered kahikatea bush on the proposed route south of the tunnels by Kaipara Flats Road, we would be in favour of pushing the alignment east to minimise the impact on this section of bush.

8. Apply robust conditions around the improvement of the existing public roads that are indicated for project construction traffic (i.e. suggested haulage routes) These conditions should include improvement of the noise characteristics (i.e. resurfacing all routes with OGPA or equally effective material in noise absorption) as well as improvements on the physical conditions of the roads (i.e. expanding to allow for safe access for heavy machinery, realigning to reduce incline/decline).
9. Require the Authority to ensure adequate safety measures are put in place on Kaipara Flats Road for at least 1km either side of the bridge such as:
  - a. Reduce speed limits on the realigned section of Kaipara Flats Road to maximum of 80km as the design of new straightened alignment will encourage speeding.
  - b. Use quiet road surfacing such as OGPA to minimise the noise of increased traffic.
  - c. Use quietest joints possible to avoid juddering noise of people entering and leaving the bridge either side.
  - d. Adequate signage to advise of reduced speed limits that will be visible in the fog.
10. Require the Authority to confirm that Carran Road should not be used as a haulage route as it is too narrow, too steep and there are 2 blind corners and a blind rise that make it extremely dangerous for regular existing road traffic (particularly in periods of fog/sunstrike/dark) let alone heavy haulage trucks. Alternatively to ensure safety for road users either:
  - a. Private roads on the existing designation should be used instead AND/OR
  - b. There should be a complete realignment of Carran Road and the intersection of Kaipara Flats.
11. Require the Authority to prevent Kaipara Flats Road/Philips Road not to be used as a construction yard as the land is not suitable for this purpose and that the existing site on Woodcocks road should be utilised or elsewhere to minimise disturbance to residents of the Kaipara Flats Road and Philips Road area.
12. Require the Authority to ensure the staggering of works on Carran Road and Kaipara Flats Road so we have one unobstructed access point at all times (especially incase of emergencies or during flooding as we have a child).
13. Require the Authority to only issue Resource Consent for a 5 year lapse period (as per council standard practice) as opposed to the 15 year lapse period sought by NZTA as this length of time only further increases uncertainty for us.
14. We reserve the right to comment and provide further input on any changes within the design or designation that would have a (fundamental) impact on the quality of our lives or our property.

**SUBMISSION ON REQUIREMENT FOR DESIGNATION THAT IS SUBJECT TO  
PUBLIC NOTIFICATION BY A TERRITORIAL AUTHORITY UNDER THE  
RESOURCE MANAGEMENT ACT 1991  
FORM 21**

**To:** [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz)

Auckland Council  
Resource Consents  
Private Bag 92300  
Auckland 1142

**Name of Submitter:** Katrina Todd

**Address:** c/- MinterEllisonRuddWatts  
PO Box 3798  
AUCKLAND 1140  
Attention: B Tree  
[bianca.tree@minterellison.co.nz](mailto:bianca.tree@minterellison.co.nz)

**NOR – SH1 Warkworth to Wellsford**

**Scope of submission**

1. This is a submission on a notice of requirement from Waka Kotahi - New Zealand Transport Agency (**NZTA**) for a designation for a public work, being the construction, operation and maintenance of a new four lane state highway and associated activities between Warkworth and north of Te Hana (**Notice of Requirement**).
2. I am not a trade competitor for the purposes of section 308B of the Resource Management Act 1991.
3. I oppose the Notice of Requirement unless the matters in this submission are addressed.

**Background**

4. I am the owner of 84 Kaipara Flats Road. My property is an 8.1-hectare lifestyle block with homestead, barn, paddocks and gardens. I have owned this property for 14 years. Kaipara Flats is a rural community located approximately five minutes north of Warkworth at the narrowest point between the Kaipara Harbour to the west and Hauraki Gulf to the east.

5. The boundary of the proposed Notice of Requirement adjoins the western boundary of my property. I understand that the following features of the indicative route are located near my property:
- (a) the indicative route of the new state highway follows the bottom of the gully at 50m relative level (**RL**) to the west of my property, and is separated from my property by a ridge that rises to approximately RL 80-90m;
  - (b) the indicative route passes through twin bore hole tunnels under Kraack Hill approximately 3km to the north of my property;
  - (c) the indicative alignment passes under Kaipara Flats Road and Kaipara Flats Road will be bridged over the new state highway and connected to a realigned Phillips Road;
  - (d) the existing connection between Kaipara Flats Road to the existing State Highway 1 will be maintained;
  - (e) the section of Kaipara Flats Road adjacent to and to the east of my property will not be realigned or subject to works; and
  - (f) a new interchange to connect to Warkworth will be established approximately 2km to the south of my property, by Woodcocks Road.

**Reasons for submission**

6. I seek to ensure that the features of the indicative route as listed above and described in the Notice of Requirement are not amended in any way that will have an adverse impact on my property. Without derogating from that general position, the particular matters that I seek are:
- (a) the indicate route to the west of my property follow and be contained in the lowest point of the gully at an RL no greater than that proposed;
  - (b) the tunnels under Kraack Hill be at an RL no greater than that proposed;
  - (c) the bridge for Kaipara Flats Road (bridge 7) over the new state highway be at the location in the Notice of Requirement and at an RL no greater than that proposed;



- (d) that the bridge north of Phillips Road (bridge 22) be at the location in the Notice of Requirement and at an RL no greater than that proposed;
- (e) that the alignment of Kaipara Flats Road adjacent to and to the east of my property is not changed and no works occur along this section of Kaipara Flats Road;
- (f) that the connection of Kaipara Flats Road to the existing State Highway 1 is maintained; and
- (g) the new interchange to connect to Warkworth is at the location in the Notice of Requirement or located further to the south.

**Decision sought**

- 7. I oppose the Notice of Requirement unless the matters raised in this submission are addressed.
- 8. I wish to be heard in support of this submission.
- 9. If others make a similar submission, I will consider presenting a joint case with them at a hearing.

**DATED** this 29<sup>th</sup> day of June 2020

**Katrina Todd** by its solicitors and duly  
authorised agents MinterEllisonRuddWatts



---

**B J Tree**

**Address for service of submitter:**

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c/- MinterEllisonRuddWatts

PO Box 3798

AUCKLAND 1140

Attention: B Tree

Telephone No: (09) 353 9700

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Email: bianca.tree@minterellison.co.nz



AUCKLAND COUNCIL

29 JUN 2020 3:14pm  
HENDERSON

1.0 SUBMITTER DETAILS

Name of submitter(s)  
*(please write all names in full)* Donnellan family (details as attached)

Physical Address: 372 Woodcocks Road Warkworth Postcode: \_\_\_\_\_

Address for service: (if different) PO Box 104 016 Auckland Postcode: 0654

Telephone (day): \_\_\_\_\_ Mobile: 0274953957 Fax: \_\_\_\_\_

Email: tom@hrm-co.nz

2.0 APPLICATION DETAILS

Application Number: SH1 Motormay proposal Warkworth

Name of applicant:  
*(please write all names in full)* NETA

Address of proposed activity: \_\_\_\_\_ Postcode: \_\_\_\_\_

Description of proposed activity: Details as attached

3.0 SUBMISSION DETAILS

My/our submission: (please tick one)

Supports the Application  Opposes the Application  Neutral regarding the Application

The specific parts of the application to which my/our submission relates to are: (use additional pages if required.)

As attached

P0098.3 06/07/10

3.0 SUBMISSION DETAILS contd

The reasons for my/our submission are: (use additional pages if required.)

AS attached

The decision I/we would like the Council to make is (including, if relevant, the parts of the application you wish to have amended and the general nature of any conditions sought):

4.0 SUBMISSION AT THE HEARING

- I/we wish to speak in support of my/our submission.
I/we do not wish to speak in support of my/our submission.
If others make a similar submission, I/we will consider presenting a joint case with them at the hearing.

Signature of submitter(s) or agent of submitter(s)

Handwritten signatures in three boxes.

Date: m 29/6/2020
Date: 29/6/2020
Date:

IMPORTANT INFORMATION

The Council must receive this submission before the date and time indicated. A copy of this submission must also be given as soon as reasonably practicable to the applicant at the applicant's address for service.

All submitters will be advised of hearing details at least 10 working days before the hearing. If you change your mind as to whether you wish to attend the hearing, please phone the Council so that the necessary arrangements can be made.

PRIVACY INFORMATION

The information you have provided on this form is required so that your submission can be processed under the RMA, so that statistics can be collected by the Council. The information will be stored on a public register, and held by the Council. The details may also be made available to the public on the Council's website. These details are collected to inform the general public and community groups about all consents which have been issued through the Council. If you would like to request access to, or correction of your details, please contact the Council.



Dear Auckland Council

29 June 2020

We Object and detail as follows our Objections to both the;

- Notice of Requirement and also to
- associated Resource Consents

for a new State Highway from west of Warkworth up to the north of Wellsford.

We are the Donnellan family and with land at 372 Woodcocks Road Warkworth.

We wish to speak. We are willing to present cases with others who made the same or similar submission.

#### **Application details**

Waka Kotahi - The New Zealand Transport Agency has applied for a Notice of Requirement to amend the Auckland Unitary Plan and applied for associated Regional Resource Consents to enable the construction, operation and maintenance for a new four lane state highway. Key components of the proposal include a four lane dual carriageway, three interchanges, twin bore tunnels under Kraack Road, a viaduct over the existing SH1 and Hotoe River, a bridge over Maeneene Stream, a series of cut and fills across the project area and changes to local roads. Resource consents are required in relation to earthworks, vegetation removal, structures and associated temporary works in, on, under or over watercourses and wetlands, diversion of streams and ground water, discharge to air, and stormwater management including the on-going stormwater discharge from the road surface.

#### **Application number**

BUN60354951, LUC60354952, LUS60354955, WAT60354953, WAT60355184, WAT 60356979, DIS60354954, LUC60355185, DIS60355186

#### **Applicant**

Waka Kotahi - New Zealand Transport Agency  
warkworth-wellsford@nzta.govt.nz  
Cath Hepplethwaite  
New Zealand Transport Agency  
Level 5, AMP Building 29 Customs Street West  
Auckland CBD, Auckland, 1010

#### **Our Objections;**

Our Objection/s relate to the motorway designation and consents proposed for the area south of the proposed tunnels.

The proposal is contrary to sound resource management principles; is contrary to the purpose and principles of the Resource Management Act 1991, conflicts with National Policy Statements on Freshwater Management, and will directly adversely affect all of the areas; natural environment, amenity of the area, and also our property. Adverse effects of both construction and operation are not presently proposed to be adequately avoided, remedied or mitigated.

The proposal will have major adverse effects on the environment. It does not adequately mitigate or remedy the potential adverse effects on the people and properties in the vicinity. In particular the effects of noise, dust, light, stormwater management, traffic nuisance and the social disruption are excessive. The proposed motorway will have a detrimental visual impact on the landscape.

The adverse effects on the natural waterways and flora & fauna in the vicinity are also opposed.

The proposed motorway will have significant adverse effects on the property values in the immediate vicinity and adverse economic impacts which have not been adequately addressed.

Eg the proposal would make a large part of our land entirely closed off from all road access.

The application documents do not accurately reflect the actual effects that the proposal will have on those affected and the environment. We have found the existing SH1 now under construction near Carran Road Warkworth to create excess construction noise vibration and dust. The dust is pervasive copious and adverse. The NZTA has only reluctantly, with reminding, met house-washing conditions but that still leaves large amounts of their pervasive dust everywhere else, polluting our property.

When they consulted on the current under-construction SH1MW on important water management details re ponds & MW effluent and stormwater we gave detailed submissions which were essentially ignored and these matters should instead be under the full control of the Regulator ie Ak Council at all times.

They do not adequately detail exactly what they will do and where they must be made to do so. The project has been presented as an indicative alignment with the actual construction and operation to be determined by future management plans which means that it is not possible to assess how the specific details of the motorway will affect the environment and the affected parties. This denies affected parties the ability to review and have influence on the project through the design stage. It is contrary to the intent of the Resource Management Act 1991.

### **The proposed conditions**

The proposed conditions favour the delivery of the project over the environment and affected parties. They are not robust enough to ensure that the adverse effects will be adequately mitigated and remedied.

The relief we seek is. To Decline the application.

Failing that, it is to;

- Require the Authority to confirm the location of the motorway alignment along with the associated infrastructure so that the affected parties can have certainty over what is proposed.
- Require the Authority to include in the application the various management plans so that an assessment of how the project will be delivered to meet the environmental objectives can be assessed.
- Apply robust conditions that will ensure that those affected are impacted by the proposal in the least way possible.
- Apply conditions that better improve the effects of the proposal on the social, economic, visual, cultural and general amenity of the area and people affected by the proposal.

### **Please Note**

Do not direct correspondence to 372 Woodcocks Road as Mr Max Donnellan who lives there is now 88 and has found NZTA dealings doubly difficult. Please direct all correspondence to the following address for service.

Yours faithfully



Tom Hollings

For submitters; Mr Max Donnellan, Siobhan Donnellan, and (husband) Tom Hollings, and Maxine Axford (nee Donnellan) and (husband) Terry Axford.

Our Address for Service is; PO Box 104 016, Auckland 0654.  
Phone 027 495 3957 Email [tom@hrm.co.nz](mailto:tom@hrm.co.nz)

## Amy Cao

---

**From:** Jackie Lee on behalf of Resource Consent Admin  
**Sent:** Tuesday, 19 May 2020 8:55 AM  
**To:** Amy Cao  
**Cc:** Blair Masefield  
**Subject:** FW: BUN60354951 [ID:9541] Submission received on notified resource consent

**Categories:** Online

Good morning Amy,  
A submission for you 😊  
Kind regards,  
Jackie.

**Jackie Lee | Regulatory Support Officer North/West  
Resource Consents  
Ph 09 427 3332 | Extn (44) 3332  
Auckland Council, 50 Centreway Road, Orewa 0931  
Visit our website: [www.aucklandcouncil.govt.nz](http://www.aucklandcouncil.govt.nz)**

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**From:** NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz  
<NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz>  
**Sent:** Monday, 18 May 2020 4:16 PM  
**To:** Resource Consent Admin <resourceconsentadmin@aucklandcouncil.govt.nz>  
**Cc:** warkworth-wellsford@nzta.govt.nz  
**Subject:** BUN60354951 [ID:9541] Submission received on notified resource consent

We have received a submission on the notified resource consent for Land between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hoteo River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana. .

## Details of submission

### Notified resource consent application details

**Property address:** Land between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hoteo River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana.

**Application number:** BUN60354951

**Applicant name:** Waka Kotahi - New Zealand Transport Agency

**Applicant email:** [warkworth-wellsford@nzta.govt.nz](mailto:warkworth-wellsford@nzta.govt.nz)

**Application description:** Waka Kotahi - The New Zealand Transport Agency has applied for a Notice of Requirement to amend the Auckland Unitary Plan and applied for associated Regional Resource Consents to enable the construction, operation and maintenance for a new four lane state highway. Key components of the proposal include a four lane dual carriageway, three interchanges, twin bore tunnels under Kraack Road, a viaduct over the existing SH1 and Hoteo River, a bridge over Maeneene Stream, a series of cut and fills across the project area and changes to local roads. Resource consents are required in relation to earthworks, vegetation removal, structures and associated temporary works in, on, under or over watercourses and wetlands, diversion of streams and ground water, discharge to air, and stormwater management including the on-going stormwater discharge from the road surface.

### Submitter contact details

**Full name:** Justin Robertson



**Organisation name:**

**Contact phone number:** 021831313

**Email address:** [justin@robertsonfamily.nz](mailto:justin@robertsonfamily.nz)

**Postal address:**

118 Whangaripo Valley Rd  
wellsford  
wellsford 0974

## **Submission details**

**This submission:** opposes the application in whole or in part

**Specify the aspects of the application you are submitting on:**

the requirement for the devolper to purchase our entire property for this project

**What are the reasons for your submission?**

When we purchased the property in 2018 we were made aware of the proposed development and told that the developer intended to purchase roughly 50% of the property for the new motorway and that the actual property wont be used in anyway for the motorway. We also did our own due diligence and all info we found supported this. However around 6 months after settling on the property we received a letter from the developer stating they had made some alterations and now required our entire property. We have compared the original plans with the latest plans and can find no reason for the new requirement to purchase our entire property. The entire property still remains completely unaffected by the devilment and is in a completely different valley to the development. No part of the motorway will be able to be seen from our home.

We have enquired why there was a change to now require our entire property several times and to date have not had any firm answer on why.

This is our retirement property that we have spent our lives working towards and to find within 6 months of purchasing the property that we will now be forced to sell is simply to fair.

This has caused us immense stress.

Further to this we have found the developers to be completely unapproachable and ultimate ended up with us having to involve our local MP just to get them to answer a simply email. The lack of updates and response with have had from these people combine with the total disregard in which they have treated us has also added a lot of undue stress to our already stressful situation.

The is no need to take our entire property as the latest plan has not changed significantly from the original in our area and our property will still be total uneffaced by the project.

We would however be happy to support the project should they only require the roughly 50% of the property they originally specified

**What decisions and amendments would you like the council to make?**

We would like the council to make the amendment that they are only able to purchase up to 50% of our property (NA112B/433) 118 Whangaripo Valley Road, Wellsford

**Are you a trade competitor of the applicant?** I am not a trade competitor of the applicant.

**Do you want to attend a hearing and speak in support of your submission?** Yes

**If other people make a similar submission I will consider making a joint case with them at the hearing:** Yes

**Supporting information:**



## Amy Cao

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**From:** Jackie Lee on behalf of Resource Consent Admin  
**Sent:** Monday, 25 May 2020 8:45 AM  
**To:** Amy Cao  
**Subject:** FW: BUN60354951 [ID:9638] Submission received on notified resource consent

**Categories:** Online

And another 😊!!

**Jackie Lee | Regulatory Support Officer North/West  
Resource Consents  
Ph 09 427 3332 | Extn (44) 3332  
Auckland Council, 50 Centreway Road, Orewa 0931**

*As New Zealand remains under COVID-19 Alert Level 2, Auckland Council is providing services in accordance with the government's direction. Regulatory Services are continuing to provide some face-to-face services, however our Graham Street service centre and reception remains closed at this stage. We are contactable by email or phone.*

*We apologise for any delay in responding to your inquiry and thank you for your continued patience and support.*

*You can also visit [aucklandcouncil.govt.nz](http://aucklandcouncil.govt.nz) for more information about our response to COVID-19, as well as access to general information and online services.*

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**From:** NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz  
<NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz>  
**Sent:** Saturday, 23 May 2020 2:16 PM  
**To:** Resource Consent Admin <resourceconsentadmin@aucklandcouncil.govt.nz>  
**Cc:** warkworth-wellsford@nzta.govt.nz  
**Subject:** BUN60354951 [ID:9638] Submission received on notified resource consent

We have received a submission on the notified resource consent for Land between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hoteo River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana. .

## Details of submission

### Notified resource consent application details

**Property address:** Land between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hoteo River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana.

**Application number:** BUN60354951

**Applicant name:** Waka Kotahi - New Zealand Transport Agency

**Applicant email:** [warkworth-wellsford@nzta.govt.nz](mailto:warkworth-wellsford@nzta.govt.nz)

**Application description:** Waka Kotahi - The New Zealand Transport Agency has applied for a Notice of Requirement to amend the Auckland Unitary Plan and applied for associated Regional Resource Consents to enable the construction, operation and maintenance for a new four lane state highway. Key components of the proposal include a four lane dual carriageway, three interchanges, twin bore tunnels under Kraack Road, a viaduct over the existing SH1 and Hoteo River, a bridge over Maeneene Stream, a series of cut and fills across the project area and changes to local roads. Resource consents are required in relation to earthworks, vegetation removal, structures and associated temporary works in, on, under or over watercourses and wetlands, diversion of streams and ground water, discharge to air, and stormwater management including the on-going stormwater discharge from the road surface.

### Submitter contact details

**Full name:** John Bain

**Organisation name:** Northland Regional Transport Committee

**Contact phone number:** 021961894

**Email address:** [jbain@internet.co.nz](mailto:jbain@internet.co.nz)

**Postal address:**

95 Whau Valley Rd  
Whangarei  
Whangarei 0112

**Submission details**

**This submission:** supports the application in whole or in part

**Specify the aspects of the application you are submitting on:**

We support the continued project in its entirety.

**What are the reasons for your submission?**

As the RTC is the authority of Northlands roads, rail, and shipping planning systems, we see the continued northern build of safe highways as a major benefit to Northland and economically the one great assist to the tourism industry. This road when finished, from Auckland to Whangarei, will open trade and transport links with more certainty of growth for both regions than any other modes of public movement. We submit to this plan as support for our needs as much as Aucklands.

**What decisions and amendments would you like the council to make?**

At the point of ending, this section must be at a geographic position to meet the eventual joining of the highway from the north, with no obstacles that would hinder simple continuation and flow of traffic north and south.

**Are you a trade competitor of the applicant?** I am not a trade competitor of the applicant.

**Do you want to attend a hearing and speak in support of your submission?** Yes

**If other people make a similar submission I will consider making a joint case with them at the hearing:** Yes

**Supporting information:**

## Amy Cao

---

**From:** Jackie Lee on behalf of Resource Consent Admin  
**Sent:** Wednesday, 3 June 2020 9:47 AM  
**To:** Amy Cao  
**Subject:** FW: BUN60354951 [ID:10221] Submission received on notified resource consent  
**Categories:** Online

**Jackie Lee | Regulatory Support Officer North/West  
Resource Consents  
Ph 09 427 3332 | Extn (44) 3332  
Auckland Council, 50 Centreway Road, Orewa 0931**

*As New Zealand remains under COVID-19 Alert Level 2, Auckland Council is providing services in accordance with the government's direction. Regulatory Services are continuing to provide some face-to-face services, however our Graham Street service centre and reception remains closed at this stage. We are contactable by email or phone.*

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**From:** NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz  
<NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz>  
**Sent:** Monday, 1 June 2020 3:00 PM  
**To:** Resource Consent Admin <resourceconsentadmin@aucklandcouncil.govt.nz>  
**Cc:** warkworth-wellsford@nzta.govt.nz  
**Subject:** BUN60354951 [ID:10221] Submission received on notified resource consent

We have received a submission on the notified resource consent for Land between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hoteo River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana. .

## Details of submission

### Notified resource consent application details

**Property address:** Land between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hoteo River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana.

**Application number:** BUN60354951

**Applicant name:** Waka Kotahi - New Zealand Transport Agency

**Applicant email:** [warkworth-wellsford@nzta.govt.nz](mailto:warkworth-wellsford@nzta.govt.nz)

**Application description:** Waka Kotahi - The New Zealand Transport Agency has applied for a Notice of Requirement to amend the Auckland Unitary Plan and applied for associated Regional Resource Consents to enable the construction, operation and maintenance for a new four lane state highway. Key components of the proposal

include a four lane dual carriageway, three interchanges, twin bore tunnels under Kraack Road, a viaduct over the existing SH1 and Hoteo River, a bridge over Maeneene Stream, a series of cut and fills across the project area and changes to local roads. Resource consents are required in relation to earthworks, vegetation removal, structures and associated temporary works in, on, under or over watercourses and wetlands, diversion of streams and ground water, discharge to air, and stormwater management including the on-going stormwater discharge from the road surface.

## Submitter contact details

**Full name:** Greg van der Loeff

**Organisation name:**

**Contact phone number:** 098385748

**Email address:** [gregvdl@gmail.com](mailto:gregvdl@gmail.com)

**Postal address:**  
335a Royal Road  
Massey  
Auckland 0614

## Submission details

**This submission:** supports the application in whole or in part

**Specify the aspects of the application you are submitting on:**  
Entire development

**What are the reasons for your submission?**  
Wish to support the entire package

**What decisions and amendments would you like the council to make?**  
Want council to approve entire package

**Are you a trade competitor of the applicant?** I am not a trade competitor of the applicant.

**Do you want to attend a hearing and speak in support of your submission?** No

**If other people make a similar submission I will consider making a joint case with them at the hearing:** No

**Supporting information:**

## Amy Cao

---

**From:** Jackie Lee on behalf of Resource Consent Admin  
**Sent:** Wednesday, 3 June 2020 9:47 AM  
**To:** Amy Cao  
**Subject:** FW: BUN60354951 [ID:10222] Submission received on notified resource consent  
**Categories:** Online

**Jackie Lee | Regulatory Support Officer North/West  
Resource Consents  
Ph 09 427 3332 | Extn (44) 3332  
Auckland Council, 50 Centreway Road, Orewa 0931**

*As New Zealand remains under COVID-19 Alert Level 2, Auckland Council is providing services in accordance with the government's direction. Regulatory Services are continuing to provide some face-to-face services, however our Graham Street service centre and reception remains closed at this stage. We are contactable by email or phone.*

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**From:** NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz  
<NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz>  
**Sent:** Monday, 1 June 2020 3:15 PM  
**To:** Resource Consent Admin <resourceconsentadmin@aucklandcouncil.govt.nz>  
**Cc:** warkworth-wellsford@nzta.govt.nz  
**Subject:** BUN60354951 [ID:10222] Submission received on notified resource consent

We have received a submission on the notified resource consent for Land between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hoteo River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana. .

## Details of submission

### Notified resource consent application details

**Property address:** Land between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hoteo River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana.

**Application number:** BUN60354951

**Applicant name:** Waka Kotahi - New Zealand Transport Agency

**Applicant email:** [warkworth-wellsford@nzta.govt.nz](mailto:warkworth-wellsford@nzta.govt.nz)

**Application description:** Waka Kotahi - The New Zealand Transport Agency has applied for a Notice of Requirement to amend the Auckland Unitary Plan and applied for associated Regional Resource Consents to enable the construction, operation and maintenance for a new four lane state highway. Key components of the proposal

include a four lane dual carriageway, three interchanges, twin bore tunnels under Kraack Road, a viaduct over the existing SH1 and Hoteo River, a bridge over Maeneene Stream, a series of cut and fills across the project area and changes to local roads. Resource consents are required in relation to earthworks, vegetation removal, structures and associated temporary works in, on, under or over watercourses and wetlands, diversion of streams and ground water, discharge to air, and stormwater management including the on-going stormwater discharge from the road surface.

## Submitter contact details

**Full name:** Richard Hanson

**Organisation name:**

**Contact phone number:** 021899800

**Email address:** [richardh@aotearnz.com](mailto:richardh@aotearnz.com)

**Postal address:**

294 Remuera Road  
Remuera  
Auckland 1050

## Submission details

**This submission:** supports the application in whole or in part

**Specify the aspects of the application you are submitting on:**

the highway upgrade is long overdue. please approve and build as soon as possible

**What are the reasons for your submission?**

**What decisions and amendments would you like the council to make?**

approve the application in full

**Are you a trade competitor of the applicant?** I am not a trade competitor of the applicant.

**Do you want to attend a hearing and speak in support of your submission?** No

**If other people make a similar submission I will consider making a joint case with them at the hearing:** No

**Supporting information:**

## Amy Cao

---

**From:** Jackie Lee on behalf of Resource Consent Admin  
**Sent:** Wednesday, 3 June 2020 9:47 AM  
**To:** Amy Cao  
**Subject:** FW: BUN60354951 [ID:10225] Submission received on notified resource consent

**Categories:** Online

**Jackie Lee | Regulatory Support Officer North/West  
Resource Consents  
Ph 09 427 3332 | Extn (44) 3332  
Auckland Council, 50 Centreway Road, Orewa 0931**

*As New Zealand remains under COVID-19 Alert Level 2, Auckland Council is providing services in accordance with the government's direction. Regulatory Services are continuing to provide some face-to-face services, however our Graham Street service centre and reception remains closed at this stage. We are contactable by email or phone.*

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**From:** NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz  
<NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz>  
**Sent:** Monday, 1 June 2020 4:00 PM  
**To:** Resource Consent Admin <resourceconsentadmin@aucklandcouncil.govt.nz>  
**Cc:** warkworth-wellsford@nzta.govt.nz  
**Subject:** BUN60354951 [ID:10225] Submission received on notified resource consent

We have received a submission on the notified resource consent for Land between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hoteo River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana. .

## Details of submission

### Notified resource consent application details

**Property address:** Land between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hoteo River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana.

**Application number:** BUN60354951

**Applicant name:** Waka Kotahi - New Zealand Transport Agency

**Applicant email:** [warkworth-wellsford@nzta.govt.nz](mailto:warkworth-wellsford@nzta.govt.nz)

**Application description:** Waka Kotahi - The New Zealand Transport Agency has applied for a Notice of Requirement to amend the Auckland Unitary Plan and applied for associated Regional Resource Consents to enable the construction, operation and maintenance for a new four lane state highway. Key components of the proposal

include a four lane dual carriageway, three interchanges, twin bore tunnels under Kraack Road, a viaduct over the existing SH1 and Hoteo River, a bridge over Maeneene Stream, a series of cut and fills across the project area and changes to local roads. Resource consents are required in relation to earthworks, vegetation removal, structures and associated temporary works in, on, under or over watercourses and wetlands, diversion of streams and ground water, discharge to air, and stormwater management including the on-going stormwater discharge from the road surface.

### **Submitter contact details**

**Full name:** Susan Rowbotham

**Organisation name:**

**Contact phone number:** 0212033342

**Email address:** [susan.rowbotham60@gmail.com](mailto:susan.rowbotham60@gmail.com)

**Postal address:**

P.O Box 93  
Mangawhai  
Mangawhai 0540

### **Submission details**

**This submission:** supports the application in whole or in part

**Specify the aspects of the application you are submitting on:**

The complete formation of the road.

**What are the reasons for your submission?**

To support the formation of the road between Warkworth and Te Hana especially to remove the main traffic from the dangerous Dome Valley and ease continual congestion through Wellsford.

**What decisions and amendments would you like the council to make?**

This road should not be tolled or the toll of \$2.40 should be for the complete motorway from Te Hana to Auckland City

**Are you a trade competitor of the applicant?** I am not a trade competitor of the applicant.

**Do you want to attend a hearing and speak in support of your submission?** No

**If other people make a similar submission I will consider making a joint case with them at the hearing:** Yes

**Supporting information:**



## Amy Cao

---

**From:** Jackie Lee on behalf of Resource Consent Admin  
**Sent:** Wednesday, 3 June 2020 9:46 AM  
**To:** Amy Cao  
**Subject:** FW: BUN60354951 [ID:10228] Submission received on notified resource consent

**Categories:** Online

Hi Amy,

I have a few for you which were hiding in amongst the ones I have to record for a coastal notified application Orewa is dealing with (we have 249 submissions received so far up until 31 May!!). Thankfully it closes tomorrow!!

Cheers,  
Jackie.

**Jackie Lee | Regulatory Support Officer North/West  
Resource Consents  
Ph 09 427 3332 | Extn (44) 3332  
Auckland Council, 50 Centreway Road, Orewa 0931**

*As New Zealand remains under COVID-19 Alert Level 2, Auckland Council is providing services in accordance with the government's direction. Regulatory Services are continuing to provide some face-to-face services, however our Graham Street service centre and reception remains closed at this stage. We are contactable by email or phone.*

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*You can also visit [aucklandcouncil.govt.nz](http://aucklandcouncil.govt.nz) for more information about our response to COVID-19, as well as access to general information and online services.*

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**From:** NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz  
<NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz>  
**Sent:** Monday, 1 June 2020 5:46 PM  
**To:** Resource Consent Admin <resourceconsentadmin@aucklandcouncil.govt.nz>  
**Cc:** warkworth-wellsford@nzta.govt.nz  
**Subject:** BUN60354951 [ID:10228] Submission received on notified resource consent

We have received a submission on the notified resource consent for Land between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hoteo River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana. .

## Details of submission

### Notified resource consent application details

**Property address:** Land between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hoteo River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana.

**Application number:** BUN60354951

**Applicant name:** Waka Kotahi - New Zealand Transport Agency

**Applicant email:** [warkworth-wellsford@nzta.govt.nz](mailto:warkworth-wellsford@nzta.govt.nz)

**Application description:** Waka Kotahi - The New Zealand Transport Agency has applied for a Notice of Requirement to amend the Auckland Unitary Plan and applied for associated Regional Resource Consents to enable the construction, operation and maintenance for a new four lane state highway. Key components of the proposal include a four lane dual carriageway, three interchanges, twin bore tunnels under Kraack Road, a viaduct over the existing SH1 and Hoteo River, a bridge over Maeneene Stream, a series of cut and fills across the project area and changes to local roads. Resource consents are required in relation to earthworks, vegetation removal, structures and associated temporary works in, on, under or over watercourses and wetlands, diversion of streams and ground water, discharge to air, and stormwater management including the on-going stormwater discharge from the road surface.

## Submitter contact details

**Full name:** Christopher Minto

**Organisation name:**

**Contact phone number:** 021374788

**Email address:** [cpminto@gmail.com](mailto:cpminto@gmail.com)

**Postal address:**

89 Buckley Ave  
Hobsonville  
Auckland 0616

## Submission details

**This submission:** supports the application in whole or in part

**Specify the aspects of the application you are submitting on:**

General proposal and proposed pathway

**What are the reasons for your submission?**

Support of the application. The proposal is crucial to deliver improved road transport to the North of Auckland, while the proposed pathway takes away key danger areas such as Dome Valley and hooks in appropriately to minimise traffic congestion on the bypass.

**What decisions and amendments would you like the council to make?**

Accept the proposal

**Are you a trade competitor of the applicant?** I am not a trade competitor of the applicant.

**Do you want to attend a hearing and speak in support of your submission?** No

**If other people make a similar submission I will consider making a joint case with them at the hearing:** No

**Supporting information:**

## Amy Cao

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**From:** Jackie Lee on behalf of Resource Consent Admin  
**Sent:** Wednesday, 3 June 2020 9:47 AM  
**To:** Amy Cao  
**Subject:** FW: BUN60354951 [ID:10245] Submission received on notified resource consent

**Categories:** Online

**Jackie Lee | Regulatory Support Officer North/West  
Resource Consents  
Ph 09 427 3332 | Extn (44) 3332  
Auckland Council, 50 Centreway Road, Orewa 0931**

*As New Zealand remains under COVID-19 Alert Level 2, Auckland Council is providing services in accordance with the government's direction. Regulatory Services are continuing to provide some face-to-face services, however our Graham Street service centre and reception remains closed at this stage. We are contactable by email or phone.*

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**From:** NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz  
<NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz>  
**Sent:** Monday, 1 June 2020 10:00 PM  
**To:** Resource Consent Admin <resourceconsentadmin@aucklandcouncil.govt.nz>  
**Cc:** warkworth-wellsford@nzta.govt.nz  
**Subject:** BUN60354951 [ID:10245] Submission received on notified resource consent

We have received a submission on the notified resource consent for Land between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hoteo River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana. .

## Details of submission

### Notified resource consent application details

**Property address:** Land between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hoteo River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana.

**Application number:** BUN60354951

**Applicant name:** Waka Kotahi - New Zealand Transport Agency

**Applicant email:** [warkworth-wellsford@nzta.govt.nz](mailto:warkworth-wellsford@nzta.govt.nz)

**Application description:** Waka Kotahi - The New Zealand Transport Agency has applied for a Notice of Requirement to amend the Auckland Unitary Plan and applied for associated Regional Resource Consents to enable the construction, operation and maintenance for a new four lane state highway. Key components of the proposal

include a four lane dual carriageway, three interchanges, twin bore tunnels under Kraack Road, a viaduct over the existing SH1 and Hoteo River, a bridge over Maeneene Stream, a series of cut and fills across the project area and changes to local roads. Resource consents are required in relation to earthworks, vegetation removal, structures and associated temporary works in, on, under or over watercourses and wetlands, diversion of streams and ground water, discharge to air, and stormwater management including the on-going stormwater discharge from the road surface.

## Submitter contact details

**Full name:** Joshua Don

**Organisation name:**

**Contact phone number:** 0212282633

**Email address:** [joshuagdon@gmail.com](mailto:joshuagdon@gmail.com)

**Postal address:**

57 Worker Road  
Wellsford  
Wellsford 0900

## Submission details

**This submission:** supports the application in whole or in part

**Specify the aspects of the application you are submitting on:**

Fully support the resource consent and construction of the 4 lane motorway between Warkworth and Wellsford.

**What are the reasons for your submission?**

The motorway is long overdue. It will open up Northland for greater economic activity and prosperity.

**What decisions and amendments would you like the council to make?**

Speed up the resource consent process and remove all red tape to ensure this project is fast tracked.

**Are you a trade competitor of the applicant?** I am not a trade competitor of the applicant.

**Do you want to attend a hearing and speak in support of your submission?** No

**If other people make a similar submission I will consider making a joint case with them at the hearing:** No

**Supporting information:**

## Amy Cao

---

**From:** Jackie Lee on behalf of Resource Consent Admin  
**Sent:** Wednesday, 3 June 2020 9:48 AM  
**To:** Amy Cao  
**Subject:** FW: BUN60354951 [ID:10246] Submission received on notified resource consent

**Categories:** Online

**Jackie Lee | Regulatory Support Officer North/West  
Resource Consents  
Ph 09 427 3332 | Extn (44) 3332  
Auckland Council, 50 Centreway Road, Orewa 0931**

*As New Zealand remains under COVID-19 Alert Level 2, Auckland Council is providing services in accordance with the government's direction. Regulatory Services are continuing to provide some face-to-face services, however our Graham Street service centre and reception remains closed at this stage. We are contactable by email or phone.*

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**From:** NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz  
<NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz>  
**Sent:** Monday, 1 June 2020 10:15 PM  
**To:** Resource Consent Admin <resourceconsentadmin@aucklandcouncil.govt.nz>  
**Cc:** warkworth-wellsford@nzta.govt.nz  
**Subject:** BUN60354951 [ID:10246] Submission received on notified resource consent

We have received a submission on the notified resource consent for Land between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hoteo River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana. .

## Details of submission

### Notified resource consent application details

**Property address:** Land between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hoteo River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana.

**Application number:** BUN60354951

**Applicant name:** Waka Kotahi - New Zealand Transport Agency

**Applicant email:** [warkworth-wellsford@nzta.govt.nz](mailto:warkworth-wellsford@nzta.govt.nz)

**Application description:** Waka Kotahi - The New Zealand Transport Agency has applied for a Notice of Requirement to amend the Auckland Unitary Plan and applied for associated Regional Resource Consents to enable the construction, operation and maintenance for a new four lane state highway. Key components of the proposal

include a four lane dual carriageway, three interchanges, twin bore tunnels under Kraack Road, a viaduct over the existing SH1 and Hoteo River, a bridge over Maeneene Stream, a series of cut and fills across the project area and changes to local roads. Resource consents are required in relation to earthworks, vegetation removal, structures and associated temporary works in, on, under or over watercourses and wetlands, diversion of streams and ground water, discharge to air, and stormwater management including the on-going stormwater discharge from the road surface.

## Submitter contact details

**Full name:** Lionel Don

**Organisation name:**

**Contact phone number:** 021850767

**Email address:** [lionel@archerhospitality.co.nz](mailto:lionel@archerhospitality.co.nz)

**Postal address:**

20 Bellevue Avenue  
Wellsford  
Auckland 0900

## Submission details

**This submission:** supports the application in whole or in part

**Specify the aspects of the application you are submitting on:**

Supporting all aspects of the application, the whole project needs to be fast tracked

**What are the reasons for your submission?**

The current road is causing an economic blockage to Wellsford & further north, due to so much wasted time for business travellers & commuter's.

We have waited long enough already for the motorway to Te Hana & it now needs to be progressed quicker to unlock the potential in the north.

**What decisions and amendments would you like the council to make?**

I think the plans are good, how can the next steps in the process be accelerated?

**Are you a trade competitor of the applicant?** I am not a trade competitor of the applicant.

**Do you want to attend a hearing and speak in support of your submission?** No

**If other people make a similar submission I will consider making a joint case with them at the hearing:** Yes

**Supporting information:**

## Amy Cao

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**From:** Jackie Lee on behalf of Resource Consent Admin  
**Sent:** Wednesday, 3 June 2020 9:48 AM  
**To:** Amy Cao  
**Subject:** FW: BUN60354951 [ID:10247] Submission received on notified resource consent  
**Categories:** Online

**Jackie Lee | Regulatory Support Officer North/West  
Resource Consents  
Ph 09 427 3332 | Extn (44) 3332  
Auckland Council, 50 Centreway Road, Orewa 0931**

*As New Zealand remains under COVID-19 Alert Level 2, Auckland Council is providing services in accordance with the government's direction. Regulatory Services are continuing to provide some face-to-face services, however our Graham Street service centre and reception remains closed at this stage. We are contactable by email or phone.*

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**From:** NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz  
<NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz>  
**Sent:** Monday, 1 June 2020 10:30 PM  
**To:** Resource Consent Admin <resourceconsentadmin@aucklandcouncil.govt.nz>  
**Cc:** warkworth-wellsford@nzta.govt.nz  
**Subject:** BUN60354951 [ID:10247] Submission received on notified resource consent

We have received a submission on the notified resource consent for Land between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hoteo River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana. .

## Details of submission

### Notified resource consent application details

**Property address:** Land between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hoteo River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana.

**Application number:** BUN60354951

**Applicant name:** Waka Kotahi - New Zealand Transport Agency

**Applicant email:** [warkworth-wellsford@nzta.govt.nz](mailto:warkworth-wellsford@nzta.govt.nz)

**Application description:** Waka Kotahi - The New Zealand Transport Agency has applied for a Notice of Requirement to amend the Auckland Unitary Plan and applied for associated Regional Resource Consents to enable the construction, operation and maintenance for a new four lane state highway. Key components of the proposal

include a four lane dual carriageway, three interchanges, twin bore tunnels under Kraack Road, a viaduct over the existing SH1 and Hoteo River, a bridge over Maeneene Stream, a series of cut and fills across the project area and changes to local roads. Resource consents are required in relation to earthworks, vegetation removal, structures and associated temporary works in, on, under or over watercourses and wetlands, diversion of streams and ground water, discharge to air, and stormwater management including the on-going stormwater discharge from the road surface.

### **Submitter contact details**

**Full name:** Karl Walton

**Organisation name:** Northern Hylines

**Contact phone number:** 0212247574

**Email address:** [Karl@northernhylines.co.nz](mailto:Karl@northernhylines.co.nz)

**Postal address:**

77 Whangaripo Valley Road , RD 4  
Wellsford  
Wellsford 0974

### **Submission details**

**This submission:** supports the application in whole or in part

**Specify the aspects of the application you are submitting on:**

The route is good and planning of tunnels, bridges, cut and fills awesome. Bring it on now! The Council needs to do all they can to grant what ever is needed to fast track this project.

**What are the reasons for your submission?**

**What decisions and amendments would you like the council to make?**

We recommend the Council make the amendment and grant the works to begin asap. It is a much needed project that will help the prosperity of the North and the whole country.

**Are you a trade competitor of the applicant?** I am not a trade competitor of the applicant.

**Do you want to attend a hearing and speak in support of your submission?** No

**If other people make a similar submission I will consider making a joint case with them at the hearing:** No

**Supporting information:**



## Amy Cao

---

**From:** Jackie Lee on behalf of Resource Consent Admin  
**Sent:** Wednesday, 3 June 2020 9:49 AM  
**To:** Amy Cao  
**Subject:** FW: BUN60354951 [ID:10264] Submission received on notified resource consent

**Categories:** Online

**Jackie Lee | Regulatory Support Officer North/West  
Resource Consents  
Ph 09 427 3332 | Extn (44) 3332  
Auckland Council, 50 Centreway Road, Orewa 0931**

*As New Zealand remains under COVID-19 Alert Level 2, Auckland Council is providing services in accordance with the government's direction. Regulatory Services are continuing to provide some face-to-face services, however our Graham Street service centre and reception remains closed at this stage. We are contactable by email or phone.*

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**From:** NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz  
<NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz>  
**Sent:** Tuesday, 2 June 2020 10:30 AM  
**To:** Resource Consent Admin <resourceconsentadmin@aucklandcouncil.govt.nz>  
**Cc:** warkworth-wellsford@nzta.govt.nz  
**Subject:** BUN60354951 [ID:10264] Submission received on notified resource consent

We have received a submission on the notified resource consent for Land between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hoteo River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana. .

## Details of submission

### Notified resource consent application details

**Property address:** Land between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hoteo River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana.

**Application number:** BUN60354951

**Applicant name:** Waka Kotahi - New Zealand Transport Agency

**Applicant email:** [warkworth-wellsford@nzta.govt.nz](mailto:warkworth-wellsford@nzta.govt.nz)

**Application description:** Waka Kotahi - The New Zealand Transport Agency has applied for a Notice of Requirement to amend the Auckland Unitary Plan and applied for associated Regional Resource Consents to enable the construction, operation and maintenance for a new four lane state highway. Key components of the proposal

include a four lane dual carriageway, three interchanges, twin bore tunnels under Kraack Road, a viaduct over the existing SH1 and Hoteo River, a bridge over Maeneene Stream, a series of cut and fills across the project area and changes to local roads. Resource consents are required in relation to earthworks, vegetation removal, structures and associated temporary works in, on, under or over watercourses and wetlands, diversion of streams and ground water, discharge to air, and stormwater management including the on-going stormwater discharge from the road surface.

## Submitter contact details

**Full name:** Rhiannon Morris

**Organisation name:**

**Contact phone number:** 0273140500

**Email address:** [rhiannon.rogers.86@gmail.com](mailto:rhiannon.rogers.86@gmail.com)

**Postal address:**

20 Matheson rd  
Wellsford  
Auckland 0900

## Submission details

**This submission:** supports the application in whole or in part

**Specify the aspects of the application you are submitting on:**

All aspects

**What are the reasons for your submission?**

**What decisions and amendments would you like the council to make?**

This will make a huge difference to the safe travel of people between warkworth and wellsford/te hana. As well as minimizing traffic delays

**Are you a trade competitor of the applicant?** I am not a trade competitor of the applicant.

**Do you want to attend a hearing and speak in support of your submission?** No

**If other people make a similar submission I will consider making a joint case with them at the hearing:** Yes

**Supporting information:**

## Amy Cao

---

**From:** Jackie Lee on behalf of Resource Consent Admin  
**Sent:** Wednesday, 3 June 2020 9:49 AM  
**To:** Amy Cao  
**Subject:** FW: BUN60354951 [ID:10271] Submission received on notified resource consent

**Categories:** Online

**Jackie Lee | Regulatory Support Officer North/West  
Resource Consents  
Ph 09 427 3332 | Extn (44) 3332  
Auckland Council, 50 Centreway Road, Orewa 0931**

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**From:** NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz  
<NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz>  
**Sent:** Tuesday, 2 June 2020 1:00 PM  
**To:** Resource Consent Admin <resourceconsentadmin@aucklandcouncil.govt.nz>  
**Cc:** warkworth-wellsford@nzta.govt.nz  
**Subject:** BUN60354951 [ID:10271] Submission received on notified resource consent

We have received a submission on the notified resource consent for Land between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hoteo River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana. .

## Details of submission

### Notified resource consent application details

**Property address:** Land between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hoteo River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana.

**Application number:** BUN60354951

**Applicant name:** Waka Kotahi - New Zealand Transport Agency

**Applicant email:** [warkworth-wellsford@nzta.govt.nz](mailto:warkworth-wellsford@nzta.govt.nz)

**Application description:** Waka Kotahi - The New Zealand Transport Agency has applied for a Notice of Requirement to amend the Auckland Unitary Plan and applied for associated Regional Resource Consents to enable the construction, operation and maintenance for a new four lane state highway. Key components of the proposal

include a four lane dual carriageway, three interchanges, twin bore tunnels under Kraack Road, a viaduct over the existing SH1 and Hoteo River, a bridge over Maeneene Stream, a series of cut and fills across the project area and changes to local roads. Resource consents are required in relation to earthworks, vegetation removal, structures and associated temporary works in, on, under or over watercourses and wetlands, diversion of streams and ground water, discharge to air, and stormwater management including the on-going stormwater discharge from the road surface.

## Submitter contact details

**Full name:** corinne callinan

**Organisation name:**

**Contact phone number:** 021457804

**Email address:** [corinne@cxc.co.nz](mailto:corinne@cxc.co.nz)

### Postal address:

12 Moir St  
Mangawhai Village  
Mangawhai 0505

## Submission details

**This submission:** supports the application in whole or in part

### Specify the aspects of the application you are submitting on:

I support this application. I would like to see a highway from Walkworth to Wellsford.

I live in Mangawhai and access to Walkworth/Auckland is vital.

The people of Mangawhai (and other areas of Northland) deserve a SAFE route to Walkworth/Auckland, which Dome Valley Road ('the Killing Fields') does not supply.

### What are the reasons for your submission?

I live in Mangawhai and existing Dome Valley road is dangerous; commonly known as 'the Killing Fields'.

\* Every day Appx 100 children depart Mangawhai and travel Dome Valley to attend Schools in Walkworth, Albany/Silverdale.

\* Several hundred Mangawhai adults travel Dome Valley every day, to commute to work in Auckland and Walkworth.

\* Several hundred people per week travel Dome Valley to attend specialists appointments in Walkworth and Auckland (children's orthodontists, MRI's etc etc).

\* Also required for cultural and family reasons.

Dome Valley road is not safe and no amount of investment in safety measures will raise it to the required standard. A highway is needed.

### What decisions and amendments would you like the council to make?

Please proceed with this highway.. Dome Valley is a very unsafe piece of road and 'not fit for purpose' as the main trunk ; Auckland to Northland.

Installing safety measure on the existing Dome Valley road is not an adequate solution - a highway is needed to create viable access from Northland to the Auckland.

**Are you a trade competitor of the applicant?** I am not a trade competitor of the applicant.

**Do you want to attend a hearing and speak in support of your submission?** No

**If other people make a similar submission I will consider making a joint case with them at the hearing:** Yes

**Supporting information:**

## Amy Cao

---

**From:** Jackie Lee  
**Sent:** Tuesday, 9 June 2020 12:21 PM  
**To:** Amy Cao  
**Subject:** FW: BUN60354951 [ID:10585] Submission received on notified resource consent

Hi Amy,

Sorry I had saved this one in with mine by mistake yesterday!!

Cheers,  
Jackie.

**Jackie Lee | Regulatory Support Officer North/West  
Resource Consents  
Ph 09 427 3332 | Extn (44) 3332  
Auckland Council, 50 Centreway Road, Orewa 0931**

*As New Zealand remains under COVID-19 Alert Level 2, Auckland Council is providing services in accordance with the government's direction. Regulatory Services are continuing to provide some face-to-face services, however our Graham Street service centre and reception remains closed at this stage. We are contactable by email or phone.*

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**From:** NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz  
<NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz>  
**Sent:** Thursday, 4 June 2020 9:31 PM  
**To:** Resource Consent Admin <resourceconsentadmin@aucklandcouncil.govt.nz>  
**Cc:** warkworth-wellsford@nzta.govt.nz  
**Subject:** BUN60354951 [ID:10585] Submission received on notified resource consent

We have received a submission on the notified resource consent for Land between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hoteo River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana. .

## Details of submission

### Notified resource consent application details

**Property address:** Land between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hoteo River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana.

**Application number:** BUN60354951

**Applicant name:** Waka Kotahi - New Zealand Transport Agency

**Applicant email:** [warkworth-wellsford@nzta.govt.nz](mailto:warkworth-wellsford@nzta.govt.nz)

**Application description:** Waka Kotahi - The New Zealand Transport Agency has applied for a Notice of Requirement to amend the Auckland Unitary Plan and applied for associated Regional Resource Consents to enable the construction, operation and maintenance for a new four lane state highway. Key components of the proposal include a four lane dual carriageway, three interchanges, twin bore tunnels under Kraack Road, a viaduct over the existing SH1 and Hoteo River, a bridge over Maeneene Stream, a series of cut and fills across the project area and changes to local roads. Resource consents are required in relation to earthworks, vegetation removal, structures and associated temporary works in, on, under or over watercourses and wetlands, diversion of streams and ground water, discharge to air, and stormwater management including the on-going stormwater discharge from the road surface.

## **Submitter contact details**

**Full name:** Derek Russell SMITH

**Organisation name:**

**Contact phone number:** 0211831409

**Email address:** [assetprotect@libello.com](mailto:assetprotect@libello.com)

**Postal address:**

Jackson Crescent, Martins Bay  
Mahurangi East  
Warkworth 0982

## **Submission details**

**This submission:** supports the application in whole or in part

**Specify the aspects of the application you are submitting on:**

The whole application

**What are the reasons for your submission?**

Wanting this new highway built in it's entirety as physically soon as possible.

**What decisions and amendments would you like the council to make?**

Approve in it's entirety the building of this highway as per this consent application (as is) & to also approve all consent for the bringing forward of the start of build date of this highway from 2030 to 2020.

**Are you a trade competitor of the applicant?** I am not a trade competitor of the applicant.

**Do you want to attend a hearing and speak in support of your submission?** No

**If other people make a similar submission I will consider making a joint case with them at the hearing:** No

**Supporting information:**

## Amy Cao

---

**From:** NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz  
**Sent:** Monday, 15 June 2020 3:16 PM  
**To:** Central RC Submissions  
**Cc:** warkworth-wellsford@nzta.govt.nz  
**Subject:** BUN60354951 [ID:10628] Submission received on notified resource consent  
**Attachments:** Submission on consent application.pdf

We have received a submission on the notified resource consent for Land between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hoteo River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana. .

## Details of submission

### Notified resource consent application details

**Property address:** Land between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hoteo River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana.

**Application number:** BUN60354951

**Applicant name:** Waka Kotahi - New Zealand Transport Agency

**Applicant email:** warkworth-wellsford@nzta.govt.nz

**Application description:** Waka Kotahi - The New Zealand Transport Agency has applied for a Notice of Requirement to amend the Auckland Unitary Plan and applied for associated Regional Resource Consents to enable the construction, operation and maintenance for a new four lane state highway. Key components of the proposal include a four lane dual carriageway, three interchanges, twin bore tunnels under Kraack Road, a viaduct over the existing SH1 and Hoteo River, a bridge over Maeneene Stream, a series of cut and fills across the project area and changes to local roads. Resource consents are required in relation to earthworks, vegetation removal, structures and associated temporary works in, on, under or over watercourses and wetlands, diversion of streams and ground water, discharge to air, and stormwater management including the on-going stormwater discharge from the road surface.

### Submitter contact details

**Full name:** Ebony Ellis

**Organisation name:**

**Contact phone number:** 021791668

**Email address:** ebony.ellis@chancerygreen.com

**Postal address:**

c/- ChanceryGreen PO Box 47516  
Ponsonby  
Auckland 1144

### Submission details

**This submission:** is neutral regarding the application in whole or in part

**Specify the aspects of the application you are submitting on:**  
Refer to attached document.

**What are the reasons for your submission?**

Refer to attached document.

**What decisions and amendments would you like the council to make?**

Refer to attached document.

**Are you a trade competitor of the applicant?** I am not a trade competitor of the applicant.

**Do you want to attend a hearing and speak in support of your submission?** Yes

**If other people make a similar submission I will consider making a joint case with them at the hearing:** Yes

**Supporting information:**

Submission on consent application.pdf



**SUBMISSION ON APPLICATIONS BY WAKA KOTAHI - NEW ZEALAND TRANSPORT AGENCY FOR NOTICE OF REQUIREMENT AND RESOURCE CONSENTS FOR THE CONSTRUCTION, OPERATION AND MAINTENANCE OF A NEW STATE HIGHWAY: BUN60354951, LUC60354952, LUS60354955, WAT60354953, WAT60355184, WAT 60356979, DIS60354954, LUC60355185, DIS60355186**

**To:** Auckland Council

**Copy to:** Waka Kotahi – New Zealand Transport Agency (Applicant)  
[warkworth-wellsford@nzta.govt.nz](mailto:warkworth-wellsford@nzta.govt.nz)

**Name of submitter:** The New Zealand Refining Company Limited trading as Refining NZ

**Address for service:** ChanceryGreen  
PO Box 47516  
Ponsonby  
AUCKLAND 1144  
Attention: Chris Simmons/Ebony Ellis  
Phone: 09 357 0600  
[chris.simmons@chancerygreen.com](mailto:chris.simmons@chancerygreen.com)  
[ebony.ellis@chancerygreen.com](mailto:ebony.ellis@chancerygreen.com)

#### **INTRODUCTION AND SUMMARY**

1. This is a submission by The New Zealand Refining Company Limited, trading as Refining NZ, on applications by Waka Kotahi – New Zealand Transport Agency (the “Applicant”) for a Notice of Requirement to amend the Auckland Unitary Plan (“AUP”) (the “NoR Application”) and associated resource consents for the construction, operation, and maintenance of a new state highway (the “RC Application”) between Wellsford and Warkworth (the “Application Site”) (together the “Project”).
2. The NoR Application relates to an area of approximately 1,294 hectares from Wyllie Road, north of Warkworth, bypassing Wellsford and Te Hana to tie in with a connection north of Te Hana. The proposed designation will cover the construction, operation and maintenance of the Project, including land access to construction sites, construction compounds, soil disposal, and mitigation of effects.
3. The RC Application is for land disturbance activities, works in watercourses and wetlands, diversion of ground water, diversion and discharge of stormwater, and air discharge. The consents sought are detailed in Table 6-3 of the Assessment of Environmental Effects (“AEE”).
4. The Project is of particular interest to Refining NZ because the Application Site intersects with Refining NZ’s existing Refinery to Auckland pipeline (the “RAP”) at multiple locations. Refining NZ is a requiring authority and is responsible for existing designations over the length of the RAP.

5. Refining NZ is neutral in respect of the Project generally, however, it wishes to ensure that there will be no adverse effects on the use, operation, maintenance and potential upgrade of the RAP, which traverses the Application Site. Further, Refining NZ is the holder of an existing designation over parts of the Application Site. Therefore, the Applicant must comply with the requirements in section 177 of the Resource Management Act (the “RMA”).
6. Section E29 of the AUP provides for ‘Emergency Management Areas’ in relation to identified hazardous facilities and infrastructure, including the RAP by restricting or managing the encroachment of third party land uses in proximity to existing hazardous infrastructure and by addressing notification of certain resource consent applications. The RAP is identified as a hazardous facility/infrastructure, highlighting the importance of good risk management for works occurring in proximity to the RAP.

### **BACKGROUND TO REFINING NZ**

7. Refining NZ operates New Zealand’s only refinery (the “Refinery”), situated at Marsden Point at the entrance to the Whangarei Harbour. The Refinery produces petrol, diesel and jet fuel for consumption throughout the country. Refining NZ also owns and operates the RAP, a 170km long high-pressure pipeline running from the Refinery at Marsden Point to the Wiri Oil Terminal in South Auckland. The RAP is subject to designations over its entire length. This includes designations 6500 and 6501 in the AUP.
8. The Refinery is a major regional and national infrastructure resource. The Refinery and RAP have a combined replacement value estimated at NZ\$3.2billion, and their uninterrupted and efficient operation are of critical importance nationally. Refining NZ is deemed to be a “lifeline utility” pursuant to the Civil Defence Emergency Management Act 2002.
9. Refining NZ is not a trade competitor for the purposes for s308B of the Resource Management Act 1991 (the “RMA”).

### **POTENTIAL EFFECTS ON THE RAP**

10. Refining NZ is interested in the Project in its entirety, but particularly in the proposed works proximate to the RAP and especially those works within the RAP designation corridor.
11. As noted above, Refining NZ is neutral with respect to the Project. However, it wants to ensure that the operation, monitoring, maintenance, and potential future upgrades to the RAP will not be adversely affected by the Project.
12. Refining NZ understands that the Project is proposed to intersect with the RAP in the following locations (as shown on the proposed design and alignment maps which accompanied the application):
  - a. South of the Hoteo River bridge;
  - b. Farmers Lime Road; and
  - c. Near Mangawhai Road at the location of the Te Hana Interchange.

13. The AEE notes<sup>1</sup> that it will be necessary to undertake relocation works and/or bridging of the RAP prior to the construction of the Project at locations in which it intersects with the RAP. Refining NZ notes that while relocation of the RAP is theoretically possible, it would require moving the RAP in several places and would be logistically challenging, expensive, and may cause considerable disruption to Refining NZ's scheduled operations and maintenance, and indeed to fuel supply to the Auckland region. Refining NZ considers that moving the pipeline is not necessarily a practical, nor the most efficient solution.
14. It is worth noting that failure to implement appropriate controls on the Project design and consultation has the potential to result in significant damage to the RAP, and subsequent disruption of the fuel supply to the Auckland region, which would result in wide-ranging social, economic, and environmental effects.
15. Careful planning and appropriate controls will therefore be required at all stages of the Project to ensure that the RAP is not unduly adversely affected.

## **CONSULTATION**

16. Refining NZ acknowledges that the Applicant has engaged in some prior consultation with Refining NZ. This has not resolved Refining NZ's concerns. Notably, Refining NZ is unclear exactly how the interface between the RAP and the Project will be appropriately managed.

## **CONDITIONS**

17. The RC Application includes a suite of proposed conditions. The draft conditions include a requirement for the Applicant to prepare a significant number of management plans for certification by Auckland Council, including in relation to construction, and erosion and sediment control. However, there are no specific conditions relating to Refining NZ/the RAP and Refining NZ says that such conditions are necessary to ensure that the RAP is not adversely affected.
18. The NoR Application also includes a suite of proposed conditions. Refining NZ acknowledges that the draft conditions are relatively comprehensive and include a condition which requires consultation with relevant network utility operators.<sup>2</sup> However, for clarity, Refining NZ requests the inclusion of a condition expressly requiring consultation with Refining NZ.

## **PRINCIPAL SUBMISSION**

19. Refining NZ wishes to ensure that the appropriate controls are placed on the design, construction and any subsequent operation and maintenance of the Project so that it does not adversely affect the RAP.

<sup>1</sup> Assessment of Environmental Effects (part 1), March 2020, at 4.2 and 5.5.3.

<sup>2</sup> Draft condition 24: The Requiring Authority shall ensure that Project Works do not adversely impact on the ongoing safe and efficient operation of Network Utility Operations. The scope, timing and methodology for utility protection and / or relocation works shall be developed in consultation with the relevant Network Utility Operator to ensure ongoing safe and efficient operation for the required works.

20. Areas of the Proposal that are within close proximity to the RAP (particularly those where the Proposal intersects with or otherwise crosses the RAP) should be designed and planned in consultation with Refining NZ, so that appropriate controls for the protection of the RAP can be agreed and implemented.
21. Refining NZ's preference is that the RAP is not moved, and that alternative routes and/or construction techniques be explored by the Applicant in considering and finalising the design of the Project.
22. Refining NZ is willing to continue to engage with the Applicant to discuss these technical issues.

#### **RELIEF SOUGHT**

23. Refining NZ invites the Applicant to engage with Refining NZ regarding the implementation of the Project, so that the parties can agree on a design approach to ensure that the interface between the RAP and the Project can be appropriately managed.
24. Given the importance of the RAP to the Auckland Region and, indeed, nationally, Refining NZ considers it is appropriate to include conditions of consent (should resource consents be granted) relating to interaction with, and protection of the RAP. Such conditions should require the Project to be designed, constructed, operated and maintained in a manner that ensures the continued safe operation of the RAP.
25. Refining NZ wishes to be heard in support of this submission. If others make a similar submission, Refining NZ would consider presenting a joint case with them at a hearing.
26. Refining NZ does not request, pursuant to section 100A of the Act, that you delegate your functions, power, and duties to hear and decide the application to one or more hearings commissioners who are not members of the local authority.

Dated this 15th day of June 2020

For and on behalf of **REFINING NZ**

By its lawyers ChanceryGreen



C H Simmons / E J Ellis

## Amy Cao

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**From:** NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz  
**Sent:** Monday, 15 June 2020 4:01 PM  
**To:** Central RC Submissions  
**Cc:** warkworth-wellsford@nzta.govt.nz  
**Subject:** BUN60354951 [ID:10629] Submission received on notified resource consent  
**Attachments:** Infrastructure NZ submission on Warkworth to Wellsford Project Consent.pdf

We have received a submission on the notified resource consent for Land between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hoteo River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana. .

## Details of submission

### Notified resource consent application details

**Property address:** Land between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hoteo River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana.

**Application number:** BUN60354951

**Applicant name:** Waka Kotahi - New Zealand Transport Agency

**Applicant email:** warkworth-wellsford@nzta.govt.nz

**Application description:** Waka Kotahi - The New Zealand Transport Agency has applied for a Notice of Requirement to amend the Auckland Unitary Plan and applied for associated Regional Resource Consents to enable the construction, operation and maintenance for a new four lane state highway. Key components of the proposal include a four lane dual carriageway, three interchanges, twin bore tunnels under Kraack Road, a viaduct over the existing SH1 and Hoteo River, a bridge over Maeneene Stream, a series of cut and fills across the project area and changes to local roads. Resource consents are required in relation to earthworks, vegetation removal, structures and associated temporary works in, on, under or over watercourses and wetlands, diversion of streams and ground water, discharge to air, and stormwater management including the on-going stormwater discharge from the road surface.

### Submitter contact details

**Full name:** Lennart Trouborst

**Organisation name:** Infrastructure New Zealand

**Contact phone number:** 093775570

**Email address:** lennart.trouborst@infrastructure.org.nz

**Postal address:**

PO Box 7244, Victoria Street West  
Auckland  
Auckland 1142

### Submission details

**This submission:** supports the application in whole or in part

**Specify the aspects of the application you are submitting on:**  
The entire application.

**What are the reasons for your submission?**

**What decisions and amendments would you like the council to make?**

We would like the council to approve this consent.

**Are you a trade competitor of the applicant?** I am not a trade competitor of the applicant.

**Do you want to attend a hearing and speak in support of your submission?** No

**If other people make a similar submission I will consider making a joint case with them at the hearing:** No

**Supporting information:**

Infrastructure NZ submission on Warkworth to Wellsford Project Consent.pdf

15 June 2020

Auckland Council  
Resource Consents  
Private Bag 92300  
Auckland 1142

Via online form

Infrastructure New Zealand is the peak industry body for the infrastructure sector and promotes best practice in national infrastructure development through research, advocacy and public and private sector collaboration. Infrastructure New Zealand members come from diverse sectors across New Zealand and include infrastructure service providers, investors, and owners.

This submission represents the views of Infrastructure New Zealand as a collective whole and may not necessarily represent the views of individual member organisations.

## **Infrastructure New Zealand submission on the Warkworth to Wellsford Project resource consent**

Infrastructure New Zealand supports the resource consent for the proposed state highway project between Warkworth and Wellsford (the project).

We observe that the project will make travel along this corridor safer and more resilient, expedient, and efficient for all users.

We believe that the economic and social benefits of this project are so significant, and the potential environmental and social impacts may be readily compensated for, to more than justify this consent proceeding.

We consider that the project will be most successful if it is focused on outcomes rather than inputs and outputs.

We support a consent which provides the maximum amount of flexibility to NZTA, and other parties involved in delivery of the project, consistent with achieving outcomes for north Auckland and beyond.

It is desirable that both NZTA and infrastructure professionals engaged in the project have scope to innovate and respond to project challenges as they arise.

The project will benefit from an approach which is responsive to changing futures and demands along this corridor due throughout its lifecycle.

Flexibility in the project can enable new ways to deliver and provide new opportunities to effectively integrate with other transport modes.

We note that this Project, and further work north of Wellsford, is needed to establish safer, quicker, and more resilient connections between Auckland and Whangārei. We look forward to this Project proceeding without delay, and to seeing work on transport connections north of this project in the near future.

We thank Auckland Council for the opportunity to comment.

If you have any questions regarding this submission, please contact Infrastructure New Zealand's Policy Director, Hamish Glenn, at [hamish.glenn@infrastructure.org.nz](mailto:hamish.glenn@infrastructure.org.nz).



## Amy Cao

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**From:** NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz  
**Sent:** Wednesday, 17 June 2020 10:01 AM  
**To:** Central RC Submissions  
**Cc:** warkworth-wellsford@nzta.govt.nz  
**Subject:** BUN60354951 [ID:10630] Submission received on notified resource consent

We have received a submission on the notified resource consent for Land between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hoteo River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana. .

## Details of submission

### Notified resource consent application details

**Property address:** Land between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hoteo River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana.

**Application number:** BUN60354951

**Applicant name:** Waka Kotahi - New Zealand Transport Agency

**Applicant email:** warkworth-wellsford@nzta.govt.nz

**Application description:** Waka Kotahi - The New Zealand Transport Agency has applied for a Notice of Requirement to amend the Auckland Unitary Plan and applied for associated Regional Resource Consents to enable the construction, operation and maintenance for a new four lane state highway. Key components of the proposal include a four lane dual carriageway, three interchanges, twin bore tunnels under Kraack Road, a viaduct over the existing SH1 and Hoteo River, a bridge over Maeneene Stream, a series of cut and fills across the project area and changes to local roads. Resource consents are required in relation to earthworks, vegetation removal, structures and associated temporary works in, on, under or over watercourses and wetlands, diversion of streams and ground water, discharge to air, and stormwater management including the on-going stormwater discharge from the road surface.

### Submitter contact details

**Full name:** Councillor John Bain

**Organisation name:** Northland Regional Council

**Contact phone number:** 09 470 1200

**Email address:** info@nrc.govt.nz

**Postal address:**  
36 Water Street or Private Bag 9021  
Whangarei  
Whangarei 0148

### Submission details

**This submission:** supports the application in whole or in part

**Specify the aspects of the application you are submitting on:**  
All.

**What are the reasons for your submission?**

The RTC's submission is made in the interests of reducing deaths and serious injuries on this stretch of State Highway 1. In addition, providing a more resilient and reliable journey will assist in promoting a growing regional economy whilst ensuring the sustainable management of Northland's natural and physical resources and the social, and cultural well being of its people and communities.

**What decisions and amendments would you like the council to make?**

That Auckland Council approve the NZTA resource consent application to allow the Warkworth to Wellsford project to commence.

**Are you a trade competitor of the applicant?** I am not a trade competitor of the applicant.

**Do you want to attend a hearing and speak in support of your submission?** Yes

**If other people make a similar submission I will consider making a joint case with them at the hearing:** No

**Supporting information:**

**Amy Cao**

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**From:** NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz  
**Sent:** Thursday, 18 June 2020 2:01 PM  
**To:** Central RC Submissions  
**Cc:** warkworth-wellsford@nzta.govt.nz  
**Subject:** BUN60354951 [ID:10634] Submission received on notified resource consent

We have received a submission on the notified resource consent for Land between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hoteo River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana. .

## Details of submission

### Notified resource consent application details

**Property address:** Land between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hoteo River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana.

**Application number:** BUN60354951

**Applicant name:** Waka Kotahi - New Zealand Transport Agency

**Applicant email:** warkworth-wellsford@nzta.govt.nz

**Application description:** Waka Kotahi - The New Zealand Transport Agency has applied for a Notice of Requirement to amend the Auckland Unitary Plan and applied for associated Regional Resource Consents to enable the construction, operation and maintenance for a new four lane state highway. Key components of the proposal include a four lane dual carriageway, three interchanges, twin bore tunnels under Kraack Road, a viaduct over the existing SH1 and Hoteo River, a bridge over Maeneene Stream, a series of cut and fills across the project area and changes to local roads. Resource consents are required in relation to earthworks, vegetation removal, structures and associated temporary works in, on, under or over watercourses and wetlands, diversion of streams and ground water, discharge to air, and stormwater management including the on-going stormwater discharge from the road surface.

### Submitter contact details

**Full name:** Terrence McCarthy

**Organisation name:**

**Contact phone number:** 0211411992

**Email address:** terrence.mccarthy.nz@gmail.com

**Postal address:**  
3/518 Manukau Rd  
Epsom  
Auckland 1023

### Submission details

**This submission:** supports the application in whole or in part

**Specify the aspects of the application you are submitting on:**  
The timely implementation of the Project through to completion.

**What are the reasons for your submission?**

time, fuel, and most importantly Lives ... with the coming completion of the Puhoi to Walkworth section, the load onto the Dome Valley and Welsford Township will become even more of a bottle neck. increasing frustration, delaying Freight and impacting tourists who will hit perhaps their First NZ "Country" Road.

**What decisions and amendments would you like the council to make?**

Lubricate it .. Trust the Engineers and Planners ... free them from Nanny Restrictions to build the artery that Auckland and Northland need.

**Are you a trade competitor of the applicant?** I am not a trade competitor of the applicant.

**Do you want to attend a hearing and speak in support of your submission?** Yes

**If other people make a similar submission I will consider making a joint case with them at the hearing:** Yes

**Supporting information:**

**Amy Cao**

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**From:** NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz  
**Sent:** Thursday, 18 June 2020 7:16 PM  
**To:** Central RC Submissions  
**Cc:** warkworth-wellsford@nzta.govt.nz  
**Subject:** BUN60354951 [ID:10637] Submission received on notified resource consent

We have received a submission on the notified resource consent for Land between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hoteo River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana. .

## Details of submission

### Notified resource consent application details

**Property address:** Land between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hoteo River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana.

**Application number:** BUN60354951

**Applicant name:** Waka Kotahi - New Zealand Transport Agency

**Applicant email:** warkworth-wellsford@nzta.govt.nz

**Application description:** Waka Kotahi - The New Zealand Transport Agency has applied for a Notice of Requirement to amend the Auckland Unitary Plan and applied for associated Regional Resource Consents to enable the construction, operation and maintenance for a new four lane state highway. Key components of the proposal include a four lane dual carriageway, three interchanges, twin bore tunnels under Kraack Road, a viaduct over the existing SH1 and Hoteo River, a bridge over Maeneene Stream, a series of cut and fills across the project area and changes to local roads. Resource consents are required in relation to earthworks, vegetation removal, structures and associated temporary works in, on, under or over watercourses and wetlands, diversion of streams and ground water, discharge to air, and stormwater management including the on-going stormwater discharge from the road surface.

### Submitter contact details

**Full name:** Cecilia Prasad

**Organisation name:**

**Contact phone number:** 0211547365

**Email address:** cecilia.prasad@gmail.com

**Postal address:**  
4 Tyburnia Place  
Wellsford  
Auckland 0900

### Submission details

**This submission:** supports the application in whole or in part

**Specify the aspects of the application you are submitting on:**  
The 4 lane access road between Warkworth and Wellsford.

**What are the reasons for your submission?**

Wellsford is also part of Auckland and the ratepayers here pay the same rates as other Aucklanders and deserve better and faster access roads to commute to the CBD.

**What decisions and amendments would you like the council to make?**

A 4 lane access between Warkworth and Wellsford will ease the traffic to all commuters and road users heading up North via the State Highway 1.

**Are you a trade competitor of the applicant?** I am not a trade competitor of the applicant.

**Do you want to attend a hearing and speak in support of your submission?** Yes

**If other people make a similar submission I will consider making a joint case with them at the hearing:** Yes

**Supporting information:**

## Amy Cao

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**From:** NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz  
**Sent:** Sunday, 21 June 2020 2:01 PM  
**To:** Central RC Submissions  
**Cc:** warkworth-wellsford@nzta.govt.nz  
**Subject:** BUN60354951 [ID:10638] Submission received on notified resource consent  
**Attachments:** Drower- Warkworth to Wellsford highway- submissions.pdf

We have received a submission on the notified resource consent for Land between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hoteo River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana. .

## Details of submission

### Notified resource consent application details

**Property address:** Land between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hoteo River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana.

**Application number:** BUN60354951

**Applicant name:** Waka Kotahi - New Zealand Transport Agency

**Applicant email:** warkworth-wellsford@nzta.govt.nz

**Application description:** Waka Kotahi - The New Zealand Transport Agency has applied for a Notice of Requirement to amend the Auckland Unitary Plan and applied for associated Regional Resource Consents to enable the construction, operation and maintenance for a new four lane state highway. Key components of the proposal include a four lane dual carriageway, three interchanges, twin bore tunnels under Kraack Road, a viaduct over the existing SH1 and Hoteo River, a bridge over Maeneene Stream, a series of cut and fills across the project area and changes to local roads. Resource consents are required in relation to earthworks, vegetation removal, structures and associated temporary works in, on, under or over watercourses and wetlands, diversion of streams and ground water, discharge to air, and stormwater management including the on-going stormwater discharge from the road surface.

### Submitter contact details

**Full name:** Bruce and Joy Drower

**Organisation name:**

**Contact phone number:** 094237298

**Email address:** drower@xtra.co.nz

**Postal address:**  
542 State Highway 1  
Wellsford  
Auckland 0975

### Submission details

**This submission:** supports the application in whole or in part

**Specify the aspects of the application you are submitting on:**  
Please see attached letter.

**What are the reasons for your submission?**

We are a directly affected party.

**What decisions and amendments would you like the council to make?**

Please refer to attached letter.

**Are you a trade competitor of the applicant?** I am not a trade competitor of the applicant.

**Do you want to attend a hearing and speak in support of your submission?** No

**If other people make a similar submission I will consider making a joint case with them at the hearing:** No

**Supporting information:**

Drower- Warkworth to Wellsford highway- submissions.pdf



**Attention: Cath Hepplethwaite**  
**Waka Kotahi - New Zealand Transport Agency**

Level 5, AMP Building 29 Customs Street West  
Auckland CBD  
Auckland  
1010

To whom it may concern,

**RE: Submission in support and summary of concerns of Warkworth to Wellsford motorway by landowners of 542 State Highway 1, Wellsford.**

### Introduction

We are the owners and occupiers of 542 State Highway 1, Wellsford. We have reviewed the documentation of the Warkworth to Wellsford resource consent application and Notice of Requirement (NoR) as publically notified on Monday 18 May 2020.

We understand that the New Zealand Transport Agency (NZTA) has applied for a NoR to amend the Auckland Unitary Plan and applied for associated Regional Resource Consents to enable the construction, operation and maintenance for a new four lane state highway. We are a directly affected party, as a large portion of our property is within the proposed designation area. We do not oppose these works and are generally supportive of the proposal. However we do have concerns on the proposed designation and potential effects that we could experience during the construction, operation and maintenance period of the motorway extension.

We acknowledge that the proposal as notified will have long term benefits for Aucklanders (and the rest of NZ), including reducing travel time and improving road safety. However, further detailed design and assessment of effects on our property/persons is required, having regard to the strong ties we have to our land (with the property being in our family for many years). We have outlined some concerns for consideration during the processing of this bundled application.

We have identified specific parts of the application to which our submission relates and the reason for the submission. This has been separated into sub headings 1-4 for ease of reference. The relief being sought is elaborated in each sub-point below.

#### 1. Designation design concerns

We have reviewed the proposed Designation Maps, NoR Form18 and parts1-4 of the AEE as submitted for public notification. As per the Schedule of Directly Affected Properties, it is identified that 31.3ha of our property (Part Lot 3 DP 24208) is subject to the Notice of Requirement and future designation area.

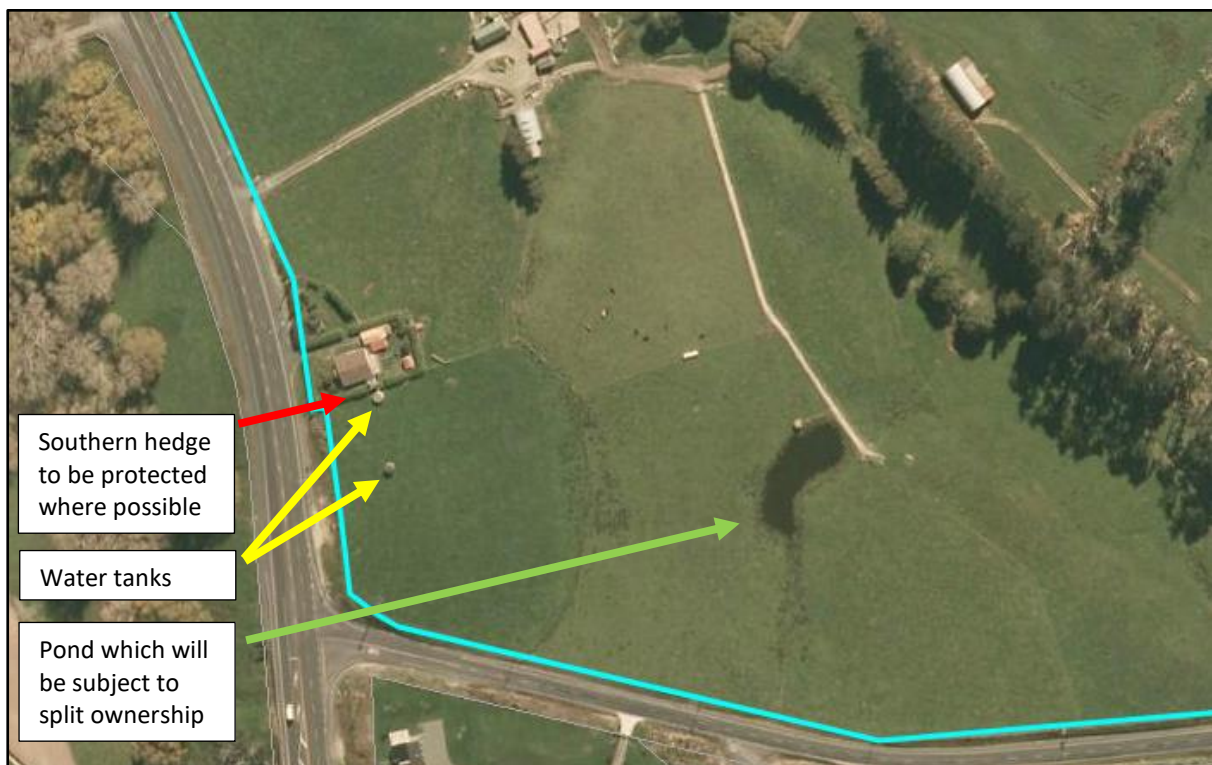
The proposed boundaries of the designation are in general accordance with that agreed during previous consultation with NZTA representatives since the initial consultation period began (prior to public notification). Upon further review of the submitted information we have identified some

important elements which require further consideration for the detailed design stage of the proposal. We understand this process will occur at some point in the near future.

We have the following concerns on the designation design which are summarised below:

- A. The designation line as proposed runs along the hedge located to the south of our dwelling (as identified in figure 1 via red arrow). We have concerns on how the root zone of this hedge will be maintained as this feature is important for us as it assists in buffering and softening visual and noise effects associated with the adjacent road network which has seen an increase in traffic volume over the last 10 years.

We would like to see this natural feature protected where possible, including consideration on how the construction works may affect the root zone and function of this hedge.



**Figure 1: Aerial image of the site**

- B. From the plans submitted (*Proposed designation plan, sheet 16, dated March 2020*) it is unclear on the exact position of the designation line.

It is also difficult to ascertain the exact distance the designation boundary will be from our dwelling and the southern hedge. For example, it is uncertain if the designation line will be 1m or 10m from the hedge. This distance will have a direct impact on how we experience effects associated with the designation and associated construction/operation works of the motorway extension.

We would prefer for the designation line to be setback 6m to the south of hedge boundary to reduce potential effects we would experience during the construction phase and operation of the motorway once built. This 6m setback would also allow space for water tanks to be relocated adjacent to our dwelling.

- C. The designation area as shown on the submitted plans does not take into account the onsite servicing of our dwelling. There is a concrete tank in the designation area which is used by our dwelling (as further identified in figure 1 via yellow arrow). There is also a backup water supply tank in the designation area.

This water tank will need to be relocated or other forms of water supply will need to be provided to us. Further consideration on how our property will be affected in relation to servicing is requested and alternative water supply options will need to be investigated to ensure we are not adversely affected long-term, especially when taking into account the water shortage issues Auckland is facing and likely to continue to face in the future.

- D. It is understood that an outline plan of works (OPW) will determine how we may utilise the portion of our land that will become designated (up until the stage it is taken via the Public works act).

We would like the OPW to enable us to continue to use this land as we currently do ie. for farming activity and other ancillary purposes.

## 2. Amenity and character concerns

The NoR and resource consents as applied for will have a long term and permanent effects on the amenity and character of our property with subsequent effects on our social, economic and environmental wellbeing.

We accept the designation as proposed however we have concerns how the 30ha (approximately) of lost land combined with the proximity of works to our dwelling will affect the amenity and character of our landholding.

We outline the following concerns below:

- E. The designation boundary is very close to our dwelling which we currently reside. The proposed designation will change the subdivision land pattern and also change the permitted activities that we could operate on the site.

We have concerns how the proximity of works will affect us, both in terms of construction and the operation/use of the motorway. For example the roundabout will be within 50-100m of our dwelling and outdoor living space which increases the potential effects we will experience as it relates to character, amenity, noise and lighting effects.

We would like to see extensive buffer tree planting (of various heights and species) to control these effects along the southern boundary of our dwelling. We request this buffer planting is a minimum length of 50m with an average width of 3m (or other planting as agreed upon between NZTA and the property owner). We also request planting along the western designation boundary (and to the east of our dwelling) in the general location of the creek boundary. We would like to see this planting maintained by NZTA for the duration of the construction phase and for the first five years of operation of the motorway.

We would also like to see acoustic fencing or other mitigation devices to reduce potential visual, acoustic and lighting effects where reasonably practical to preserve the character and amenity of our dwelling.

## 3. Construction concerns

The effects of the construction period will have the potential for adverse effects on our property and how we use our land. We would like express concerns with the following matters:

- F. We have reviewed the recommended set of draft conditions and note that a construction management plan (CMP) condition will require the consent holder to provide further detail on the entire construction process at a later stage.

We have concerns how the construction process will affect our social, environmental, economic and cultural well-being longterm due to the proximity of works to our dwelling and lack of detailed mitigation proposed.

We would like the hours of operation which will be defined by the CMP to take into account the potential effects on our home and dwelling. We are not supportive of potential construction night works (such as that associated with the adjacent round about) as this would significantly affect us to a level that is more than minor.

We generally accept the hours of operation as allowed for under the AUP(OP) chapter E25 in relation to the rural zoning of our property.

- G. We have concerns regarding the scale of proposed construction works and the potential for adverse noise, traffic, vibration and dust effects on our property. The construction period will be extensive, occurring over many months and potential effects will therefore be experienced constantly during the construction phase (which will be over 1-2 years or more dependent on various factors). For example we collect rainwater from the roof of our dwelling and if dust isn't controlled then this will affect the quality of our drinking water.

We request that the CMP take into account the proximity of construction works to our home and the potential for ongoing vibration, noise, dust and traffic effects. We would like to see further information on potential mitigation proposed to control the degree of effect experienced by our property/persons during construction as it related to vibration, noise, dust and traffic effects.

#### 4. Natural features considerations

The designation design does not appear to be efficiently designed in relation to various natural features on our property. We outline the following issues:

- H. We currently have an existing farm/community water supply easement running through our property. NZTA needs to respect this legal right and make adequate provision to ensure this water source is maintained and protected throughout the construction and operation phase of the motorway.

Of note is that the pipeline running through the easement supplies 6 local farms and 2 lifestyle properties (approximately). This pipe is an important source of drinking water for farm animals and if this is disrupted then it will have a detrimental and potential life impacting effect on local livestock.

We would like further information and design detail provided on how this easement and legal right will be protected for the users and consent holders.

- I. The designation boundaries as proposed splits natural features on the site and we are concerned on the potential ecological effects this could have on the locality. There is an existing pond which is used as a backup water supply for the farm. This pond is identified as a green arrow in figure 1.

The pond as a result of the designation will be located half on our property and half within the designation area, essentially creating two water user rights. We have concerns how this resource will be managed with split ownership and how this feature will be protected to ensure ongoing sustainable use of the resource.

We would like a management plan which details how natural assets on our property will be sustainably managed for future use.

We seek for the CMP to consider comprehensive sediment erosion control devices to protect the ecological integrity of the various natural water resources on our property and in the area of the designation.

- J. There is a dam and natural spring in the designation area in the North East corner of the site as demonstrated in figure 2. This is an important asset which needs to be protected as this aquifer/spring provides year round water supply (including continuing to run throughout the 2020 summer drought). We would like to see this retained and protected for future use due to its ecological value for the locality.



**Figure 2: location of pond and spring shown in yellow 'x'**

### Conclusion

We are generally supportive of the proposed Warkworth to Wellsford Motorway extension as proposed as it will provide many benefits to Aucklanders and New Zealand. We have reviewed the submitted documentation and have outlined concerns in relation to the designation design, construction effects and potential effects the works will have on our wellbeing as defined by part 2 of the RMA. We are requesting further comprehensive design to be undertaken as it relates to the NoR on our property, minor changes to the designation boundaries, further investigation into management of natural features and additional mitigation to be imposed such as planting and acoustic fencing. We are also requesting that NZTA undertake further consultation with us in the future as it relates to the detailed design stage of the proposal. Thank you for the consideration of our above concerns.

We do not wish to be heard on this submission.

**Regards,**

**Bruce and Joy Drower.**

## Amy Cao

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**From:** NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz  
**Sent:** Tuesday, 23 June 2020 5:15 PM  
**To:** Central RC Submissions  
**Cc:** warkworth-wellsford@nzta.govt.nz  
**Subject:** BUN60354951 [ID:10639] Submission received on notified resource consent

We have received a submission on the notified resource consent for Land between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hoteo River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana. .

## Details of submission

### Notified resource consent application details

**Property address:** Land between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hoteo River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana.

**Application number:** BUN60354951

**Applicant name:** Waka Kotahi - New Zealand Transport Agency

**Applicant email:** warkworth-wellsford@nzta.govt.nz

**Application description:** Waka Kotahi - The New Zealand Transport Agency has applied for a Notice of Requirement to amend the Auckland Unitary Plan and applied for associated Regional Resource Consents to enable the construction, operation and maintenance for a new four lane state highway. Key components of the proposal include a four lane dual carriageway, three interchanges, twin bore tunnels under Kraack Road, a viaduct over the existing SH1 and Hoteo River, a bridge over Maeneene Stream, a series of cut and fills across the project area and changes to local roads. Resource consents are required in relation to earthworks, vegetation removal, structures and associated temporary works in, on, under or over watercourses and wetlands, diversion of streams and ground water, discharge to air, and stormwater management including the on-going stormwater discharge from the road surface.

### Submitter contact details

**Full name:** Martin Boakes

**Organisation name:** Fit Ltd

**Contact phone number:** 021413093

**Email address:** marty@fit-nz.co.nz

**Postal address:**  
22 Hood Street, Wellsford, Wellsford 0900  
Wellsford  
Auckland 0900

### Submission details

**This submission:** supports the application in whole or in part

**Specify the aspects of the application you are submitting on:**  
the complete project.

**What are the reasons for your submission?**

To show support for the project.

**What decisions and amendments would you like the council to make?**

Strongly support completing the project in one hit.

**Are you a trade competitor of the applicant?** I am not a trade competitor of the applicant.

**Do you want to attend a hearing and speak in support of your submission?** No

**If other people make a similar submission I will consider making a joint case with them at the hearing:** No

**Supporting information:**



## Amy Cao

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**From:** NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz  
**Sent:** Thursday, 25 June 2020 1:30 PM  
**To:** Central RC Submissions  
**Cc:** warkworth-wellsford@nzta.govt.nz  
**Subject:** BUN60354951 [ID:10640] Submission received on notified resource consent  
**Attachments:** Submission for the proposed Warkworth to Te Hana Motorway June 2020.docx

We have received a submission on the notified resource consent for Land between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hoteo River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana. .

## Details of submission

### Notified resource consent application details

**Property address:** Land between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hoteo River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana.

**Application number:** BUN60354951

**Applicant name:** Waka Kotahi - New Zealand Transport Agency

**Applicant email:** warkworth-wellsford@nzta.govt.nz

**Application description:** Waka Kotahi - The New Zealand Transport Agency has applied for a Notice of Requirement to amend the Auckland Unitary Plan and applied for associated Regional Resource Consents to enable the construction, operation and maintenance for a new four lane state highway. Key components of the proposal include a four lane dual carriageway, three interchanges, twin bore tunnels under Kraack Road, a viaduct over the existing SH1 and Hoteo River, a bridge over Maeneene Stream, a series of cut and fills across the project area and changes to local roads. Resource consents are required in relation to earthworks, vegetation removal, structures and associated temporary works in, on, under or over watercourses and wetlands, diversion of streams and ground water, discharge to air, and stormwater management including the on-going stormwater discharge from the road surface.

### Submitter contact details

**Full name:** Christine Beale and Lance Adamson

**Organisation name:**

**Contact phone number:** 021 428 289

**Email address:** chrissybeale@hotmail.com

**Postal address:**  
259 Worthington Road, RD 4  
Wellsford  
Wellsford 0974

### Submission details

**This submission:** is neutral regarding the application in whole or in part

**Specify the aspects of the application you are submitting on:**  
See attached submission document



**What are the reasons for your submission?**

See attached submission document

**What decisions and amendments would you like the council to make?**

See attached submission document

**Are you a trade competitor of the applicant?** I am not a trade competitor of the applicant.

**Do you want to attend a hearing and speak in support of your submission?** Yes

**If other people make a similar submission I will consider making a joint case with them at the hearing:** Yes

**Supporting information:**

Submission for the proposed Warkworth to Te Hana Motorway June 2020.docx

23 June 2020

## Submission for the proposed Warkworth to Te Hana Motorway

We reside at 253/259/263 Worthington Road, Wellsford, bordering the proposed Warkworth to Te Hana motorway designation. Upon reviewing the project documentation we advise that the following will affect our quality of life/day to day living/and our land.

- Possible use of **Worthington Road & Farmers Lime Roads** as an access way for motorway construction
- **Dust** arising from motorway construction
- **Noise** from motorway construction
- **Vibration** from motorway construction trucks and vehicles
- **Water quality** of surrounding streams
- **Road closures** along Worthington/Farmers Lime Roads.
- **Traffic noise** from motorway when it is completed.

**We would like the following mitigation put in place to offset any negative effects of construction.**

- Possible use of **Worthington Road & Farmers Lime Roads** as an access way for motorway construction

In the event that Worthington/Farmers Lime Roads are used as access for the construction of the motorway:

We request the roads be widened, and sealed to allow vehicles including large trucks to safely pass one another.

Speed bumps/speed limit signs be instated to reduce the speed on both roads.

We require safe and uninterrupted access to our letter boxes which are located at the intersection of Worthington and Boshier Roads.

We request that Worthington Rd be surfaced with hot mix asphalt adjacent to our properties so that is as quiet as possible.

We request we be reimbursed at the market rate for any land acquired for road widening purposes and that any removed property fencing be replaced like for like.

We require temporary stock safe fencing during Worthington/Farmers Lime Roads construction to keep stock and chickens off the road.

We request that a provision is made for the addition of underground services to Worthington Road: power, sewage, broadband and phone.

- **Dust arising from construction and trucks using Worthington/Farmers Lime Roads.**

Quarterly house/gutter/roof washing during construction with NZTA supplied water (being careful not to wash the contaminant into our water tanks).

- **Noise arising from construction.**

We request that NZTA contractors follow defined hours of daytime operation, with exceptions for any required nightworks e.g. raising bridge beams.

- **Vibration from motorway construction, trucks and vehicles**

If our properties fall within the vibration receiving environment we request vibration monitoring and house inspections.

These inspections are to record current state of buildings and will be used to identify any damage caused by the adjacent construction.

This includes

(a)

commissioning a report from an independent building survey (with photographic evidence) the condition of the houses and any improvements on the Temporary Occupation Area, any Easement Area and 50 metres beyond the boundaries of those areas within the Owner's Land (excluding the Required Land) (Surveyed Areas); and

(b)

supply a copy of the building surveyor's report to the Owner, which the parties agree shall be evidence of the condition of the house of and any improvements on the Surveyed Areas prior to the commencement of the Road Works and the installation of the infrastructure that will be initially installed pursuant to any Easement."

NZTA will then remedy any damage to houses or property caused by the vibrations of the road construction.

- **Water quality of surrounding streams**

We request that a Environmental Quality Plan ensures streams be kept in a clean condition as they lead to the Hoteo River, where water is collected for Wellsford residents.

- **Road closures along Worthington/Farmers Lime Roads.**

We request that there be continuous access for vehicles, pedestrians, cyclists and horse riders along Worthington/Farmers Lime Roads during construction.

- **Sound proofing from motorway traffic noise when the motorway is completed.**

We request the use of hot mix pavement instead of chip seal for noise reduction on the motorway.

We request that construction noise be managed to generally comply with the limits in the Auckland Unitary Plan:

However where there is potential for exceedance, a system is proposed through a Construction Noise and Vibration Management Plan (CNVMP) and that the conditions ensure that effects are managed and mitigated for all receivers existing at the time of construction. Construction vibration is to be similarly managed.

We ask that we be kept informed of the motorway construction that affects our area.

**Heather Arnold**

253 Worthington Road, Wellsford

021 124 8319

[heather@heatherarnold.co.nz](mailto:heather@heatherarnold.co.nz)

**Chrissy Beale and Lance Adamson**

259 Worthington Road, Wellsford

Chrissy – 021 428 289, [chrissybeale@hotmail.com](mailto:chrissybeale@hotmail.com)

Lance – 021 128 1493, [lance.lundcontractors@gmail.com](mailto:lance.lundcontractors@gmail.com)

**Jo Hawke**

263 Worthington Road, Wellsford

027 244 9766

[johawke@ortho1.co.nz](mailto:johawke@ortho1.co.nz)

## Amy Cao

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**From:** NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz  
**Sent:** Thursday, 25 June 2020 4:00 PM  
**To:** Central RC Submissions  
**Cc:** warkworth-wellsford@nzta.govt.nz  
**Subject:** BUN60354951 [ID:10642] Submission received on notified resource consent  
**Attachments:** 05BUN60354951List of DAP DD MARKUP.pdf

We have received a submission on the notified resource consent for Land between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hoteo River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana. .

## Details of submission

### Notified resource consent application details

**Property address:** Land between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hoteo River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana.

**Application number:** BUN60354951

**Applicant name:** Waka Kotahi - New Zealand Transport Agency

**Applicant email:** warkworth-wellsford@nzta.govt.nz

**Application description:** Waka Kotahi - The New Zealand Transport Agency has applied for a Notice of Requirement to amend the Auckland Unitary Plan and applied for associated Regional Resource Consents to enable the construction, operation and maintenance for a new four lane state highway. Key components of the proposal include a four lane dual carriageway, three interchanges, twin bore tunnels under Kraack Road, a viaduct over the existing SH1 and Hoteo River, a bridge over Maeneene Stream, a series of cut and fills across the project area and changes to local roads. Resource consents are required in relation to earthworks, vegetation removal, structures and associated temporary works in, on, under or over watercourses and wetlands, diversion of streams and ground water, discharge to air, and stormwater management including the on-going stormwater discharge from the road surface.

### Submitter contact details

**Full name:** Dorothy Margaret Dalziell

**Organisation name:** New Zealand Walking Access Commission - Ara Hikoi Aotearoa

**Contact phone number:** 021379132

**Email address:** dot.dalziell@walkingaccess.govt.nz

**Postal address:**  
PO Box 11181, Manners Street  
Manners Street  
Wellington 6142

### Submission details

**This submission:** is neutral regarding the application in whole or in part

**Specify the aspects of the application you are submitting on:**

Directly Affected Properties – in particular, proposals to “close” Unformed Legal Roads and loss of public access and

connectivity;

Resource Consent Conditions – in relation to impacts on outdoor public access during design and construction phases;

Urban Landscape Design – in relation to landscape scale connectivity for outdoor public access.

### **What are the reasons for your submission?**

NZ Walking Access Commission (the Commission) was established under the Walking Access Act (WAA) 2008 to lead and support the negotiation, establishment, maintenance, and improvement of walking access and types of access that may be associated with walking access, such as access with firearms, dogs, bicycles, or motor vehicles. (refer section 9 WAA 2008).

Further, section 10 of the WAA sets out functions of the Commission, including:

- co-ordinating walking access among relevant stakeholders and central and local government organisations
- providing local and regional leadership on, and co-ordination of, walking access in collaboration with local authorities
- compiling, holding, and publishing maps and information about land over which members of the public have walking access
- providing advice on walking access to the Minister or any other person
- negotiating with landholders to obtain walking access (including walkways, which are one form of walking access) over public or private land
- administering a fund to finance the activities of the Commission, or any other person, in obtaining, developing, improving, maintaining, administering, and signposting walking access over any land
- administering walkways under this Act, with planning and supervision focused at a local level
- monitoring the compliance with, and enforcement of, this Act in relation to walkways.

The proposed “closing” (i.e. Road Stopping) of Unformed Legal Roads will remove several kilometres of public access in the outdoors and sever existing linkages across the designation area. While the Commission is very supportive of the proposal for the formed parts of the current local road network to be realigned under or over the proposed new State Highway corridor, the unformed parts of the local road network have public access value too, and the proposed design of the new State Highway section does not recognise this value.

Please note that in relation to roads ‘Closing’ is temporary, ‘Stopping’ is permanent.

Directly affected property references (Parcel ID row number in DAP table supplied in application) noted below – also refer to the uploaded annotated copy of DAP Schedule with properties of interest highlighted:

3, 10, 29,34, 57, 60, 82, 85, 86, 95, 102, 106, 115, 119, 129, 138, 141, 146, 154, 155, 161, 163, 169, 174, 181, 184, 189, 192, 193, 196, 200, 204

Of particular concern to the Commission is not only our easement across title id 3974049 / title no. NA64B/804, that provides a vital linkage across Dome Valley for Te Araroa Trail, but that the trail continues along an un-named ULR east of the easement to reach current SH1 and across to Dome Valley Forest. The Unformed Legal Road parcels are included in the table of Directly Affected Properties supplied in the consent application, and it appears the plan for ULRs within the designation area is to “close” them.

We note the Proposed Draft Designation Condition number 32 would require construction works to be managed to enable continuous safe use of the trail where practical and feasible. It is vital that Te Araroa Trail Trust and the Commission be engaged in specifying user requirements during all stages of work that impact on the trail or its users as we have a requirement under our legislation to communicate at a National level, any necessary closures to the public.

Other areas of specific concern are Wayby Valley and connectivity between Wellsford and the designation area to the east of the town, and beyond (across Wayby Valley). There is an opportunity for Wellsford to benefit from enhanced outdoor public access connectivity by designing in landscape-scale walking and cycling facilities to enable recreational access to Hoteo Recreational Reserve, Wayby Valley, the Dome Valley. The Urban Landscape Design Framework supplied by the applicant offers the following relevant principles that support these proposed enhancements:

In section 3.2 Project Specific Urban and Landscape Design Principles - Stitched Together Landscape:

- Connect local roads that are severed by the Project.
- Where practicable, maintain connections to local trails, greenways and recreational facilities.
- Reconnect patches of native vegetation and streams.
- Where practicable, make connections/linkages to support ecological corridors.

In Section 3.3 Connectivity Principles - Access for All:

- Provide a clear and convenient access from the State Highway to the centres of Warkworth, Wellsford and Te Hana, in order to connect rural communities and their centres with the state highway network.
- Maintain local road connections across SH1 using grade separation to maintain connections for rural communities, particularly local roads such as Kaipara Flats Road, Rustybrook Road, Whangaripo Valley Road, Farmers Lime Road

and Silver Hill Road.

- Realign other roads such as Wayby Valley Road, Phillips Road, Vipond Road and Mangawhai Road.
- Provide access to rural properties where necessary.
- Maintain connections/access to Te Araroa trail.
- Accommodate all transport modes and connections identified in the Active Modes and Recreational Network Plan.
- Provide a safe corridor to access for operation and maintenance.

### **What decisions and amendments would you like the council to make?**

Directly Affected Properties – in particular, proposals to “close” Unformed Legal Roads and loss of public access and connectivity:

- We request that Auckland Council – through a Resource Consent Condition(s) - requires NZTA to liaise with the Commission and Te Araroa Trail Trust throughout the project to ensure Te Araroa Trail connectivity is maintained. If at any stage of the project the Walkway which encompasses the Te Araroa Trail across Dome Valley is required to be temporarily closed for public safety reasons, the Commission and TAT must be notified in advance of the closure.
- We request that Auckland Council – through a Resource Consent Condition(s) – requires NZTA to negotiate with the Commission mitigation for the loss of public access arising from Stopping of unformed parts of the legal road network
- We request Auckland Council – through a Resource Consent Condition(s) - requires NZTA to negotiate with the Commission to form site agreements for the designation sections between the Wellsford and Te Hana interchanges to improve and enhance public outdoor access for Wellsford – including future growth area to the east of the current town - to the Hoteo Recreation reserve; the Dome Valley and Wayby /Whangaripo Valleys

Resource Consent Conditions in relation to impacts on outdoor public access during design and construction phase:

- Proposed Draft Designation Condition number 32 would require construction works to be managed to enable continuous safe use of the trail where practical and feasible. It is vital that Te Araroa Trail Trust and the Commission be engaged in specifying user requirements during all stages of work that impact on the trail or its users. We submit that Auckland Council creates an additional consent condition to this effect.
- We request that Auckland Council – through a Resource Consent Condition(s) – requires NZTA to set aside land acquired by the Crown through the designation process (whether within or outside of the designation area) for the purpose of mitigating the negative impacts on public outdoor access and connectivity resulting from road stopping.
- Difficult/dangerous exits and entry points for recreational users of Matariki Forests/Dome Forest may be partly provided for in current safety upgrade ongoing on SH1. We request Auckland Council considers imposing consent conditions that enable a site-specific plan to integrate further safety improvements into the design and construction within the designation area
- We request that Auckland Council – through a Resource Consent Condition(s) – requires NZTA to negotiate with the Commission a site-specific plan to improve access and provide carparking/amenities for recreational access to Wilson Road, Wayby Valley
- We request that Auckland Council amends the proposed consent condition 34. (Construction Traffic Management Plan) to explicitly include public outdoor access-ways, including unformed legal roads. So, it is not just a matter of managing construction traffic to protect the safety of road users, but also anyone within the construction area utilising any legal public access way (could be a reserve, PAE, hydro parcel, esplanade strip, access strip , or any other type of public access provision).
- We request that Auckland Council – through a Resource Consent Condition(s) – requires NZTA to directly mitigate impacts on public outdoor access and connectivity during the construction phase in the designation area. Such a condition could require NZTA to utilise land acquired by the Crown through the designation process (whether within or outside of the designation area) for the purpose of mitigation, and/or to create site specific plans with relevant authorities to provide safe connectivity and/or alternate access routes for walking (and associated) access during construction.
- We request that Auckland Council – through a Resource Consent Condition(s) – requires NZTA to offer public access connectivity as part of the design for areas where environmental mitigation works are to be undertaken. This enables opportunities for enhanced public access to areas of scenic or recreational value.

Urban Landscape Design – in relation to landscape scale connectivity for outdoor public access:

- At the big interchanges (Warkworth / Wellsford / Te Hana), the Commission seeks assurance that pedestrians, cyclists and horse riders are catered for explicitly, and/or provided for by alternate routes that do not intersect with the new 4-lane SH1 (e.g. underpass, overbridge, channelled to access current SH1).
- We have identified opportunities to protect and enhance connectivity to other recreation areas, including rivers (e.g. Mahurangi River left branch, Hoteo River), streams, hydro parcels, Mountain biking areas (e.g. Dome Valley), recreation and scenic reserves (including Sunnyside Scenic Reserve), and associated formal/informal infrastructure such as carparks, toilets, laybys, picnic spots, canoe landing spots. We request Auckland Council – through a Resource Consent Condition(s) – requires NZTA to engage with the Commission to form site agreements to preserve and enhance existing recreational access. The Commission could be added into the list of parties under proposed condition 46 - regarding collaboration on the ULDF.

**Are you a trade competitor of the applicant?** I am not a trade competitor of the applicant.

**Do you want to attend a hearing and speak in support of your submission? Yes**

**If other people make a similar submission I will consider making a joint case with them at the hearing: Yes**

**Supporting information:**

05BUN60354951List of DAP DD MARKUP.pdf



**Attachment C – Schedule of Directly Affected Property**

PARCEL ID	LEGAL DESCRIPTION	TITLE	LOCATION	REQUIRED AREA (ha)
1	Lot 1 DP 587	NA35B/681	Wyllie Road Warkworth 0981	7.6
2	Lot 4 DP 473567	647898	Wyllie Road Warkworth 0981	0.8
3	ROAD		Wyllie Road	0.4
4	Lot 4 DP 168411	NA102B/941	Wyllie Road Warkworth 0981	1.1
5	Lot 2 DP 199822	NA126B/761	Wyllie Road Warkworth 0981	2.6
6	Lot 6 DP 329024	118451	Wyllie Road Warkworth 0981	1.4
7	Lot 1 DP 168411	NA102B/939	Wyllie Road Warkworth 0981	0.2
8	Lot 2 DP 171314	NA104C/827	2 Wyllie Road Warkworth 0981	2.2
9	Lot 2 DP 527082	848090	433 Woodcocks Road Warkworth 0981	11.5
10	ROAD		Woodcocks Road	0.9
11	Lot 1 DP 144681	NA85D/563	434 Woodcocks Road Streamlands 0981	2.4
12	Lot 3 DP 77098	NA33C/306	Woodcocks Road Streamlands 0981	8.0
13	Lot 2 DP 77098	NA33C/305	173 Carran Road Kourawhero 0981	0.3
14	Lot 2 DP 204888	NA132C/168	438 Woodcocks Road Streamlands 0981	2.0
15	Lot 2 DP 77099	NA33C/308	152 Carran Road Streamlands 0981	0.3
16	Lot 1 DP 77098	NA33C/304	372 Woodcocks Road Kourawhero 0981	0.7
17	Section 3 SO 70248		152 Carran Road Streamlands 0981	0.03
18	Section 1 SO 67414	NA95C/631	151 Carran Road Kourawhero 0981	0.03
19	Lot 2 DP 511457	785307	Carran Road Streamlands 0981	1.5
20	Lot 1 DP 77099	NA95C/631	151 Carran Road Kourawhero 0981	0.1
21	Lot 2 DP 205424	66353	Carran Road Streamlands 0981	0.3
22	Section 1 SO 70248	66353	Carran Road Streamlands 0981	0.03
23	Part Allot 59 PSH OF Mahurangi	758198	141 Carran Road Warkworth 0984	0.02
24	Section 11 SO 495251	758197	Carran Road Streamlands 0981	6.0
25	Section 22 SO 495251	758198	141 Carran Road Warkworth 0984	3.4
26	Lot 1 DP 316908	66353	Carran Road Streamlands 0981	18.1
27	Lot 3 DP 511457	785308	Carran Road Streamlands 0981	1.0
28	Lot 2 DP 316908	66354	108 Carran Road Streamlands 0981	1.1
29	ROAD		Carran Road	3.0
30	Lot 1 DP 157389	NA94C/299	113 Carran Road Streamlands 0981	1.7
31	Lot 2 DP 157389	NA94C/300	119 Carran Road Streamlands 0981	10.1
32	Section 10 SO 495251	764797	State Highway 1 Warkworth 0984	5.6
33	Section 23 SO 495251	764798	109 Kaipara Flats Road Warkworth 0981	24.4
34	RIVER		Mahurangi River	2.2
35	Lot 3 DP 126513	NA73D/460	83 Carran Road Streamlands 0981	11.0
36	Part Allot 133 PSH OF Mahurangi	NA41D/494	Carran Road Streamlands 0981	0.3
37	Lot 4 DP 126513	NA73D/461	99 Carran Road Streamlands 0981	7.1
38	Section 9 SO 495251	764797	State Highway 1 Warkworth 0984	0.8
39	Lot 2 DP 126513	NA73D/459	63 Carran Road Streamlands 0981	5.9
40	Section 1 SO 495251	757811	State Highway 1 Warkworth 0984	2.4
41	Lot 2 DP 406285	422069	131 Kaipara Flats Road Streamlands 0981	2.4

42	Section 6 SO 495251	757811	State Highway 1 Warkworth 0984	2.1
43	Lot 2 DP 412098	444858	137 Kaipara Flats Road Streamlands 0981	4.3
44	Section 4 SO 495251	757811	State Highway 1 Warkworth 0984	0.4
45	Lot 2 DP 169914	NA103C/760	Kaipara Flats Road Streamlands 0981	4.7
46	Section 2 SO 495251	757811	State Highway 1 Warkworth 0984	0.6
47	Section 7 SO 495251	757811	State Highway 1 Warkworth 0984	0.1
48	Lot 1 DP 412098	444857	135 Kaipara Flats Road Streamlands 0981	1.4
49	Lot 1 DP 169914	NA103C/759	171 Kaipara Flats Road Streamlands 0981	1.0
50	Lot 1 DP 167068	NA101B/724	141 Kaipara Flats Road Streamlands 0981	2.8
51	Lot 1 DP 91259	NA48B/924	157A Kaipara Flats Road Streamlands 0981	0.6
52	Section 5 SO 495251	757811	State Highway 1 Warkworth 0984	4.4
53	Lot 2 DP 91259	NA48B/925	157 Kaipara Flats Road Streamlands 0981	1.5
54	Lot 1 DP 181230	NA112B/865	115 Kaipara Flats Road Streamlands 0981	0.4
55	Section 3 SO 495251	757811	State Highway 1 Warkworth 0984	0.2
56	Part Allot 92 PSH OF Mahurangi	NA2037/21	27 Phillips Road Streamlands 0981	6.4
57	ROAD		Kaipara Flats Road	1.8
58	Lot 1 DP 50365	NA2037/20	11 Phillips Road Streamlands 0981	0.1
59	Part Allot 93 PSH OF Mahurangi	NA3D/1446	130 Kaipara Flats Road Dome Valley 0981	1.4
60	ROAD		Phillips Road	0.8
61	Lot 1 DP 208830	NA137A/146	105 State Highway 1 Warkworth 0984	0.8
62	Part Allot 93 PSH OF Mahurangi	NA758/257	154 Kaipara Flats Road Dome Valley 0981	0.4
63	Part Allot 27 PSH OF Kourawhero	NA49A/504	Phillips Road Dome Valley 0981	0.1
64	Lot 1 DP 439658	545320	6 Phillips Road Dome Valley 0981	1.3
65	Lot 1 DP 152292	NA90C/852	30 Phillips Road Dome Valley 0981	0.9
66	Lot 2 DP 439658	545321	156 Kaipara Flats Road Dome Valley 0981	3.5
67	Part Allot 27 PSH OF Kourawhero	NA759/205	Phillips Road Dome Valley 0981	0.7
68	Part Allot 94 PSH OF Mahurangi	NA524/220	21 Kaipara Flats Road Dome Valley 0981	0.4
69	Lot 2 DP 168605	NA102C/424	18 Phillips Road Dome Valley 0981	2.4
70	Part Allot 283 PSH OF Mahurangi	NA683/98	Kaipara Flats Road Dome Valley 0981	0.009
71	Lot 2 DP 321559	86088	130 Kaipara Flats Road Dome Valley 0981	3.9
72	Allot 59A PSH OF Kourawhero	NA48/42	Phillips Road Dome Valley 0981	1.3
73	Lot 1 DP 532044	869891	130 Kaipara Flats Road Dome Valley 0981	2.7
74	Lot 1 DP 105099	NA57D/1430	42 Kaipara Flats Road Dome Valley 0981	3.7
75	Allot 59 PSH OF Kourawhero	NA759/205	Phillips Road Dome Valley 0981	34.4
76	Allot 150 PSH OF Kourawhero	NA33A/482	Phillips Road Dome Valley 0981	1.2

77	Allot NE60 PSH OF Kourawhero	NA51D/970	State Highway 1 Dome Valley 0981	4.1
78	Allot SW60 PSH OF Kourawhero	NA2D/55	State Highway 1 Dome Valley 0981	8.8
79	Allot 85 PSH OF Kourawhero	NA2D/474	14 Hudson Lane Hoteo 0984	27.1
80	Allot 82 PSH OF Hoteo	NA34/272	State Highway 1 Dome Valley 0981	23.4
81	Part Allot 81 PSH OF Hoteo	NA78D/385	180 Kraack Road Dome Valley 0981	1.0
82	ROAD		Grimmer Road	1.0
83	Lot 1 DP 115351	NA65C/684	161 Kraack Road Dome Valley 0981	0.6
84	Lot 1 DP 180356	NA105B/795	119 Kraack Road Dome Valley 0981	4.0
85	Part Allot 81 PSH OF Hoteo	NA64B/804	State Highway 1 Dome Valley 0981	62.2
86	ROAD		Kraack Road	0.7
87	Allot 80 PSH OF Hoteo	NA118/232	State Highway 1 Dome Valley 0981	43.7
88	Allot 84 PSH OF Hoteo	NA769/110	State Highway 1 Dome Valley 0981	45.7
89	Lot 1 DP 40479	NA1071/17	State Highway 1 Dome Valley 0981	42.2
90	Part Allot 95 PSH OF Hoteo	NA1071/18	State Highway 1 Dome Valley 0981	31.6
91	Part Allot 87 PSH OF Hoteo	NA361/40	Whangaripo Valley Road Whangaripo 0972	51.4
92	Part Allot 88 PSH OF Hoteo	NA361/40	Whangaripo Valley Road Whangaripo 0972	34.3
93	Part Allot 89 PSH OF Hoteo	NA370/195	Whangaripo Valley Road Whangaripo 0972	26.1
94	Part Allot 64 PSH OF Hoteo	NA45A/282	Whangaripo Valley Road Whangaripo 0972	34.4
95	ROAD		Unnamed Road	0.5
96	Section 1 SO 64655	NA89C/212	Whangaripo Valley Road Whangaripo 0972	1.9
97	Part Allot 65 PSH OF Hoteo	NA45A/282	Whangaripo Valley Road Whangaripo 0972	27.4
98	Part Allot 67 PSH OF Hoteo	NA45A/282	Whangaripo Valley Road Whangaripo 0972	4.2
99	Part Lot 1 DP 76782	NA33B/311	1207 State Highway 1 Wayby 0972	7.2
100	Part Allot 118 PSH OF Hoteo	NA42B/698	1282 State Highway 1 Wayby Valley 0972	0.01
101	Lot 2 DP 398682	393450	1282 State Highway 1 Wayby Valley 0972	3.5
102	ROAD		SH1	10.5
103	Part Allot 172 PSH OF Hoteo		State Highway 1 Wayby Valley 0972	0.2
104	Part Allot 67 PSH OF Hoteo		State Highway 1 Wayby Valley 0972	0.1
105	Lot 1 DP 361849	252010	1282 State Highway 1 Wayby Valley 0972	0.1
106	RIVER		Hoteo River	0.1
107	Section 28 Block XII Pakiri SD	278282	1282 State Highway 1 Wayby Valley 0972	0.3

108	Part Section 32A Block XII Pakiri SD	NA55B/663	1282 State Highway 1 Wayby Valley 0972	0.8
109	Part Section 44 Block XII Pakiri SD	NA781/62	1282 State Highway 1 Wayby Valley 0972	0.2
110	Part Section 43 Block XII Pakiri SD	NA781/62	1282 State Highway 1 Wayby Valley 0972	0.6
111	Part Section 32 Block XII Pakiri SD	NA55B/663	1282 State Highway 1 Wayby Valley 0972	9.7
112	Section 47 Block XII Pakiri SD	NA42C/783	1325 State Highway 1 Wayby Valley 0972	0.02
113	Part Section 32 Block XII Pakiri SD		1325 State Highway 1 Wayby Valley 0972	0.04
114	Part Section 32 Block XII Pakiri SD	NA89D/3	1325 State Highway 1 Wayby Valley 0972	41.7
115	ROAD		Wayby Valley Road	1.8
116	Lot 2 DP 33441	NA70A/908	101 Wayby Valley Road Wayby Valley 0972	1.6
117	Part Lot 2 DP 15424	NA70A/908	101 Wayby Valley Road Wayby Valley 0972	13.9
118	Part Lot 1 DP 15424	NA346/269	133 Wayby Valley Road Wayby Valley 0972	16.1
119	ROAD		Robertson Road	0.9
120	Lot 1 DP 40996	NA1101/25	30 Robertson Road Wayby Valley 0972	0.1
121	Lot 1 DP 57376	NA11C/490	20 Robertson Road Wayby Valley 0972	0.1
122	Lot 1 DP 148721	NA88B/777	16 Robertson Road Wayby Valley 0972	3.6
123	Lot 1 DP 190638	NA120C/215	Wayby Valley Road Wayby Valley 0972	1.0
124	Part Section 6 Block XII Pakiri SD	NA121C/36	Wayby Valley Road Wayby Valley 0972	15.4
125	Section 7 Block XII Pakiri SD	NA118B/536	133 Wayby Valley Road Wayby Valley 0972	5.5
126	Lot 1 DP 186916	NA117A/872	230 Rustybrook Road Wayby Valley 0974	9.5
127	Lot 1 DP 203808	NA129D/984	106 Rustybrook Road Wayby Valley 0974	10.2
128	Lot 2 DP 201302	NA129D/984	106 Rustybrook Road Wayby Valley 0974	2.4
129	ROAD		Rustybrook Road	1.8
130	Lot 1 DP 201302	NA129D/983	200 Rustybrook Road Wayby Valley 0974	1.0
131	Lot 2 DP 142750	NA84C/649	Rustybrook Road Wayby Valley 0974	1.0
132	Lot 1 DP 91253	NA48B/912	199 Rustybrook Road Wayby Valley 0974	3.3
133	Lot 2 DP 190052	NA120A/93	237 Rustybrook Road Wayby Valley 0974	22.3
134	Lot 4 DP 201813	NA130B/590	351A Wayby Valley Road Wayby Valley 0974	3.3
135	Section 11 Block XII Pakiri SD	NA68/186	64 Whangaripo Valley Road Wayby Valley 0974	15.3
136	Part Section 36 Block XII Pakiri SD	NA15C/958	64 Whangaripo Valley Road Wayby Valley 0974	17.9
137	Lot 2 DP 372459	894735	64 Whangaripo Valley Road Wayby Valley 0974	5.3
138	ROAD		Unnamed Road	1.4

139	Lot 2 DP 181044	NA112B/433	118 Whangaripo Valley Road Wayby Valley 0974	1.9
140	Lot 1 DP 189029	NA118B/262	170 Whangaripo Valley Road Wayby Valley 0974	20.6
141	ROAD		Whangaripo Road	1.6
142	Lot 1 DP 314803	58434	50 Borrows Road Wellsford 0974	2.5
143	Lot 1 DP 190664	NA120C/268	159 Whangaripo Valley Road Wellsford 0974	0.4
144	Lot 2 DP 183801	NA114D/541	40 Borrows Road Wellsford 0974	0.1
145	Section 1 SO 62721	NA67C/723	17 Borrows Road Wellsford 0974	1.1
146	ROAD		Borrows Road	0.7
147	Lot 1 DP 183801	NA114D/540	19 Borrows Road Wellsford 0974	0.9
148	Lot 4 DP 174990	NA107C/892	12 Borrows Road Waiteitei 0974	13.1
149	Lot 2 DP 174990	NA107C/890	213 Whangaripo Valley Road Waiteitei 0974	5.6
150	Lot 1 DP 365742	266456	35 Borrows Road Waiteitei 0974	1.0
151	Lot 2 DP 365742	266457	50 Farmers Lime Road Waiteitei 0974	3.3
152	Lot 1 DP 174990	NA107C/889	213 Whangaripo Valley Road Waiteitei 0974	0.9
153	Lot 3 DP 365742	266458	37 Borrows Road Waiteitei 0974	33.9
154	ROAD		Farmers Lime Road	1.1
155	ROAD		Worthington Road	0.5
156	Lot 2 DP 418982	472666	29 Farmers Lime Road Waiteitei 0974	1.3
157	Lot 1 DP 418982	472665	15 Farmers Lime Road Waiteitei 0974	1.3
158	Lot 1 DP 100659	NA55C/478	Worthington Road Waiteitei 0975	0.0
159	Lot 3 DP 418982	758530	Hindle Road Waiteitei 0975	10.5
160	Lot 4 DP 204849	NA133B/320	18 Hindle Road Te Hana 0975	13.8
161	ROAD		Unnamed Road	3.7
162	Lot 5 DP 174990	758530	Hindle Road Waiteitei 0975	1.5
163	ROAD		Hindle Road	0.9
164	Allot SE103 PSH OF Oruawharo	758530	Hindle Road Waiteitei 0975	7.9
165	Part Allot NW103 PSH OF Oruawharo	NA121C/258	18 Hindle Road Te Hana 0975	17.2
166	Lot 4 DP 418982	758530	Hindle Road Waiteitei 0975	0.3
167	Lot 1 DP 127020	NA74A/631	199 Shepherd Road Te Hana 0975	8.9
168	Part Allot W93 PSH OF Oruawharo	NA5B/4	295 Waiteitei Road Waiteitei 0974	15.1
169	ROAD		Unnamed Road	0.3
170	Part Allot NE102 PSH OF Oruawharo	NA1146/54	18 Hindle Road Te Hana 0975	3.5
171	Part Allot 94 PSH OF Oruawharo	NA5B/3	295 Waiteitei Road Waiteitei 0974	19.0
172	Lot 2 DP 326740	108527	295 Waiteitei Road Waiteitei 0974	3.2
173	Lot 1 DP 168755	NA102A/86	312 Silver Hill Road Waiteitei Auckland 0975	32.5
174	ROAD		Silver Hill Road	1.2

175	Lot 1 DP 166448	NA100D/939	314 Silver Hill Road Waiteitei Auckland 0975	1.1
176	Lot 1 DP 1115	NA1030/145	263 Silver Hill Road Te Hana 0975	7.9
177	Part Lot 2 DP 1115	NA770/58	344 Silver Hill Road Te Hana 0975	19.0
178	Part Lot 3 DP 31165	NA19C/940	200 Mangawhai Road Te Hana 0975	28.3
179	Lot 2 DP 494608	724213	194 Mangawhai Road Te Hana 0975	19.7
180	Part Lot 4 DP 24208	NA709/108	194 Mangawhai Road Te Hana 0975	20.9
181	ROAD		SH1	2.4
182	Part Lot 1 DP 396079	383214	State Highway 1 Topuni 0975	0.2
183	Part Lot 1 DP 130101	574950	557 State Highway 1 Topuni 0975	0.3
184	ROAD		Mangawhai Road	3.2
185	Lot 1 DP 494608	724212	122 Mangawhai Road Te Hana 0975	1.0
186	Part Lot 3 DP 24208	NA723/130	542 State Highway 1 Topuni 0975	31.3
187	Part Lot 1 DP 175600	NA108A/353	558 State Highway 1 Topuni 0975	1.4
188	Lot 2 DP 205703	NA134A/273	Waimanu Road Topuni 0975	0.2
189	ROAD		Waimanu Road	0.3
190	Part Allot 220 PSH OF Oruawharo	NA658/73	17 Vipond Road Topuni 0975	0.0
191	Part Lot 2 DP 179044	NA105B/717	17 Vipond Road Topuni 0975	15.2
192	ROAD		Unnamed Road	0.2
193	ROAD		SH1	2.9
194	Lot 1 DP 84627	NA41A/450	17 Maeneene Road Topuni 0975	0.7
195	Part Section 7 Block VIII Otamatea SD	NA8D/1048	Maeneene Road Topuni 0975	0.1
196	ROAD		Vipond Road	4.0
197	Allot 251 PSH OF Oruawharo	NA42B/608	18 Maeneene Road Topuni 0975	0.01
198	Part Lot 1 DP 30301		State Highway 1 Topuni 0975	0.2
199	Lot 1 DP 179044	NA105B/717	17 Vipond Road Topuni 0975	0.003
200	ROAD		Unnamed Road	0.9
201	Part Allot 250 PSH OF Oruawharo	NA42B/608	18 Maeneene Road Topuni 0975	2.1
202	Allot 252 PSH OF Oruawharo	NA1524/24	17 Vipond Road Topuni 0975	0.4
203	Lot 3 DP 338064	156557	17 Vipond Road Topuni 0975	0.3
204	ROAD		Maeneene Road	0.7
205	Lot 1 DP 487796	698521	17 Vipond Road Topuni 0975	0.4

## Amy Cao

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**From:** NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz  
**Sent:** Saturday, 27 June 2020 11:46 AM  
**To:** Central RC Submissions  
**Cc:** warkworth-wellsford@nzta.govt.nz  
**Subject:** BUN60354951 [ID:10659] Submission received on notified resource consent  
**Attachments:** 253 - 259 - 269 Worthington Road - Submission for the proposed Warkworth to Te Hana Motorway June 2020.docx

We have received a submission on the notified resource consent for Land between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hoteo River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana. .

## Details of submission

### Notified resource consent application details

**Property address:** Land between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hoteo River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana.

**Application number:** BUN60354951

**Applicant name:** Waka Kotahi - New Zealand Transport Agency

**Applicant email:** warkworth-wellsford@nzta.govt.nz

**Application description:** Waka Kotahi - The New Zealand Transport Agency has applied for a Notice of Requirement to amend the Auckland Unitary Plan and applied for associated Regional Resource Consents to enable the construction, operation and maintenance for a new four lane state highway. Key components of the proposal include a four lane dual carriageway, three interchanges, twin bore tunnels under Kraack Road, a viaduct over the existing SH1 and Hoteo River, a bridge over Maeneene Stream, a series of cut and fills across the project area and changes to local roads. Resource consents are required in relation to earthworks, vegetation removal, structures and associated temporary works in, on, under or over watercourses and wetlands, diversion of streams and ground water, discharge to air, and stormwater management including the on-going stormwater discharge from the road surface.

### Submitter contact details

**Full name:** Heather Jean Arnold

**Organisation name:**

**Contact phone number:** 0211248319

**Email address:** heather@heatherarnold.co.nz

**Postal address:**  
253 Worthington Road, RD4  
Wellsford  
Auckland 0974

### Submission details

**This submission:** is neutral regarding the application in whole or in part



**Specify the aspects of the application you are submitting on:**

The affects to Farmers Lime and Worthington Roads, and neighbouring properties.

**What are the reasons for your submission?**

I with my two neighbours, are located on the boundary of the proposed on the motorway, and are likely to be affected by the construction of the motorway and the future motorway use.

**What decisions and amendments would you like the council to make?**

See attached document, concerning Farmers Lime and Worthington Road, Wellsford.

**Are you a trade competitor of the applicant?** I am not a trade competitor of the applicant.

**Do you want to attend a hearing and speak in support of your submission?** No

**If other people make a similar submission I will consider making a joint case with them at the hearing:** Yes

**Supporting information:**

253 - 259 - 269 Worthington Road - Submission for the proposed Warkworth to Te Hana Motorway June 2020.docx

23 June 2020

## Submission for the proposed Warkworth to Te Hana Motorway

We reside at 253/259/263 Worthington Road, Wellsford, bordering the proposed Warkworth to Te Hana motorway designation. Upon reviewing the project documentation we advise that the following will affect our quality of life/day to day living/and our land.

- Possible use of **Worthington Road & Farmers Lime Roads** as an access way for motorway construction
- **Dust** arising from motorway construction
- **Noise** from motorway construction
- **Vibration** from motorway construction trucks and vehicles
- **Water quality** of surrounding streams
- **Road closures** along Worthington/Farmers Lime Roads.
- **Traffic noise** from motorway when it is completed.

**We would like the following mitigation put in place to offset any negative effects of construction.**

- Possible use of **Worthington Road & Farmers Lime Roads** as an access way for motorway construction

In the event that Worthington/Farmers Lime Roads are used as access for the construction of the motorway:

We request the roads be widened, and sealed to allow vehicles including large trucks to safely pass one another.

Speed bumps/speed limit signs be instated to reduce the speed on both roads.

We require safe and uninterrupted access to our letter boxes which are located at the intersection of Worthington and Boshier Roads.

We request that Worthington Rd be surfaced with hot mix asphalt adjacent to our properties so that is as quiet as possible.

We request we be reimbursed at the market rate for any land acquired for road widening purposes and that any removed property fencing be replaced like for like.

We require temporary stock safe fencing during Worthington/Farmers Lime Roads construction to keep stock and chickens off the road.

We request that a provision is made for the addition of underground services to Worthington Road: power, sewage, broadband and phone.

- **Dust arising from construction and trucks using Worthington/Farmers Lime Roads.**

Quarterly house/gutter/roof washing during construction with NZTA supplied water (being careful not to wash the contaminant into our water tanks).

- **Noise arising from construction.**

We request that NZTA contractors follow defined hours of daytime operation, with exceptions for any required nightworks e.g. raising bridge beams.

- **Vibration from motorway construction, trucks and vehicles**

If our properties fall within the vibration receiving environment we request vibration monitoring and house inspections.

These inspections are to record current state of buildings and will be used to identify any damage caused by the adjacent construction.

This includes

- (a) commissioning a report from an independent building survey (with photographic evidence) the condition of the houses and any improvements on the Temporary Occupation Area, any Easement Area and 50 metres beyond the boundaries of those areas within the Owner's Land (excluding the Required Land) (Surveyed Areas); and
- (b) supply a copy of the building surveyor's report to the Owner, which the parties agree shall be evidence of the condition of the house of and any improvements on the Surveyed Areas prior to the commencement of the Road Works and the installation of the infrastructure that will be initially installed pursuant to any Easement."

NZTA will then remedy any damage to houses or property caused by the vibrations of the road construction.

- **Water quality of surrounding streams**

We request that a Environmental Quality Plan ensures streams be kept in a clean condition as they lead to the Hoteo River, where water is collected for Wellsford residents.

- **Road closures along Worthington/Farmers Lime Roads.**

We request that there be continuous access for vehicles, pedestrians, cyclists and horse riders along Worthington/Farmers Lime Roads during construction.

- **Sound proofing** from motorway traffic noise when the motorway is completed.

We request the use of hot mix pavement instead of chip seal for noise reduction on the motorway.

We request that construction noise be managed to generally comply with the limits in the Auckland Unitary Plan:

However where there is potential for exceedance, a system is proposed through a Construction Noise and Vibration Management Plan (CNVMP) and that the conditions ensure that effects are managed and mitigated for all receivers existing at the time of construction. Construction vibration is to be similarly managed.

We ask that we be kept informed of the motorway construction that affects our area.

**Heather Arnold**

253 Worthington Road, Wellsford

021 124 8319

[heather@heatherarnold.co.nz](mailto:heather@heatherarnold.co.nz)

**Chrissy Beale and Lance Adamson**

259 Worthington Road, Wellsford

Chrissy – 021 428 289, [chrissybeale@hotmail.com](mailto:chrissybeale@hotmail.com)

Lance – 021 128 1493, [lance.lundcontractors@gmail.com](mailto:lance.lundcontractors@gmail.com)

**Jo Hawke**

263 Worthington Road, Wellsford

027 244 9766

[johawke@ortho1.co.nz](mailto:johawke@ortho1.co.nz)

## Amy Cao

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**From:** NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz  
**Sent:** Saturday, 27 June 2020 12:16 PM  
**To:** Central RC Submissions  
**Cc:** warkworth-wellsford@nzta.govt.nz  
**Subject:** BUN60354951 [ID:10660] Submission received on notified resource consent  
**Attachments:** Submission for the proposed Warkworth to Te Hana Motorway June 2020\_20200627120419.786.docx

We have received a submission on the notified resource consent for Land between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hoteo River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana. .

## Details of submission

### Notified resource consent application details

**Property address:** Land between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hoteo River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana.

**Application number:** BUN60354951

**Applicant name:** Waka Kotahi - New Zealand Transport Agency

**Applicant email:** warkworth-wellsford@nzta.govt.nz

**Application description:** Waka Kotahi - The New Zealand Transport Agency has applied for a Notice of Requirement to amend the Auckland Unitary Plan and applied for associated Regional Resource Consents to enable the construction, operation and maintenance for a new four lane state highway. Key components of the proposal include a four lane dual carriageway, three interchanges, twin bore tunnels under Kraack Road, a viaduct over the existing SH1 and Hoteo River, a bridge over Maeneene Stream, a series of cut and fills across the project area and changes to local roads. Resource consents are required in relation to earthworks, vegetation removal, structures and associated temporary works in, on, under or over watercourses and wetlands, diversion of streams and ground water, discharge to air, and stormwater management including the on-going stormwater discharge from the road surface.

### Submitter contact details

**Full name:** Joanne Hawke

**Organisation name:**

**Contact phone number:** 027-2449766

**Email address:** johawke@ortho1.co.nz

**Postal address:**  
263 Worthington Rd, RD4  
Wellsford  
Auckland 0974

### Submission details

**This submission:** is neutral regarding the application in whole or in part

**Specify the aspects of the application you are submitting on:**

I and my 2 neighbours live on the boudary of the motorway and will be impacted with the construction and road usage.

**What are the reasons for your submission?**

Please see attached document.

**What decisions and amendments would you like the council to make?**

Please see attached docuyment.

**Are you a trade competitor of the applicant?** I am not a trade competitor of the applicant.

**Do you want to attend a hearing and speak in support of your submission?** No

**If other people make a similar submission I will consider making a joint case with them at the hearing:** Yes

**Supporting information:**

Submission for the proposed Warkworth to Te Hana Motorway June 2020\_20200627120419.786.docx

23 June 2020

## Submission for the proposed Warkworth to Te Hana Motorway

We reside at 253/259/263 Worthington Road, Wellsford, bordering the proposed Warkworth to Te Hana motorway designation. Upon reviewing the project documentation we advise that the following will affect our quality of life/day to day living/and our land.

- Possible use of **Worthington Road & Farmers Lime Roads** as an access way for motorway construction
- **Dust** arising from motorway construction
- **Noise** from motorway construction
- **Vibration** from motorway construction trucks and vehicles
- **Water quality** of surrounding streams
- **Road closures** along Worthington/Farmers Lime Roads.
- **Traffic noise** from motorway when it is completed.

**We would like the following mitigation put in place to offset any negative effects of construction.**

- Possible use of **Worthington Road & Farmers Lime Roads** as an access way for motorway construction

In the event that Worthington/Farmers Lime Roads are used as access for the construction of the motorway:

We request the roads be widened, and sealed to allow vehicles including large trucks to safely pass one another.

Speed bumps/speed limit signs be instated to reduce the speed on both roads.

We require safe and uninterrupted access to our letter boxes which are located at the intersection of Worthington and Bosher Roads.

We request that Worthington Rd be surfaced with hot mix asphalt adjacent to our properties so that is as quiet as possible.

We request we be reimbursed at the market rate for any land acquired for road widening purposes and that any removed property fencing be replaced like for like.

We require temporary stock safe fencing during Worthington/Farmers Lime Roads construction to keep stock and chickens off the road.

We request that a provision is made for the addition of underground services to Worthington Road: power, sewage, broadband and phone.

- **Dust arising from construction and trucks using Worthington/Farmers Lime Roads.**

Quarterly house/gutter/roof washing during construction with NZTA supplied water (being careful not to wash the contaminant into our water tanks).

- **Noise arising from construction.**

We request that NZTA contractors follow defined hours of daytime operation, with exceptions for any required nightworks e.g. raising bridge beams.

- **Vibration from motorway construction, trucks and vehicles**

If our properties fall within the vibration receiving environment we request vibration monitoring and house inspections.

These inspections are to record current state of buildings and will be used to identify any damage caused by the adjacent construction.

This includes

(a)

commissioning a report from an independent building survey (with photographic evidence) the condition of the houses and any improvements on the Temporary Occupation Area, any Easement Area and 50 metres beyond the boundaries of those areas within the Owner's Land (excluding the Required Land) (Surveyed Areas); and

(b)

supply a copy of the building surveyor's report to the Owner, which the parties agree shall be evidence of the condition of the house of and any improvements on the Surveyed Areas prior to the commencement of the Road Works and the installation of the infrastructure that will be initially installed pursuant to any Easement."

NZTA will then remedy any damage to houses or property caused by the vibrations of the road construction.

- **Water quality of surrounding streams**

We request that a Environmental Quality Plan ensures streams be kept in a clean condition as they lead to the Hoteo River, where water is collected for Wellsford residents.



- **Road closures** along Worthington/Farmers Lime Roads.

We request that there be continuous access for vehicles, pedestrians, cyclists and horse riders along Worthington/Farmers Lime Roads during construction.

- **Sound proofing** from motorway traffic noise when the motorway is completed.

We request the use of hot mix pavement instead of chip seal for noise reduction on the motorway.

We request that construction noise be managed to generally comply with the limits in the Auckland Unitary Plan:

However where there is potential for exceedance, a system is proposed through a Construction Noise and Vibration Management Plan (CNVMP) and that the conditions ensure that effects are managed and mitigated for all receivers existing at the time of construction. Construction vibration is to be similarly managed.

We ask that we be kept informed of the motorway construction that affects our area.

**Heather Arnold**

253 Worthington Road, Wellsford

021 124 8319

[heather@heatherarnold.co.nz](mailto:heather@heatherarnold.co.nz)

**Chrissy Beale and Lance Adamson**

259 Worthington Road, Wellsford

Chrissy – 021 428 289, [chrissybeale@hotmail.com](mailto:chrissybeale@hotmail.com)

Lance – 021 128 1493, [lance.lundcontractors@gmail.com](mailto:lance.lundcontractors@gmail.com)

**Jo Hawke**

263 Worthington Road, Wellsford

027 244 9766

[johawke@ortho1.co.nz](mailto:johawke@ortho1.co.nz)

## Amy Cao

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**From:** NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz  
**Sent:** Sunday, 28 June 2020 5:45 PM  
**To:** Central RC Submissions  
**Cc:** warkworth-wellsford@nzta.govt.nz  
**Subject:** BUN60354951 [ID:10663] Submission received on notified resource consent

We have received a submission on the notified resource consent for Land between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hoteo River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana. .

## Details of submission

### Notified resource consent application details

**Property address:** Land between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hoteo River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana.

**Application number:** BUN60354951

**Applicant name:** Waka Kotahi - New Zealand Transport Agency

**Applicant email:** warkworth-wellsford@nzta.govt.nz

**Application description:** Waka Kotahi - The New Zealand Transport Agency has applied for a Notice of Requirement to amend the Auckland Unitary Plan and applied for associated Regional Resource Consents to enable the construction, operation and maintenance for a new four lane state highway. Key components of the proposal include a four lane dual carriageway, three interchanges, twin bore tunnels under Kraack Road, a viaduct over the existing SH1 and Hoteo River, a bridge over Maeneene Stream, a series of cut and fills across the project area and changes to local roads. Resource consents are required in relation to earthworks, vegetation removal, structures and associated temporary works in, on, under or over watercourses and wetlands, diversion of streams and ground water, discharge to air, and stormwater management including the on-going stormwater discharge from the road surface.

### Submitter contact details

**Full name:** malcolm lea

**Organisation name:** Rae Family trust

**Contact phone number:** 0211502488

**Email address:** malcolmlea200@gmail.com

**Postal address:**  
199 shepherd road  
wellsford  
Auckland 0975

### Submission details

**This submission:** supports the application in whole or in part

**Specify the aspects of the application you are submitting on:**

the landscape and ecological planting on 199 shepherd road and adjutant , landscape views of proposed road from 199 shepherd road house and construction noise and traffic noise when constructed

and community involvement in lead up to construction and during construction so best outcomes are achieved

**What are the reasons for your submission?**

**What decisions and amendments would you like the council to make?**

specific conditions over the landscape and ecological planting . spectic conditions for measuring the noise during construction and when the road is open for traffic and a pratical pathway to address any issues arising

a condition is a community group to be involved from start of construction to the end to ensure smooth sailing

**Are you a trade competitor of the applicant?** I am not a trade competitor of the applicant.

**Do you want to attend a hearing and speak in support of your submission?** Yes

**If other people make a similar submission I will consider making a joint case with them at the hearing:** No

**Supporting information:**

**Amy Cao**

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**From:** NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz  
**Sent:** Sunday, 28 June 2020 10:00 PM  
**To:** Central RC Submissions  
**Cc:** warkworth-wellsford@nzta.govt.nz  
**Subject:** BUN60354951 [ID:10664] Submission received on notified resource consent

We have received a submission on the notified resource consent for Land between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hoteo River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana. .

## Details of submission

### Notified resource consent application details

**Property address:** Land between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hoteo River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana.

**Application number:** BUN60354951

**Applicant name:** Waka Kotahi - New Zealand Transport Agency

**Applicant email:** warkworth-wellsford@nzta.govt.nz

**Application description:** Waka Kotahi - The New Zealand Transport Agency has applied for a Notice of Requirement to amend the Auckland Unitary Plan and applied for associated Regional Resource Consents to enable the construction, operation and maintenance for a new four lane state highway. Key components of the proposal include a four lane dual carriageway, three interchanges, twin bore tunnels under Kraack Road, a viaduct over the existing SH1 and Hoteo River, a bridge over Maeneene Stream, a series of cut and fills across the project area and changes to local roads. Resource consents are required in relation to earthworks, vegetation removal, structures and associated temporary works in, on, under or over watercourses and wetlands, diversion of streams and ground water, discharge to air, and stormwater management including the on-going stormwater discharge from the road surface.

### Submitter contact details

**Full name:** Pamela Chestnut

**Organisation name:**

**Contact phone number:** 0212123128

**Email address:** chestnuts@orcon.net.nz

**Postal address:**  
40 Mc Innes Av  
Kamo  
Whangarei 0112

### Submission details

**This submission:** opposes the application in whole or in part

**Specify the aspects of the application you are submitting on:**  
where the road is going through

**What are the reasons for your submission?**

how could you possibly obliterate such a beautiful spot from the landscape

**What decisions and amendments would you like the council to make?**

find somewhere else to put the road....put people before big business

**Are you a trade competitor of the applicant?** I am not a trade competitor of the applicant.

**Do you want to attend a hearing and speak in support of your submission?** No

**If other people make a similar submission I will consider making a joint case with them at the hearing:** Yes

**Supporting information:**

## Amy Cao

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**From:** NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz  
**Sent:** Sunday, 28 June 2020 11:00 PM  
**To:** Central RC Submissions  
**Cc:** warkworth-wellsford@nzta.govt.nz  
**Subject:** BUN60354951 [ID:10665] Submission received on notified resource consent

We have received a submission on the notified resource consent for Land between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hoteo River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana. .

## Details of submission

### Notified resource consent application details

**Property address:** Land between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hoteo River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana.

**Application number:** BUN60354951

**Applicant name:** Waka Kotahi - New Zealand Transport Agency

**Applicant email:** warkworth-wellsford@nzta.govt.nz

**Application description:** Waka Kotahi - The New Zealand Transport Agency has applied for a Notice of Requirement to amend the Auckland Unitary Plan and applied for associated Regional Resource Consents to enable the construction, operation and maintenance for a new four lane state highway. Key components of the proposal include a four lane dual carriageway, three interchanges, twin bore tunnels under Kraack Road, a viaduct over the existing SH1 and Hoteo River, a bridge over Maeneene Stream, a series of cut and fills across the project area and changes to local roads. Resource consents are required in relation to earthworks, vegetation removal, structures and associated temporary works in, on, under or over watercourses and wetlands, diversion of streams and ground water, discharge to air, and stormwater management including the on-going stormwater discharge from the road surface.

### Submitter contact details

**Full name:** Julia Withers

**Organisation name:**

**Contact phone number:** 0274338581

**Email address:** julia.anne2406@gmail.com

**Postal address:**  
250 Silver Hill Road  
RD 5  
Wellsford 0975

### Submission details

**This submission:** is neutral regarding the application in whole or in part

**Specify the aspects of the application you are submitting on:**

Noise disruption  
Dust nuisance

Heavy machinery in operation causing vibration damage to buildings and property  
Longevity of the project causing prolonged stress on animals  
Planting alongside the motorway to restore the natural vista of the rural land and provide a barrier for lights and noise.  
Tranquil lifestyle property - a place of respite for many - will have seven years of being next to a major work site.

**What are the reasons for your submission?**

As the owner of a property bordering directly onto the proposed motorway land near Te Hana, I have some major concerns.

Firstly, I do endorse the value of the motorway extension as it will certainly aid the flow of traffic to the North and provide a safe new roading alternative to the one that is used currently.

However, I do have concerns as to the impact on my property with regard to excessive noise which will unsettle the animals on my land and surrounding farms. This could have flow on effects such as reduced fertility, an increase in anxious or stressed behaviour resulting in broken fences and gates etc

A major concern - especially as this project is predicted to last seven years, is the vibrations caused by the heavy machinery has the potential to damage property and buildings.

After spending the last fifteen years extensively rennovating a 1930's home and property, the potential for excessive dust to infiltrate the restored wooden joinery is a potential problem.

Aso, a steady stream of car lights will have a longterm effect on the rural aspect and outlok from my property.

Strategic plantings will need to be undertaken to restore the natural farmland contours and shield existng housing from both car lights and noise (during and after the completion of the project)

Finally, after choosing to leave the city and move to a very rural peaceful location- and after spending years restoring a beautiful old homestead and surrounds, and creating a place that many stay and spend respite time in - it is disappointing that this lifestyle opportunity will not be able to be enjoyed to it's fullest extent, for the best part of a decade, in the way in which it has been painstakingly and lovingly created to be.

**What decisions and amendments would you like the council to make?**

Provide avenues of communciation and readily available compensation for any damage caused directly or indirectly during the seven year project. Especially (but not limited to) dust, noise and vibration damage.

Provide extensive plantings that will act as a visual and sound barrier to the noise and lights of continuous traffic accessing the completed mototrway.

**Are you a trade competitor of the applicant?** I am not a trade competitor of the applicant.

**Do you want to attend a hearing and speak in support of your submission?** No

**If other people make a similar submission I will consider making a joint case with them at the hearing:** No

**Supporting information:**

## Amy Cao

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**From:** NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz  
**Sent:** Monday, 29 June 2020 6:30 AM  
**To:** Central RC Submissions  
**Cc:** warkworth-wellsford@nzta.govt.nz  
**Subject:** BUN60354951 [ID:10666] Submission received on notified resource consent  
**Attachments:** CBT Wellsford Submission.pdf

We have received a submission on the notified resource consent for Land between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hoteo River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana. .

## Details of submission

### Notified resource consent application details

**Property address:** Land between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hoteo River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana.

**Application number:** BUN60354951

**Applicant name:** Waka Kotahi - New Zealand Transport Agency

**Applicant email:** warkworth-wellsford@nzta.govt.nz

**Application description:** Waka Kotahi - The New Zealand Transport Agency has applied for a Notice of Requirement to amend the Auckland Unitary Plan and applied for associated Regional Resource Consents to enable the construction, operation and maintenance for a new four lane state highway. Key components of the proposal include a four lane dual carriageway, three interchanges, twin bore tunnels under Kraack Road, a viaduct over the existing SH1 and Hoteo River, a bridge over Maeneene Stream, a series of cut and fills across the project area and changes to local roads. Resource consents are required in relation to earthworks, vegetation removal, structures and associated temporary works in, on, under or over watercourses and wetlands, diversion of streams and ground water, discharge to air, and stormwater management including the on-going stormwater discharge from the road surface.

### Submitter contact details

**Full name:** Jodi Johnston

**Organisation name:** Campaign for Better Transport

**Contact phone number:** 0274162909

**Email address:** convenor@bettertransport.org.nz

**Postal address:**

PO Box 674  
Shortland Street  
Auckland 1140

### Submission details

**This submission:** is neutral regarding the application in whole or in part

**Specify the aspects of the application you are submitting on:**

Refer attached



**What are the reasons for your submission?**

Refer attached

**What decisions and amendments would you like the council to make?**

Refer attached

**Are you a trade competitor of the applicant?** I am not a trade competitor of the applicant.

**Do you want to attend a hearing and speak in support of your submission?** Yes

**If other people make a similar submission I will consider making a joint case with them at the hearing:** Yes

**Supporting information:**

CBT Wellsford Submission.pdf



29 June 2020

Auckland Council  
Resource Consents  
**AUCKLAND**

*Submitted online*

CC: [warkworth-wellsford@nzta.govt.nz](mailto:warkworth-wellsford@nzta.govt.nz)

Dear Sir/Madam

## **RESOURCE CONSENT APPLICATION FOR A FOUR-LANE STATE HIGHWAY BETWEEN WARKWORTH AND WELLSFORD**

**REFERENCE: BUN60354951, LUC60354952, LUS60354955, WAT60354953, WAT60355184, WAT60356979, DIS60354954, LUC60355185, DIS60355186**

The Campaign for Better Transport Incorporated (CBT) wish to put forward our comments in relation to the proposed four-lane state highway between Warkworth and Wellsford (referred to in this submission as the proposed Warkworth to Wellsford highway).

### **View**

The CBT is neutral in relation to the proposed Warkworth to Wellsford highway.

### **Discussion**

The CBT has always been concerned about the level of focus on roading projects above alternate transport projects that can achieve the same objective, whilst being more economical and resulting in reduced costs to society. However, concern about the level of focus on road spending does not equate to an opposition to all roading projects. Indeed, there are times and places where a roading project can make sense.

The construction of a rural four-lane state highway where there are limited other transport options is one of those areas where a roading project can make sense. Of course, balance needs to be achieved with the other needs and objectives of our limited transport budget.

Bearing this in mind, there are several points that influenced our neutral view:

1. The proposed Warkworth to Wellsford highway would only be constructed in around 2030. This gives several years for transport funds to be spent on alternate projects before coming back to being spent on this route.
2. The resource consent only provides for route protection and construction when the funding is available. Questions of funding are handled through other processes such as the Government Policy Statement. The existence of a designation does not make construction a fait accompli.
3. While the existing state highway between Warkworth and Wellsford can be improved for safety purposes, there is only so much that can be done in the context of increasing traffic levels and the competing demands of through traffic and local traffic. It will reach a point at



# Campaign For Better Transport

some point in the future where a new road is likely to be needed. It is better to set aside a corridor now for this future need than to incur significant cost should attempts be made to acquire a corridor in the future where development has taken place in the interim.

## Traffic Levels

We are concerned there has been minimal analysis done as part of the resource consent application of the level of traffic expected for points south of Warkworth. The CBT anticipates that the induced demand generated consequent the construction of the proposed Warkworth to Wellsford highway would have a flow through to the existing State Highway 1<sup>1</sup> south of Warkworth. This increased traffic level would make congestion on the route worse and we are concerned sufficient mitigation measures are not being considered to reduce the negative impact of increased traffic south of Warkworth.

## Mitigation

As mentioned above, we would expect the construction of the proposed Warkworth to Wellsford highway would result in an increase in traffic on the existing State Highway 1 south of Warkworth. We suggest the New Zealand Transport Agency are required to include the following mitigation measures as conditions of the Resource Consent:

1. Design and construction of a bus interchange in Warkworth as proposed under Transport for Future Urban Growth.
2. Investigation into a potential extension of the Northern Busway beyond Silverdale in order to mitigate the impact of increased traffic caused by the proposed Warkworth to Wellsford highway on the existing State Highway 1 south of Warkworth.

For completeness, should a Northern Busway extension be considered as a suitable mitigation measure, we urge that it be designed for future conversion to rail.

If you have any questions in relation to our submission, please contact us.

Yours faithfully

**The Campaign for Better Transport Incorporated**

Jodi Johnston (Mr.)

**Convenor**

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<sup>1</sup> For the purposes of this submission, a reference to the existing State Highway 1 south of Warkworth specifically relates to the Puhoi to Warkworth section currently under construction and due for opening in 2021.

**Amy Cao**

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**From:** NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz  
**Sent:** Monday, 29 June 2020 11:30 AM  
**To:** Central RC Submissions  
**Cc:** warkworth-wellsford@nzta.govt.nz  
**Subject:** BUN60354951 [ID:10670] Submission received on notified resource consent  
**Attachments:** 3375A (003).pdf; Directly Affected\_3375 - Proposed plan and impact to SPL Glass House Design.pdf; C5 and C6 Glass House Design.pdf

We have received a submission on the notified resource consent for Land between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hoteo River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana. .

## Details of submission

### Notified resource consent application details

**Property address:** Land between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hoteo River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana.

**Application number:** BUN60354951

**Applicant name:** Waka Kotahi - New Zealand Transport Agency

**Applicant email:** warkworth-wellsford@nzta.govt.nz

**Application description:** Waka Kotahi - The New Zealand Transport Agency has applied for a Notice of Requirement to amend the Auckland Unitary Plan and applied for associated Regional Resource Consents to enable the construction, operation and maintenance for a new four lane state highway. Key components of the proposal include a four lane dual carriageway, three interchanges, twin bore tunnels under Kraack Road, a viaduct over the existing SH1 and Hoteo River, a bridge over Maeneene Stream, a series of cut and fills across the project area and changes to local roads. Resource consents are required in relation to earthworks, vegetation removal, structures and associated temporary works in, on, under or over watercourses and wetlands, diversion of streams and ground water, discharge to air, and stormwater management including the on-going stormwater discharge from the road surface.

### Submitter contact details

**Full name:** Blair Morris

**Organisation name:** Southern Paprika Limited

**Contact phone number:** 0275252560

**Email address:** Blair@spl.nz

### Postal address:

Po Box 614  
Warkworth  
Warkworth 0941

### Submission details

**This submission:** opposes the application in whole or in part

**Specify the aspects of the application you are submitting on:**

Impact of the proposed designation

The proposed designation boundary impacts your property at 476 Woodcocks Road, Streamlands, Auckland 0981.

Land acquisition

Route protection is one stage of project development. Construction of the Warkworth to Wellsford project is unlikely to occur within the next 10 years, therefore the Transport Agency is not currently seeking to purchase any property.

Property negotiations typically commence 2-3yrs before a project construction start date.

**What are the reasons for your submission?**

Auckland Council is aware that Southern Paprika has obtained resource consent to construct an additional 14 hectares of glass houses, in two stages. That resource consent BUN60315127 was granted on 14th June 2018 and is therefore valid until 14th June 2023. The establishment of two of these glass houses is important to the long term success and viability of the Southern Paprika business in this location. The proposed land take will affect the proposed 6 hectare and the proposed 4-hectare glass houses planned for the eastern side of the property.

The revised 'land take' will still affect the 4-hectare glass house, but may be clear of the 6-hectare glasshouse. This is an improvement of the previous plan and this is acknowledged. However, there will still be issues with respect to the required yard setback for the Rural Production zone, which is 12-metres. This infringement is likely to require a new resource consent to be obtained. There is no certainty that such a resource consent would be granted. The proximity to the proposed new road will also potentially generate issues relating to the proximity of the glass houses to the road. The mitigation of these effects will reduce the area of useable land and further impact the property.

**What decisions and amendments would you like the council to make?**

In order for Southern Paprika Limited to be able to implement the resource consent as intended, and to not compromise the ultimate success of the planned business endeavor; certainty as to the impact of the Warkworth to Wellsford project on the land is required as soon as possible. Southern Paprika would therefore require the project design to exclude any land requirement of 476 Woodcocks Road and a final proposal from NZTA to reflect this as soon as is practicable.

If the project design requires compulsory acquisition of some of Southern Paprika's land, Southern Paprika Limited requires certainty that the existing resource consent will be able to be implemented; or that the Agency will address the costs of having to obtain a new consent; and also provide approval to any yard infringements affecting the proposed designation boundary, or potentially a future property boundary. In addition to the actual area of land required; the loss of useable land associated with providing mitigation to manage the effects of glass houses on a future road will also need to be borne by the Agency, along with the cost of operational efficiency loss as a result of the reduced scale and the Glass House redesign costs.

We look forward to working with you further and hope that the extent of land required may be able to be reduced to a point where the current consented glass house proposal, is not jeopardized.

**Are you a trade competitor of the applicant?** I am not a trade competitor of the applicant.

**Do you want to attend a hearing and speak in support of your submission?** Yes

**If other people make a similar submission I will consider making a joint case with them at the hearing:** No

**Supporting information:**

3375A (003).pdf

Directly Affected\_3375 - Proposed plan and impact to SPL Glass House Design.pdf

C5 and C6 Glass House Design.pdf

March 2020

Southern Paprika Limited  
PO Box 614  
Warkworth 0941

Dear Southern Paprika Limited

**Property: 476 Woodcocks Road, Streamlands, Auckland 0981, Lot 2 DP 511457**

**Ara Tūhono Pūhoi to Wellsford project - Warkworth to Wellsford section**

The NZ Transport Agency has written to you previously to outline the potential impacts of the second stage of the Ara Tūhono Pūhoi to Wellsford Project on your property (*the Project*).

Our last letter in November 2018 presented the Indicative Alignment for the Project within the proposed designation boundary. The letter included two maps of your property, so you could see the change (if any) between the Indicative Route (January 2017) and the Indicative Alignment (November 2018).

This letter is to advise you that the Transport Agency has now lodged the Notice of Requirement and resource consent applications with Auckland Council for the Project.

**Impact of the proposed designation**

The proposed designation boundary impacts your property at 476 Woodcocks Road, Streamlands, Auckland 0981.

Please find enclosed with this letter a Land Requirement plan which shows the area of your property within the proposed designation boundary (subject to survey).

If the proposed designation is confirmed, this is the area of your property that will be required at some stage in the future for the state highway.

**Land acquisition**

Route protection is one stage of project development. Construction of the Warkworth to Wellsford project is unlikely to occur within the next 10 years, therefore the Transport Agency is not currently seeking to purchase any property. Property negotiations typically commence 2-3yrs before a project construction start date.

We have enclosed some information relating to land acquisition, including answers to frequently asked questions.

**Next steps**

Once Auckland Council accepts the application, we will publish the documents on our website: [www.nzta.govt.nz/warkworth-wellsford](http://www.nzta.govt.nz/warkworth-wellsford)

There will also be opportunities to read the application at both the Warkworth and Wellsford libraries.

This will allow people time to read the application prior to Council notifying the proposal and calling for submissions.

While the timing of public notification is determined by Council, we anticipate this will occur approximately 1-2 months after Council has accepted the application.


As you are directly affected by the Notice of Requirement to designate land for the Project, Auckland Council will notify you directly and invite you to make a submission.

Availability of information online, as well as at both Warkworth and Wellsford libraries, will be confirmed in the coming weeks.

If you have further queries about the Project, please contact us on:

Email: [Warkworth-wellsford@nzta.govt.nz](mailto:Warkworth-wellsford@nzta.govt.nz)  
Phone: 0508 927 2935 (0508 WAR2WELL)

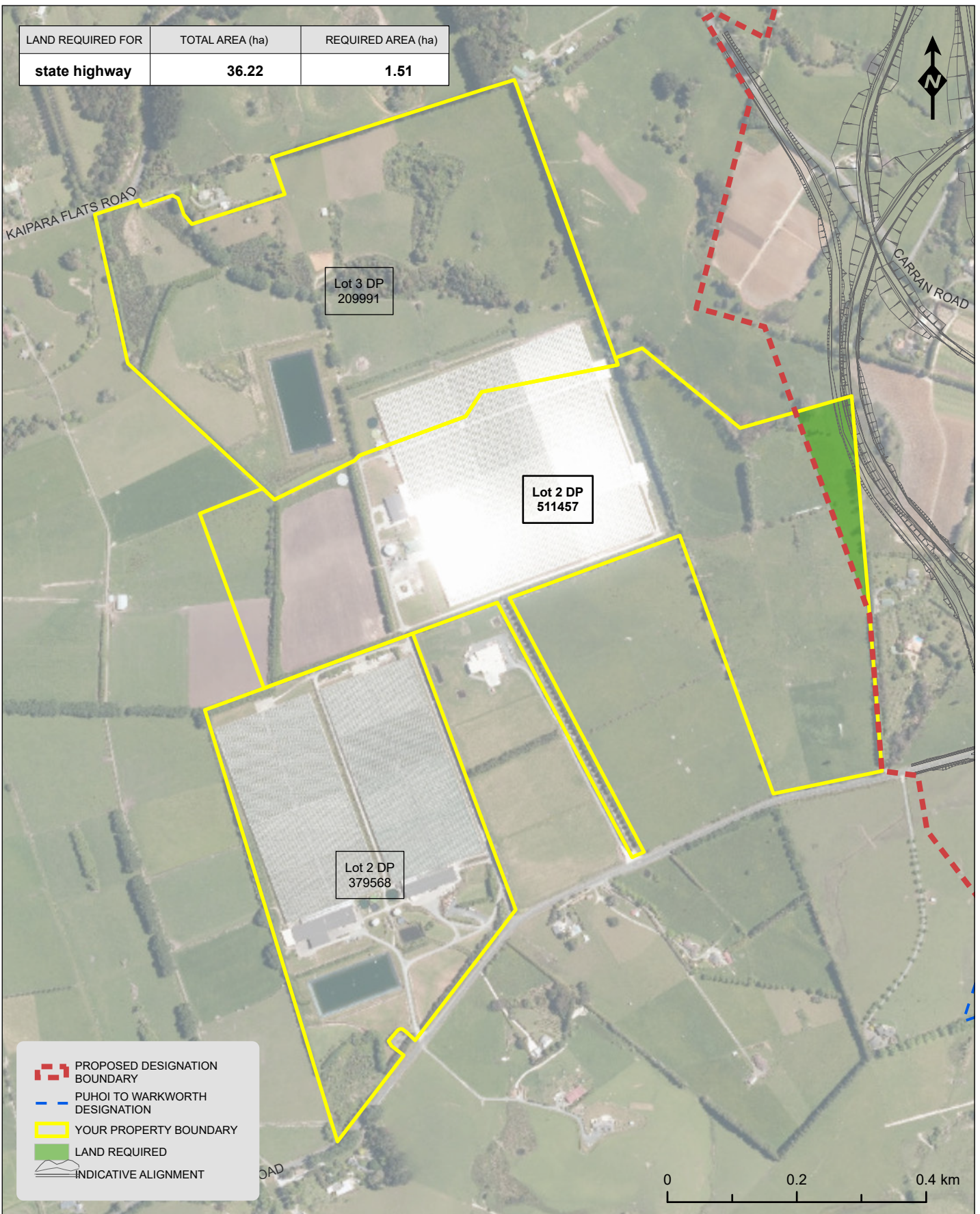
Yours sincerely








**Robyn Elston**  
Senior Manager, System Design  
NZ Transport Agenc



LAND REQUIRED FOR	TOTAL AREA (ha)	REQUIRED AREA (ha)
state highway	36.22	1.51



-  PROPOSED DESIGNATION BOUNDARY
-  PUHOI TO WARKWORTH DESIGNATION
-  YOUR PROPERTY BOUNDARY
-  LAND REQUIRED
-  INDICATIVE ALIGNMENT

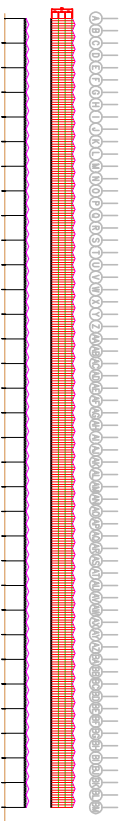
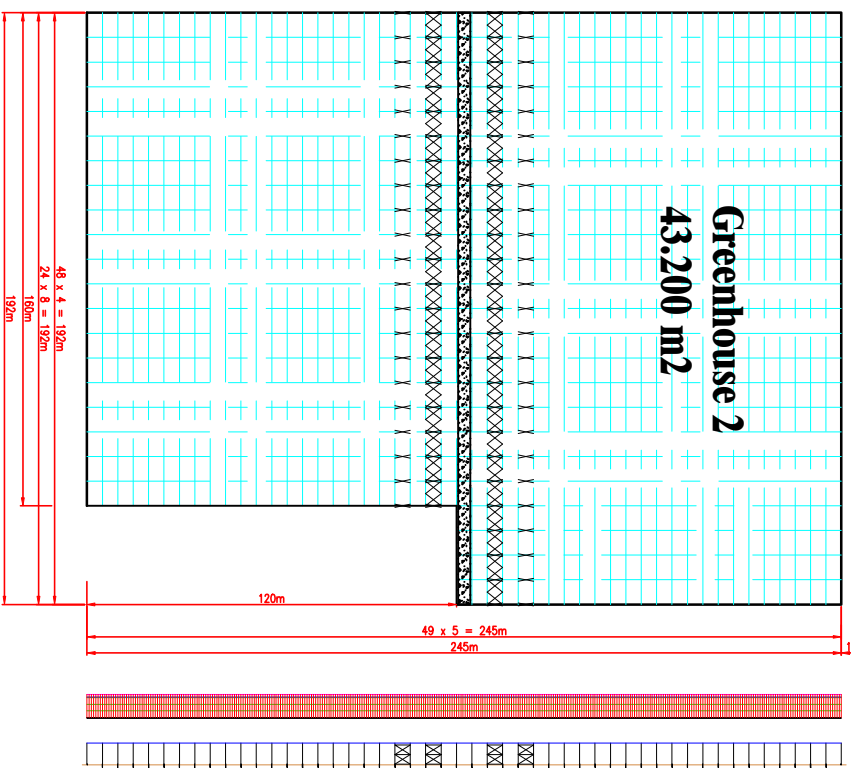
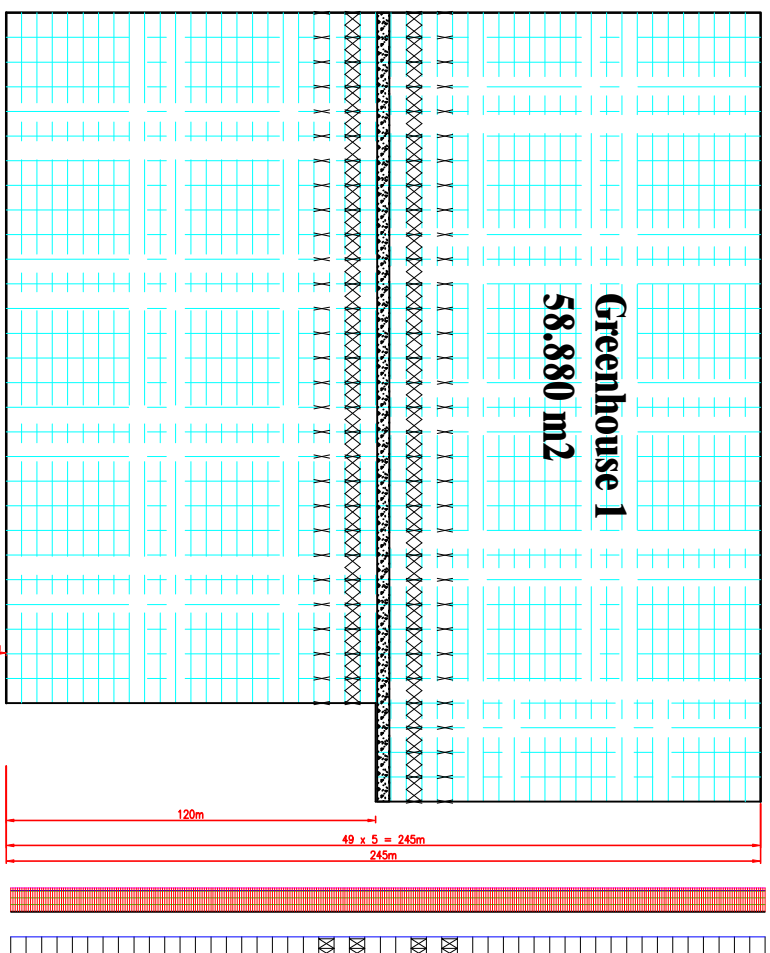
**Owner ID: 3375 A**  
MARCH 2020

Southern Paprika Limited

- NOTES
1. Property Boundary data derived from Land Information New Zealand
  2. This map shows where the proposed designation boundary crosses your property and the area of land required (Subject to survey)
  3. This plan may not include all the land in your ownership over a wider area



**Total Surface  
102.080 m<sup>2</sup>**



This drawing is NOT suitable for permitting and/or any site-related work

Date: 10-12-2019

Offernumber: -- Drawingnumber: 001 Engineer: ED

Title: Southern Paprika Layout

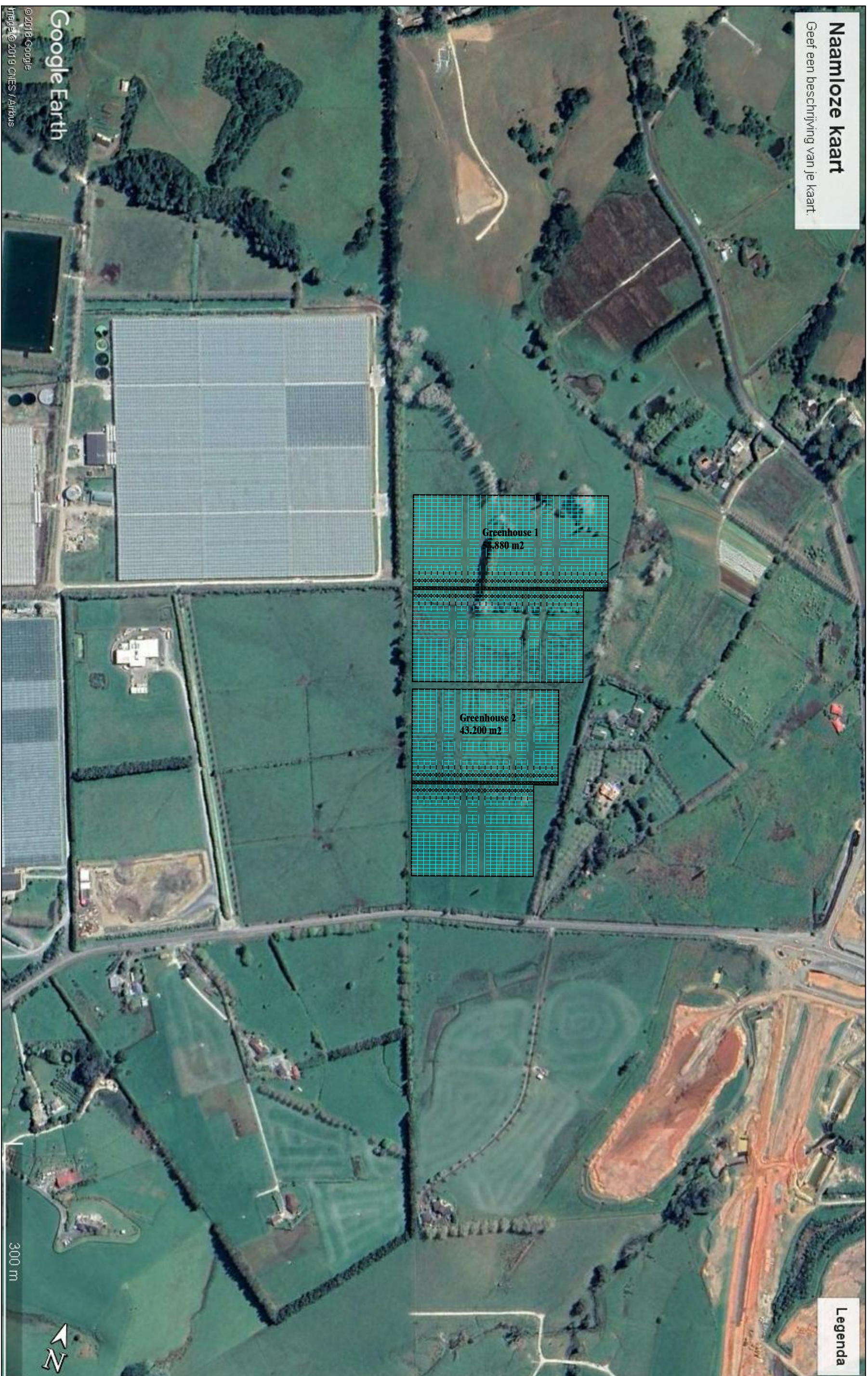
Client: --  
Address: --  
City: --  
Phone: --  
Fax: --  
Email: --

KUBO Greenhouse Projects B.V.  
Vollaan 710  
2681 TX Monster  
tel: 0174-286161  
fax: 0174-213609  
www.kubo.nl



# Naamloze kaart

Geef een beschrijving van je kaart.



Legenda

This drawing is NOT suitable for permitting and/or any site-related work

Date: 10-12-2019

Offernumber: -- Drawingnumber: 001 Engineer: ED

Title: Southern Paprika Layout

Client: --  
Address: --  
City: --  
Phone: --  
Fax: --  
Email: --

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2881 TX Monster  
tel: 0174-286161  
fax: 0174-213609  
www.kubopro.nl

**KUBO**  
SUSTAINABLE GREENHOUSE PROJECTS



## Amy Cao

---

**From:** NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz  
**Sent:** Monday, 29 June 2020 1:00 PM  
**To:** Central RC Submissions  
**Cc:** warkworth-wellsford@nzta.govt.nz  
**Subject:** BUN60354951 [ID:10671] Submission received on notified resource consent  
**Attachments:** Submission of Hōkai Nuku WW2W v290620.pdf; WW2W CEA final 2020.pdf

We have received a submission on the notified resource consent for Land between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hoteo River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana. .

## Details of submission

### Notified resource consent application details

**Property address:** Land between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hoteo River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana.

**Application number:** BUN60354951

**Applicant name:** Waka Kotahi - New Zealand Transport Agency

**Applicant email:** warkworth-wellsford@nzta.govt.nz

**Application description:** Waka Kotahi - The New Zealand Transport Agency has applied for a Notice of Requirement to amend the Auckland Unitary Plan and applied for associated Regional Resource Consents to enable the construction, operation and maintenance for a new four lane state highway. Key components of the proposal include a four lane dual carriageway, three interchanges, twin bore tunnels under Kraack Road, a viaduct over the existing SH1 and Hoteo River, a bridge over Maeneene Stream, a series of cut and fills across the project area and changes to local roads. Resource consents are required in relation to earthworks, vegetation removal, structures and associated temporary works in, on, under or over watercourses and wetlands, diversion of streams and ground water, discharge to air, and stormwater management including the on-going stormwater discharge from the road surface.

### Submitter contact details

**Full name:** Gena Moses-Te Kani

**Organisation name:** Hōkai Nuku

**Contact phone number:** 021360886

**Email address:** gena@hokainuku.co.nz

**Postal address:**

PO Box 404260  
Pūhoi  
Pūhoi 0951

### Submission details

**This submission:** supports the application in whole or in part

**Specify the aspects of the application you are submitting on:**

- definition of mana whenua

- D43-47;
- cultural indicators timing D15 and RC8; take into account D16 & RC9; "where practicable" DC17 and RC 10
- collaboration with mana whenua D49, D57, D79
- ecological outcomes D54, D63, D16e, D64
- landscape design D49, D19
- accidental discovery D82-84
- cultural monitoring D20-23
- waterways D54-63
- unrecorded burial sites

**What are the reasons for your submission?**

**What decisions and amendments would you like the council to make?**

Recommendation – whole of submission point

3.10 Amend the definition of Mana Whenua in the Resource and Designation Conditions to 'Māori who can demonstrate customary rights through occupation to resources within the Project designation, and who have responsibilities as kaitiaki over their tribal lands, waterways and other taonga'.

AND

Add a condition to the Mana Whenua Resource and Designation Conditions that requires Waka Kotahi to appoint an Iwi Advisor, nominated by Hōkai Nuku, who will undertake the roles and responsibilities set out in the conditions.

5.6 Amend Designation Condition 15 and Resource Consent Condition 8 to read 'At least 12 months prior to start of detailed design of the Project, the Requiring Authority shall invite Hōkai Nuku Iwi and Hapū to prepare a Cultural Indicators Report for the Project. The Cultural Indicators Report should be completed at least 6 months before the start of detailed design. The purpose of the Cultural Indicators Report is to assist with the protection and management of Ngā Taonga Tuku Iho (treasures handed down by our ancestors) during Construction Works'.

5.7 Add to Designation Condition 16 and Resource Consent Condition 9 to require the stipulated plans to take into account the whole Cultural Indicators Report when being prepared.

5.8 Clarify the criteria for assessing 'where practicable' in relation to Designation Condition 17 and Resource Consent Condition 10.

6.8 Amend Designation Condition 49 to include Hōkai Nuku Iwi and Hapū as collaborators on the preparation of the ULDMPs.

6.9 Amend Designation Condition 57 Ecology Management Plan (EMP) to include Hōkai Nuku Iwi and Hapū as collaborators.

6.10 Amend Designation Condition 79 Heritage and Archaeological Management Plan (HAMP) to include Hōkai Nuku Iwi and Hapū as collaborators.

7.6 Add to Designation Condition 63 Restoration Planting and Habitat Rehabilitation so that the Requiring Authority must also consider the identified opportunities for restoration and enhancement of Mauri and Mahinga kai in Designation Condition 16e (Mana Whenua).

7.8 Amend Designation Condition 64h by removing 'where feasible and practicable to do so'.

8.3 Amend draft Designation Condition 49b (xv) to read 'Design and landscape features to acknowledge cultural values relating to landscape design identified through condition 16(f).'

8.4 Add Designation Condition 49b (xvi) to read 'Design and landscape features to acknowledge the recommendations of the Cultural Artworks Plan (if prepared), where feasible and practicable to do so.'

8.5 Support Designation Condition 19 Cultural Artworks Plan (subject to recommendation 3.10 re. Mana Whenua definition and Iwi Advisor position).

12.2 Hōkai Nuku and Waka Kotahi to continue to work together to gather information about potential unrecorded burial sites. This information will be used to help decide the final alignment.

**Are you a trade competitor of the applicant?** I am not a trade competitor of the applicant.

**Do you want to attend a hearing and speak in support of your submission?** Yes

**If other people make a similar submission I will consider making a joint case with them at the hearing:** No

**Supporting information:**

Submission of Hōkai Nuku WW2W v290620.pdf

WW2W CEA final 2020.pdf



***Ara Tūhono –  
Warkworth to Wellsford***  
**Hōkai Nuku Cultural Effects Assessment**

16 March 2020

**Prepared for:** Auckland Council and Waka Kotahi New Zealand Transport Agency

**Prepared by:** Hōkai Nuku, with Gena Moses-Te Kani, Rasheeda Woolford, Richelle Kahui-McConnell and Charmaine Bailie

Revision	Author	Reviewer		Approved for Issue		
		Name	Signature	Name	Signature	Date
16/03/18	GMTK	Hōkai Nuku Cultural Advisors		Hōkai Nuku Cultural Advisors		
16/07/19	GMTK	Hōkai Nuku Technical Advisors		Hōkai Nuku Board of Directors		
03/03/20	GMTK	Hōkai Nuku Cultural Advisors		Hōkai Nuku Board of Directors		16/3/20

# GLOSSARY

The table below sets out the technical abbreviations.

<b>Abbreviation/ acronym</b>	<b>Term</b>
AEE	Assessment of Effects on the Environment
AUP	Auckland Unitary Plan Operative in Part
CEA	Cultural Effects Assessment
Council	Auckland Council
RMA	Resource Management Act 1991
Transport Agency	NZ Transport Agency
ULDF	Urban and Landscape Design Framework

The table below sets out the defined terms (and some acronyms above apply)

<b>Term</b>	<b>Definition</b>
Ahi kaa	Burning fires of occupation
Aotearoa	New Zealand
Archaeological site	As defined in section 6 of the Heritage New Zealand Pouhere Taonga Act 2014
Awa	River
Canopy	Tallest layer of the forest
Conditions	Conditions placed on a resource consent (pursuant to section 108 of the RMA) or conditions of a designation (pursuant to subsection 171(2)(c) of the RMA)
Designation	As defined in section 166 of the RMA
Designation boundary	The boundary of the notice of requirement lodged with this application, including as may be amended

<b>Term</b>	<b>Definition</b>
Diversion of stormwater	As defined in section J1 of the AUP
Earthworks	As defined in section J1 of the AUP
Ephemeral stream	As defined in section J1 of the AUP
Erosion control	Methods to prevent or minimise the erosion of soil, in order to minimise the adverse effects that land disturbing activities may have on a receiving environment
Fish passage	The movement of fish between the sea and any river, including up-stream or downstream in that river
Hapū	Large kinship group, subtribe
Hauhake	Harvest
Indicative Alignment	An indicative design alignment assessed by the technical experts that may be refined on detailed design within the Designation Boundary
Iwi	Extended kinship group, tribe, nation
Kāinga	Villages, settlement, home
Kaitiakitanga	Guardianship, stewardship
Kohatu	Rock
Kohikohi	Gather
Mahinga Kai	Cultivated food, food-gathering place
Mana Tangata	Authority of the people
Mana Whenua	Authority from the land or over the land
Mātauranga	Knowledge, wisdom
Mauri	The essential quality and vitality of a being or entity
Highway	Means a highway declared as such by the Governor-General under section 138 of the PWA or under section 71 of the Government Roading Powers Act 1989



<b>Term</b>	<b>Definition</b>
Ngāhere	Forestry
Nohonga	Seasonal camp sites
Pā	Fortified Village
Permanent river or stream	As defined in section J1 of the AUP
Project	The Ara Tūhono Wellsford to Pūhoi Road of National Significance: Warkworth to Wellsford section
Project area	The area within the proposed Designation Boundary, and immediate surrounds to the extent Project works extend beyond this boundary. <i>Note: this definition is subject to refinement (it is noted that some expert assessment will require consideration of effects/ mitigation outside the designation boundary)</i>
Project works	All proposed activities associated with the Project
Pūtake	Cause or reason
Rangatira	To be of high rank, Chief
Repo	Wetland
Rohe	Territory, area
Rongoā	Remedy, treatment, medicine
Tāmaki Makaurau	Auckland
Tangata Whenua	Indigenous people
Taonga	A treasured/ highly prized object or natural resource
Taonga Tūturu	Artefacts such as tools and implements
Te Taiao	The natural environment
Te Tiriti o Waitangi	The Treaty of Waitangi (1840)
The Dome	The highest elevation within the Dome Forest Conservation Area

<b>Term</b>	<b>Definition</b>
Toa	Warrior
Tūpuna	Ancestors
Urupā	Burial ground
Wāhi Tapu	Sacred place
Whakapapa	Genealogy, genealogical connections
Whare	Building, house

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# 1. INTRODUCTION

## 1.1 Overview of the Project

Waka Kotahi NZ Transport Agency (Waka Kotahi) is lodging a Notice of Requirement (NoR) and applications for resource consent (collectively referred to as “the Application”) for the Ara Tūhono Warkworth to Wellsford Project (the Project), a four lane state highway approximately 26 kms long.

This report is part of a suite of technical assessments prepared to inform the Assessment of Effects on the Environment (AEE). This assessment report addresses the actual and potential cultural effects arising from the Project. It considers the effects of an Indicative Alignment and other potential effects that could occur if that alignment shifts within the proposed designation boundary when the design is finalised in the future.

## 1.2 Purpose and scope of this report

The purpose of this Cultural Effects Assessment (CEA) report is to identify and assess the potential effects of the Indicative Alignment and Designation for the Project on the cultural values and associated overall wellbeing of Hōkai Nuku and its constituent Hapū and Iwi groups. It is intended that the information shared by Hōkai Nuku will be used inform decision making in relation to the location and design of the highway and management of cultural effects during the planning, construction and on-going operation of the Project.

This report has been prepared largely as a desk top assessment with the input of Ngāti Manuhiri, Ngāti Mauku/Ngāti Kauae of Te Uri o Hau, Ngāti Rango of Ngāti Whātua o Kaipara and Te Rūnanga o Ngāti Whātua.

This is the second phase of the CEA, with the first phase identifying the relationships in the landscape through the Hōkai Nuku Cultural Footprint within and close to the proposed designation. This phase identifies the effects and begins to develop recommendations. Further field investigations are required to complete a full CEA as noted below.

## 1.3 Objectives

The Objectives of the Hōkai Nuku CEA are:

- a) Identify the **relationships** (through the cultural footprint model) that Hōkai Nuku has with the areas affected by the Project.
- b) Identify and assess the **effects** (cultural, environmental, economic and social) that the Project may have on Hōkai Nuku and their values and wellbeing.
- c) To inform Waka Kotahi and its advisors of any particular **culturally significant areas** and **taonga** along the route that may be affected by the Project\*.
- d) Develop **recommendations** regarding what Waka Kotahi, in collaboration with Hōkai Nuku, will do in order to avoid, remedy or mitigate any adverse effects on the interests of Hōkai Nuku.
- e) To develop an on-going process of engagement and collaboration with Waka Kotahi.

(\*It is at the discretion of Hōkai Nuku to determine the level of information that is disclosed around the location and nature of any wāhi tapu, cultural areas and taonga due to issues of sensitivity and security).

## 1.4 Hōkai Nuku

Hōkai Nuku has been asked by Waka Kotahi to provide a CEA for this Project. Hōkai Nuku is the alliance formed in 2010 by the mana whenua of the Project area, namely Ngāti Manuhiri, Ngāti Mauku/Ngāti Kauae of Te Uri o Hau, Ngāti Rango of Ngāti Whātua o Kaipara and Ngāti Whātua Iwi.

For clarification, mana whenua is understood by Hōkai Nuku to mean iwi, hapū, whānau and individuals who can demonstrate customary rights through occupation and governance of an area over a long period of time, and who can express this through whakapapa links, tikanga, historical narratives and names, and memories. Through long term occupation, or ahi kaa, people are tied to the land as kaitiaki. Ngāti Manuhiri, Ngāti Mauku/Ngāti Kauae, Ngāti Rango and Ngāti Whatua Iwi are the mana whenua of the Pūhoi to Te Hana area through which the highway will pass.

Representatives from each of the four groups sit on Hōkai Nuku offering expert advice to Waka Kotahi as required.

The purpose of Hōkai Nuku is to:

- collaborate on issues of mutual interest for Iwi and Hapū Members including cultural, social, environmental and economic interests;
- engage in partnerships with Crown agencies, Auckland Council and its subsidiaries and any other relevant stakeholder on issues of significance to the Iwi and Hapū Members collectively;
- provide specialist services which include:
  - Liaison, consultation and engagement with Iwi and Hapū Members;
  - Cultural advice to Crown agencies, Auckland Council and its subsidiaries, and any other relevant stakeholder;
  - Cultural impact assessments reports, and
  - Other services as agreed.

## 1.5 Legislative Framework

### 1.5.1 Te Tiriti o Waitangi (The Treaty of Waitangi)

Te Tiriti o Waitangi (Te Tiriti) is the foundation constitutional document of Aotearoa. Hōkai Nuku acknowledges the importance of Te Tiriti and particularly its significant role in the history of the Tāmaki Makaurau region. Beyond the initial signing at Waitangi on 6 February 1840, a number of meetings were held within the region where debates, similar to those at Waitangi, occurred amongst the local Iwi over the pros and cons of entering into an agreement with the Crown. The Treaty was signed on at least four occasions by tribal leaders on the Waitemātā and Manukau Harbours in 1840. The descendants of these leaders continue to maintain relationships with the Crown and local government today.

The Resource Management Act 1991 (RMA) Part 2 section 8 - Te Tiriti o Waitangi, states that “all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi”.

Te Tiriti, within an Hōkai Nuku context, provides a useful framework in assisting the formation of engagement models with local bodies and government agencies. Hōkai Nuku and its constituent Hapū and Iwi groups are

Treaty partners with the Crown. Given that Waka Kotahi is a government entity and Auckland Council, the consenting organisation, is a delegate of the Crown via local government, acknowledgement of this relationship and the obligations therein are of particular importance.

Waka Kotahi notes in its 'Working with Māori'<sup>1</sup> statement that "As a Crown agency, we acknowledge the status of Māori as tangata whenua – the indigenous people of Aotearoa New Zealand – and as partners with the Crown in the Treaty of Waitangi.

As a Crown agency, we:

- work to achieve the principles of the Treaty of Waitangi;
- extend the opportunity for Māori to participate in our decision making;
- build Māori capacity to contribute to our decision making; and
- consult with Māori wherever possible on activities that are likely to affect them or their interests.

We strive to build and maintain collaborative working relationships with Māori, and we also work with our colleagues from other government agencies to engage, communicate and to work with Māori."<sup>2</sup>

### **Hōkai Nuku Relationship Agreement with Waka Kotahi**

Hōkai Nuku has a relationship with Waka Kotahi based on a formalised Relationship Agreement with contracts and management arrangements with significant benefits for both parties. The principles underlying this agreement represent the principles contained in and intended by Te Tiriti, and include active protection of Hōkai Nuku rights and interests, reciprocity, rangatiratanga and informed decision-making. Hōkai Nuku regards the Relationship Agreement with Waka Kotahi to be an important non-regulatory tool to provide mana whenua of the Warkworth and Wellsford areas with the appropriate levels of participation and expectation as the highway is planned, constructed and operated.

Waka Kotahi has met regularly with Hōkai Nuku since 2010 to share information about the Project and the NoR process, and has sought feedback on a number of submission documents, including the Assessment of Environmental Effects and Designation and Resource Consent Conditions. These meetings have been undertaken in the spirit of mutual reciprocity and open exchange, and have allowed Hōkai Nuku the opportunity to reflect on the lessons learned from the Ara Tūhono, Pūhoi to Warkworth Project. Among the key lessons, and one that we have consistently asserted to Waka Kotahi, is that Hōkai Nuku must be collaborators, not consultants, on the formation of plans and frameworks that will have the greatest impact on our cultural heritage. For phase two of Ara Tūhono, these are; the Heritage and Archaeological Management Plan, Urban Landscape Design Framework and Urban Landscape and Design Management Plans, Construction and Environmental Management Plan, and Ecological Management Plan. Collaboration on these plans will allow Hōkai Nuku to contribute as intended by Te Tiriti within the limits of our capacity, and are mechanisms for our Hapū and Iwi members to assert their kaitiakitanga obligations and aspirations.

Hōkai Nuku is supportive of Waka Kotahi's environmental aspirations as stated in its Environmental and Social Responsibility Policy, in particular their commitment to "protecting and enhancing the natural, cultural and built environment, enhancing the quality of life for New Zealanders by improving community liveability including

<sup>1</sup> NZTA website – Working with Māori

<http://www.nzta.govt.nz/about-us/about-the-nz-transport-agency/working-with-communities/>

<sup>2</sup> ibid

land transport safety, taking appropriate account of the principles of the Treaty of Waitangi.”<sup>3</sup> Hōkai Nuku asserts that any infrastructure development must have a vision for an improved and enhanced environment at its core.

### 1.5.2 Resource Management Act 1991

The consideration of Hōkai Nuku relationships with the Project area has legal standing within various sections in Part 2 of the RMA, namely sections 6, 7, and 8. Decision makers exercising powers and functions under the RMA shall;

- **s6(e)**: ‘As a ‘matter of national importance’, recognise and provide for the relationship of Māori and their culture and traditions with their ancestral lands, water, areas, wāhi tapu, and other taonga’ and
- **s7(a)**: Have particular regard for kaitiakitanga
- **s8**: Take into account the principles of the Treaty of Waitangi<sup>4</sup>

Applicants for consents or permits under the RMA are required to identify all effects of an activity and then demonstrate, where adverse effects are identified, that they can satisfactorily *avoid, remedy or mitigate* such effects to an acceptable level. While there are well recognised tools and processes for assessing effects on most bio-physical matters as well as economic and social values, there are few recognised tools for undertaking assessments on the cultural wellbeing of tangata whenua. This lack of definition has often meant that ‘cultural effects’ are narrowly pigeon-holed as matters relating to wāhi tapu or heritage. While these matters are critically important, they are only a sub-set of all the effects that an activity might have on tangata whenua and their values. The framework of the four ‘wellbeings’<sup>5</sup> (cultural, environmental, social and economic) will be used to frame the discussion on the effects on Hōkai Nuku.

It is important to note that from a Māori perspective these effects cannot be easily compartmentalised, and that any effects will be felt throughout all other spheres. For example, any effect on te taiao (the environment) will deeply affect ngā tāngata (the people). All effects in this CEA report, be they bio-physical, social or economic, are considered cultural in so far as they affect to some degree the wellbeing of Hōkai Nuku as a cultural group.

### 1.5.3 Local Government Act 2002

As the consenting body for the Ara Tūhono, Warkworth to Wellsford, Auckland Council is obligated under Subpart 1 to consider the following when making significant decisions regarding land or water;

- **s77**: ‘take into account the relationship of Māori and their culture and traditions with their ancestral land , water, sites, waahi tapu, valued flora and fauna, and other taonga’<sup>6</sup>.

<sup>3</sup> NZTA – Environmental & Social Responsibility <https://www.nzta.govt.nz/about-us/about-the-nz-transport-agency/environmental-and-social-responsibility/environmental-and-social-legislation-and-policy/>

<sup>4</sup> Resource Management Act 1991, <http://www.legislation.govt.nz/act/public/1991/0069/232.0/whole.html#DLM231907>

<sup>5</sup> The Ministry for Culture and Heritage created a well-being model that includes cultural, environmental, social, and economic dimensions. See *Cultural well-being and local government. Report 1: Definition and context of cultural well-being*, <https://mch.govt.nz/sites/default/files/report1.pdf>

<sup>6</sup> Local Government Act 2002, <http://www.legislation.govt.nz/act/public/2002/0084/173.0/DLM170873.html>



## 1.6 Climate Change

Under the Climate Change Response (Zero Carbon) Act 2019 the Government has set a target of reducing New Zealand's net emissions of greenhouse gases to zero by 2050. Hōkai Nuku notes that there is presently a great deal of uncertainty around how this target will be achieved, and that there appears to be a contradiction between building roads to service fossil-fuelled vehicles and reducing our production of greenhouse gases. Hōkai Nuku also notes that there is potentially some positive climate related outcomes from the Project, primarily as a result of agricultural land being retired and restored, and possibly also some benefit from reduced traffic congestion. At this time Hōkai Nuku supports the development of infrastructure that will provide safer mobility within our rohe, improve productivity, improve ecosystem functionality and reduce carbon emissions, and encourages thoughtful planning and policies that promote alternatives to fossil-fuelled transportation for goods and passengers. We reserve the right to withdraw our support for the Project in the future should there be more government direction regarding compliance with the Act, or should the climate related risks of the Project be reassessed by Hōkai Nuku.

## 2. ASSESSMENT METHODOLOGY

### 2.1 Cultural Effects Assessment Process

A CEA is a tool that can be used to identify the potential effects that a proposed activity may have on a cultural group, in this case the alliance of Hapū and Iwi of Hōkai Nuku. As such this Hōkai Nuku CEA is an environmental management tool. It identifies the past, present, and future relationships, values and aspirations held by Hōkai Nuku. These values and aspirations will be recognised, protected and managed in decision-making relating to the Project.

A successful CEA will allow Hōkai Nuku to:

- a) UNDERSTAND and INFORM the proposed activity, by PARTICIPATING in planning and decision making at an early stage and throughout the project. This includes INFORMING and REVIEWING the draft application and/or all supporting information (such as technical reports, engineering assessments, archaeological records, etc.) and through workshops with the applicant and their advisors/consultants;
- b) IDENTIFY the relationships of Hōkai Nuku with the whenua and wai and ASSESS whether the statutory 'cultural' safeguards of the RMA (s 6(e), 7(a), 8) have been met;
- c) IDENTIFY the effects of the proposed activity on Hōkai Nuku and their values and determine the significance of the effects, assessed individually or collectively;
- d) Where significant adverse effects on Hōkai Nuku or their values are identified, ASSESS whether these can be avoided, remedied or mitigated; and
- e) MAKE RECOMMENDATIONS to the applicant on measures that Hōkai Nuku would like the applicant to take to recognise and protect the cultural values of Hōkai Nuku. This includes avoiding, remedying and mitigating adverse effects.

Measures to address any cultural issues will generally fall into the following categories:

- matters that can be addressed as conditions of designation, resource consent applications and other statutory authorisations.
- matters that cannot be addressed as resource consent conditions, but as agreements between Waka Kotahi and Hōkai Nuku.
- matters that are relationship based and are better addressed via a 'Memorandum of Understanding' or other such agreement.
- matters that cannot be resolved at this point but will be revisited as appropriate.

The methodology for undertaking the Hōkai Nuku CEA includes:

- A collective identification of key principles to be used to assess the impact or effects of proposed activities on the cultural values of Hōkai Nuku. These are detailed in section 2.2 and include: mauri; kaitiakitanga; Ki Uta, Ki Tai; hauhake/kohikohi;
- Development of a cultural footprint framework for the Indicative Alignment and Designation and surrounding landscape. This is detailed in section 2.3.

- Primary data gained from Hōkai Nuku Cultural Advisors and their Technical Advisors who represent the wider knowledge base and interests of their Hapū and Iwi;
- A review of background information provided by Waka Kotahi including design information and specialist environmental assessments;
- Review of all relevant and available documents including ecology, heritage, economic and social impact reports;
- Assessment of the likely effects on the Cultural Footprint;
- Discussion with Waka Kotahi's specialist advisors and project management;
- A review of statutory provisions relevant to the recognition and protection of Māori values and interests;
- Distribution of draft reports to Hōkai Nuku Cultural Advisors for feedback and incorporation into the CEA; and
- Presentation of the final CEA to Hōkai Nuku Board for formal endorsement of its contents.

## 2.2 Hōkai Nuku Cultural Values

Hōkai Nuku has identified key principles which have been used to assess the impact or effects of proposed activities on our cultural values. These are:

**Mauri** - All elements of the natural environment, including people, possess mauri and all forms of life are related. The interconnectedness of all things means that the wellbeing of any part of the environment will directly impact on the wellbeing of the people. **The primary objective of Māori environmental management is to maintain the integrity of mauri and the interconnectedness of all forms of life.**

**Kaitiakitanga** - Māori therefore, have an obligation to protect and enhance the mauri of natural resources, for the benefit of ourselves, other people living in our homeland and for future generations. This is highlighted in the following whakatauki:

*Toitū te marae a Tane, Toitū te Marae a Tangaroa, Toitū te Iwi*  
*If the land is well, and the water is well, the people will thrive*

Kaitiakitanga incorporates a strong social dimension involving the provision for, and management of, people (Kawharu, 1998). Kaitiakitanga is often interpreted one-dimensionally in legislation and policy to mean 'guardianship' or 'stewardship'<sup>7</sup>. While this is an important element of kaitiakitanga, it fails to account for the wider parameters of the 'rights' and 'responsibilities' that it encapsulates (Kawharu, 1998). The purpose of kaitiakitanga is threefold;

<sup>7</sup> This one-dimensional understanding of *kaitiakitanga* in legislation occurs in the Resource Management Act 1991 and the Fisheries Act 1996. Other legislation which refers to *kaitiakitanga* include the Education Act 1989 and the Conservation Act 1987.

"[Firstly]...to cement the Hapū's association with lands and resources and therefore its status. Second, to be able to receive something in return (for instance, food provided by Tāne and Papatūānuku), and not least of all, to maintain an economic and political resource base for future generations" (Kawharu, 1998, p.27).

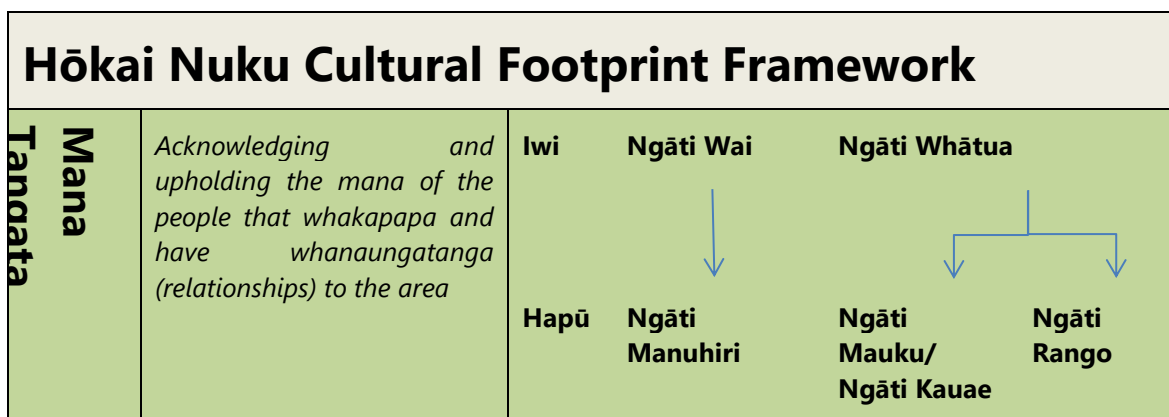
**Ki Uta, Ki Tai** (from inland to the sea) - The mauri of the waterways is viewed holistically to encapsulate the source of the waterway (mountains, springs and wetlands) to the sea. This reinforces the view that activities upstream also impact on the wellbeing of the river downstream and aligns with the integrated management of catchments. Hōkai Nuku also acknowledges Te Mana o Te Wai as referenced in the National Policy Statement for Fresh Water Management, and note the national values therein: to support the integrity of the waterway itself (a healthy ecosystem), and to maintain the connection between people and water.<sup>8</sup>

**Hauhake, Kohikohi** (harvest and gather) - The use of flora and fauna to sustain the people. The value Hōkai Nuku place on the environment includes its use by Māori and its ability to provide for healthy populations. For example, many of the areas impacted by the Project would have been used historically for food foraging, harvesting and collecting of rongoā (traditional medicines), among other activities, and one of the aspirations of Hōkai Nuku is to regenerate their whenua and wai to a state where these activities may once again be viable.

### 2.3 Hōkai Nuku Cultural Footprint Framework

A key focus of this report is to indicate to Waka Kotahi specific areas of cultural significance to Hōkai Nuku that should be avoided, protected or recognised in the process of assessing the proposed Project corridor. The Cultural Footprint Framework as outlined below, has been developed as a tool for this cultural effects assessment process. It expresses our connections to our ancestors (*Mana Tangata*), highlights iconic identity markers which provide reference points in our environment (*Mana Whenua*) and then notes specific associations through historical events and activities (*Pūtake*). This framework shows our cultural footprint on the landscape and when used in conjunction with the cultural values described in section 2.2, offers a position statement for describing the impact of activities on our cultural values.

The table below is an overview of the cultural footprint framework for Hōkai Nuku.



<sup>8</sup> Ministry for the Environment – National Policy Statement for Freshwater Management  
[https://www.mfe.govt.nz/sites/default/files/media/Fresh%20water/nps-freshwater-amended-2017\\_0.pdf](https://www.mfe.govt.nz/sites/default/files/media/Fresh%20water/nps-freshwater-amended-2017_0.pdf)

<b>Mana Whenua</b>	<i>Identifying the features of the physical landscape that are of particular cultural importance to the Mana Tangata, and explaining the relationship</i>	<b>Moana</b> (ocean) <b>Awa</b> (river) <b>Maunga</b> (mountain) <b>Pā</b> (fortified village) <b>Kāinga</b> (residential areas) <b>Urupa</b> (burial sites)
<b>Pūtake</b>	<i>Addressing the particular historical and contemporary issues relating to these areas, and any future aspirations</i>	<b>Tuku</b> (ceded/sold) <b>Raupatu</b> (confiscation) <b>Rāhui</b> (prohibition of use) <b>Tapu</b> (sacred/restricted)

**Mana Tangata** – Describes our whakapapa and tūpuna that connect us to this place. At any given time there were tūpuna of significance who had strong associations and connections to the whenua and surrounding areas.

**Mana Whenua** – Describes our rohe (area of interest) through our association with iconic cultural identity markers.

**Pūtake** – Describes events and activities which provide connections and rights to occupy or access areas and their associated resources. These may have been hereditary, relationship based or conquest rights (e.g. tuku or raupatu). They may have been related to sustaining the people (e.g. rāhui and mahinga kai), or preserving an area (e.g. tapu).

### 3. ASSESSMENT OF EFFECTS

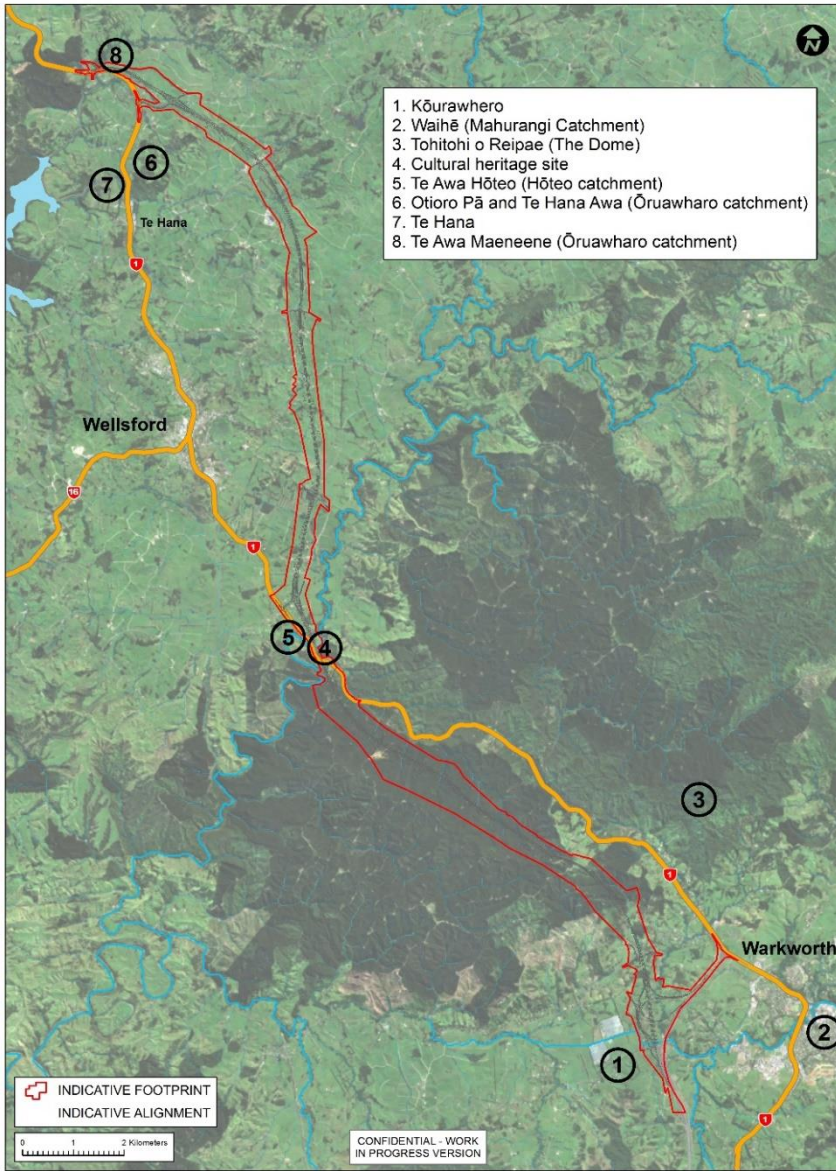


Fig.1 Hōkai Nuku Cultural Footprint

## 3.1 Cultural Footprint of Hōkai Nuku

### 3.1.1 Kōurawhero (includes Kōurawhero Awa)

#### **Mana Tangata**

Ngāti Manuhiri rangatira Te Kiri Kaiparaoa and Rahui Te Kiri were direct descendants of Manuhiri, the son of Makinui, who settled the Mahurangi coast and inland towards the Kaipara Harbour in the seventeenth century.

Arama Karaka Haututū and Te Hēmara Tauhia were descendants of both Makinui and Haumoewaarangi of Ngāti Whātua, who lived in the Kaipara.

#### **Mana Whenua**

The original boundary of the Ahuroa - Kōurawhero Blocks extended from present day Pūhoi Village to Te Tohitohi o Reipae (The Dome). Several important landscape markers are located at Kōurawhero, including Paekauri, Ngā Toka and the Kaitoto awa.

The ngahere area of Onehunga Valley (Kaipara Flats) is significant as it was the location of many urupā, extending up into the high points of Koihamu (Salts Hill), Paekauri, Te Kōhanga and Whāngaroa.

The Kōurawhero Awa is named for the native red freshwater crayfish, a valuable species that was considered a delicacy by Māori. The abundance of kōurawhero in this area was a source of mana to tangata whenua, who harvested them for their own consumption and for trade.

#### **Pūtake**

The urupā within the Kōurawhero Block boundaries were carefully identified during the Crown purchase and survey process but this was disregarded or the reserves were not made inalienable. Te Kiri Kaiparaoa fought to retain ownership of these wāhi tapu and in 1905 Rahui Te Kiri paid the Crown to ensure the urupā were protected. However this did not eventuate.

#### **Effects**

The Project designation passes through this area and earthworks may disturb urupā.

The low-lying landscape of the Kaipara Flats is within the original Kōurawhero Block and is currently pastureland but interspersed with native forest remnants (Kahikatea, Taraire and Podocarp broadleaf) and regenerating scrub. These pockets of forest contain a diverse vegetation community that is likely to support taonga species that are threatened and/or at-risk. Construction and habitat clearance will disturb animal behaviour (breeding, feeding, nesting, recruitment), their abundance and diversity. This will have a knock-on effect, as displacing fauna to neighbouring habitats increases competition for resources, reduces breeding success and increases exposure to predators through the loss of roost trees.

Kōurawhero holds native wetlands which are valuable to Hōkai Nuku as remnants of a taonga in an area that was once replete with them. Repo are valued for their cleansing and filtering processes, as freshwater and food sources, as well as for the life-preserving functions that they perform for local animal and plant life. The mosaic of wetland types within the upper Kōurawhero stream valley include suitable habitat for birds and at least one regionally significant plant species, the swamp Maire. They also provide cultural harvest materials and rongoā which ensure the continuation of matauranga, tribal traditions and a connection to the land. For example WN\_W\_Koura 02, 03 and 05 contain remnant pā raupō, an important weaving material.

Repo are acknowledged as nationally threatened ecosystems. Hōkai Nuku notes that the proposed new National Policy Statement for Freshwater Management signals a much stricter approach to the management of inland



wetlands in order to avoid their further loss and degradation across the country. In contrast, the Indicative Alignment proposes permanent loss of existing repo and their associated buffer forests. For example, the covenanted repo WN\_W\_Koura\_01 will be directly impacted by construction activities, the removal of much of WN\_T\_Koura\_01 whose remnant ngahere shelters its headwaters, as well by hydrological changes due to nearby diversion channels.

Construction will affect the essential function of repo, the habitat that they provide for fauna, and their ability to act as cultural sites of significance for tangata whenua. These impacts will negatively affect Ki Uta, Ki Tai: the wellbeing of the Hōteio and Mahurangi catchments as a whole. Hōkai Nuku is supportive of design that actively avoids destruction of existing repo, such as structures in place of culverts and diversions (for example, overbridge 22) and alignment modifications.

### **Kōurawhero Recommendations**

1. Acknowledge the Hōkai Nuku Cultural Footprint in the Urban Landscape Design of the Project including Kōurawhero.
2. A precautionary approach should be taken with regards to the Indicative Alignment until an archaeological survey can confirm the location of urupā, and if urupā are found, they should be avoided. Hōkai Nuku opposes the deliberate excavation of our tūpuna.
3. Undertake pre-construction investigation of possible urupā areas in Hōteio South, using an appropriate site suitability predictive process and field surveys.
4. Restrict streamworks within the Kōurawhero and Waiteraire awa (including water level changes) to the period Dec-March in order to protect breeding kōura females.
5. A precautionary approach should be taken with regards to the Indicative Alignment and proposed destruction of repo and connected forest sites until the new NPS for Freshwater Management provides direction. The proposed highway is new infrastructure, and represents an opportunity for best practice over a long-term planning horizon.

### **Ngā Awa – Catchment Recommendations**

6. Develop and implement in collaboration with Hōkai Nuku a set of mitigation principles to be considered within a wider environmental context. This will provide a cohesive and integrated approach to mitigation that is articulated throughout the designation and consent conditions (e.g. ecosystem restoration for wetlands and/or off-set mitigation outside of the designation) as well as landscape design (e.g. planting ratios and species that are informed by both cultural and ecological outcomes). This should take into account pre-construction mitigation and restoration (e.g. stock fencing wetlands and streams, on-going pest management).
7. Collaborate with Hōkai Nuku to plan opportunities for ecological and cultural restoration throughout the Project, to protect, link and enhance areas of value.
8. Hōkai Nuku to complete a full Ki Uta, Ki Tai Cultural Indicators Assessment of the Project Designation. Indicators will be identified for the Project and used to assess the effects of the construction and operation of the Project and develop specific management recommendations to mitigate these effects.
9. Hōkai Nuku Technical Advisors and/or Kaitiaki are to be present for all field work assessment from the commencement of project planning to determine more detailed effects.



10. Design and construction should avoid indigenous repo (wetlands) loss. Where this is not possible, repo of the same size or larger is to be created at a nearby location to offset the loss. Hōkai Nuku should be collaborators on the design, planting and on-going management of the indigenous repo, with appropriate funding and support provided.
11. Design and construction should avoid indigenous vegetation loss. Where this is not possible, seedbank and/or transplant remnant taonga identified by Hōkai Nuku to an agreed mitigation area or alternative location to ensure the whakapapa of the plant is not lost.
12. Culverts to be designed for optimum adaption so that at the time of construction, not consent, they are compliant with guidelines and best industry practice for fish passage.
13. Design and construction should limit works in waterways e.g locate bridge piers outside waterways, limit the numbers of tributaries effected by spoil sites, seek alternatives to temporary culverts and minimise the need for crossings.

### **Cultural Heritage Recommendations**

14. Develop a Hōkai Nuku approved guide to assist with implementing the Transport Agency Archaeological Accidental Discovery Protocol and Auckland Unitary Plan Accidental Discovery Protocol.
15. Work with Hōkai Nuku to ensure that the appointed Project Archaeologist has expertise to work with mana whenua and that they maintain a collaborative partnership with Hōkai Nuku in order to create and implement a successful heritage management plan.
16. All contractors, including during the investigation phase will undergo a Hōkai Nuku Cultural Induction.
17. Implement the Hōkai Nuku Cultural Monitoring Protocol from the planning and investigation phase through to completion of the Project.
18. Kaitiaki appointed by Hōkai Nuku will monitor earthworks from the planning and investigation phase through to completion of the Project.
19. Ensure, once the Project Archaeologists has finished assessment, that Māori archaeological material can be relocated as close to the area it was unearthed, in collaboration with Hōkai Nuku.

### ***3.1.2 Waihē (Mahurangi River and Harbour)***

#### **Mana Tangata**

As descendants of Maki and his senior wife Rotu who occupied Te Korotangi Pā at the southern harbour entrance, Ngāti Manuhiri has a significant ancestral interest in Waihē. Ngāti Rango, as descendants of Maki and his second wife Paretutunganui also hold a shared interest in southern Waihē.

#### **Mana Whenua**

Places of particular significance to Ngāti Manuhiri include Kōurawhero, Maunganui, Motu Kauri, Puhinui, and Pukapuka urupā which remain at the head of the harbour. Places of significance to both Ngāti Manuhiri and Ngāti Rango include Ōpahi.

### **Pūtake**

The traditional name for the harbour originates from the fact that its resources were jealously guarded and fought over down the generations.

### **Effects**

The Project crosses the Mahurangi River and its tributaries in the Warkworth North section and this will have an effect on the mauri of the Mahurangi River catchment and Mahurangi harbour from a Ki Uta, Ki Tai perspective. Waihē is a significant mahinga kai which may be adversely impacted by increased sediment and run-off as a result of Project works, particularly in relation to bridge construction. Sediment accumulation over the decades has degraded Waihē. Hōkai Nuku is also concerned that loss of diverse native forest at WN\_T Mahu 02 will effect bird and insect connectivity between it and the riparian margin along the Mahurangi River (WN\_T\_Mahu 01). Furthermore WN\_T Mahu 02 contains taonga species including Kauri, which is under threat from disease, and Akatea (White Rata), a plant valued by our tūpuna for its strength.

Hōkai Nuku has completed limited field work with the Project Ecologists which has focused on the alignment rather than the full designation. Hōkai Nuku has not been able to complete a full Ki Uta, Ki Tai Cultural Indicators Assessment of the Project Designation. This information is required before more detailed effects can be determined.

### **Waihē Recommendations**

20. Acknowledge the Hōkai Nuku Cultural Footprint in the Urban Landscape Design of the Project including Waihē.

21. Design and construction should avoid loss of native forest, including at WN\_T\_Mahu 02. Where this is not possible, seedbank and/or transplant remnant fauna to a nearby mitigation area to ensure the whakapapa of the plant is not lost.

### **Ngā Awa – Catchment Recommendations – as per 3.1.1 recommendations 6-13**

## **3.1.3 Tohitohi o Reipae (The Dome)**

### **Mana Tangata**

The mountain takes its name from the ancient Tainui ancestress Reipae, who travelled north from the Waikato in the company of her sister, Reitū, the bride of a leading northern chief, Ueoneone. Unusually Reipae and Reitū travelled on the back of a large pouākai (eagle). On their journey they landed at Taurere o Reipae at Pākiri and then at Tohitohi o Reipae, where Reipae rested. At Whanga ā Reipae (Whangārei) Reipae met and married the leading Ngāi Tāhuhu rangātira, Tāhuhupōtiki. Ngāti Manuhiri are descendants of this union.

### **Mana Whenua**

Tohitohi o Reipae was an important traditional boundary marker.

### **Pūtake**

The mountain continues to be a significant landmark and whakapapa point of reference. It is also valued today for its biodiversity, which includes the Waiwhiu Kauri Grove and regenerating native bush.

### **Effects**

The Project shifts the SH1 to the Western side of the Dome Valley and will therefore not affect Te Tohitohi o Reipae directly. Hōkai Nuku agree with the findings and recommendations of Warkworth to Wellsford Ecology Assessment with particular regard to the following;

The Dome Valley Forest section contains plantation forest that is an important habitat for at risk local animals with a low dispersal ability such as Pūpū rangi (kauri snail), lizards and Peketua (Hochstetter's frog) and for Pekapeka (long-tailed bats). Construction activities, including vegetation clearance and waterway diversions have the potential to increase the mortality rate of these taonga, while ongoing disturbance to animals during the road lifetime from noise, light and vibration and pollution may negatively impact their populations. Hōkai Nuku is concerned that connectivity for birds between Te Tohitohi o Reipae and the Dome Valley habitats will be further impacted by a second highway in addition to the existing SH1, but notes that the proposed tunnel may help reduce this impact.

#### **Te Tohitohi o Reipae Recommendations**

22. Acknowledge the Hōkai Nuku Cultural Footprint in the Urban Landscape Design of the Project including Te Tohitohi o Reipae.

23. Collaborate with Hōkai Nuku to develop opportunities for biodiversity mitigation and ecological restoration to protect and enhance areas of ecological significance within the Dome Valley

### **3.1.4 Cultural Heritage Site**

#### **Mana Tangata**

Ngāti Manuhiri rangatira, Te Kiri Kaiparaoa and Rahui Te Kiri, were direct descendants of Manuhiri, a son of Makinui. Manuhiri made many pā along Te Awa Hōteoro as he moved from Arapārerā in the Kaipara to Mahurangi.

#### **Mana Whenua**

This is a nohonga (gathering site) for Ngāti Manuhiri next to Te Awa Hōteoro and is one of the traditional boundaries of Ngāti Manuhiri. This nohonga is opposite a probable cultural heritage ridge line to the south of the Hōteoro.

#### **Pūtake**

The nohonga is situated within the rohe of Ngāti Manuhiri.

#### **Effects**

The Project crosses the southern end of the cultural heritage area before it bridges the Hōteoro River. The effects cannot be determined until further field work and research has been completed.

#### **Cultural Heritage Site Recommendations**

24. Further field work and research is required to confirm the extent of the probable cultural heritage area including using an appropriate site suitability predictive modelling process and field survey.

25. Acknowledge the Hōkai Nuku Cultural Footprint in the Urban Landscape Design of the Project, including this Ngāti Manuhiri nohonga.

26. Develop opportunities for biodiversity mitigation and ecological restoration to protect and enhance areas of ecological and cultural significance.

### **3.1.5 Te Awa Hōteō (Hōteō River)**

#### **Mana Tangata**

Ngāti Manuhiri – Manuhiri, Tuwhakaeketiāroa, Iriwatu and Taihamau, Tūrangi

Ngāti Whātua - Tumutumu Whenua, Tahinga, Tahuu-nui-a-rangi, Kura, Aotearangi, Te Tinana (son of Ruarangi) and others.

#### **Mana Whenua**

The importance of this awa to mana whenua cannot be overstated. Te Awa Hōteō provided an important inland route from the Kaipara Harbour, as well as being a food and fresh water source for kāinga situated along its length. Karaka berry plantations were harvested from areas beside Te Awa Hōteō and then transported to kāinga on the Kaipara, while a stand of karaka along the awa signifies a site of occupation for Ngāti Manuhiri. Two kohatu (rocks) are located along Te Awa Hōteō which represent two Manuhiri rangatira, Iriwatu and Taihamau. The kohatu recognises tribal boundaries between Ngāti Manuhiri and Kaipara tribal groups and were a gathering site for ngā aho, ngā ariki (different lines of chiefs or the many strands of the many Ariki). Numerous pā, kāinga and gardens associated with Ngāti Whātua were located along the Hōteō close to the Kaipara harbour, while the mouth of the Hōteō at Puatahi has a wāhi tapu, kāinga and marae which continue to be occupied.

#### **Pūtake**

Te Awa Hōteō expresses the connections between the Hōkai Nuku member groups from the Kaipara to Mahurangi coasts.

#### **Effects**

The Project crosses several of the Hōteō's tributaries and this will have a significant effect on the mauri of the Hōteō catchment. Ki Uta Ki Tai recognises that the Dome Valley headwater streams and repo of the Kōurawhero and Wayby valleys are vital to the wellbeing of the Hōteō, filtering and replenishing the waters of the awa as it heads out to the harbour. Construction works that produce sediment run-off, remove vegetation, divert, culvert or fill in waterways, as well as direct in-stream works will harm the Hōteō and have the potential to elevate sediment rates into the southern Kaipara Harbour, a major breeding ground for Tāmure (snapper).

While the Project's mitigation planting may help to rectify some of the negative impacts that agricultural and forestry practices have placed on the Hōteō over the last century, Hōkai Nuku is concerned that cumulative adverse impacts from the highway construction and operation, forest harvesting, increased housing, industrial development and water take will affect the catchment's ability to sustain the conditions which support taonga species within it. Of particular concern is the increased pressure that impacts to Te Awa Hōteō and catchment will place on the mauri and tipua of the Kaipara Harbour, a taonga rich in plant and animal life that has sustained people for generations, but which continues to be degraded.

Hōteō North is presently predominantly farmland interspersed with limited number of small patches of indigenous trees and grasses. Remnant patches of indigenous ngahere are linked together by Te Awa Hōteō and its tributaries. Because of the rarity of native plant life in this area Hōkai Nuku considers all remnant forest to be of high cultural value, the continued survival of these trees testament to their resilience and strong whakapapa. For example, Kiekie, an important cultural harvest material can still be found at HN\_T\_Hōteō 03a and 03b. Loss of these remnants will affect the waterways and birdlife of the Hōteō catchment.

Similarly, Hōkai Nuku considers all native repo in the area to be taonga, as the vast majority of these have been drained for agricultural use. Notwithstanding the vital ecosystem and carbon sequestering functions of wetlands, they have also contributed to the cultural, spiritual and economic wellbeing of Māori, providing food, water, rongoā and materials. For example, a stand of harakeke can still be found at HN\_W\_02, while the Flaxland HN\_W\_01 is considered ecologically endangered in the Auckland region. Hōkai Nuku values harakeke as a taonga species, a material of vital everyday importance traditionally, but also a plant that allows weavers to pass on their art of story-telling. Loss of remnant repo through Project works is a continuation of practices that have misunderstood the value of wetlands to our environment and to people.

Hōkai Nuku has completed limited field work with the Project Ecologists which has focused on the alignment rather than the full designation. Hōkai Nuku has not been able to complete a full Ki Uta, Ki Tai Cultural Indicators Assessment of the Project Designation. This information is required before more detailed effects can be determined.

### **Te Awa Hōteio Recommendations**

25. Acknowledge the Hōkai Nuku Cultural Footprint in the Urban Landscape Design of the Project including Te Awa Hōteio.

26. Collaborate with Hōkai Nuku to ensure structures over Te Awa Hōteio are culturally representative.

27. A precautionary approach should be taken with regards to the Indicative Alignment and proposed destruction of repo and connected forest sites until the new NPS for Freshwater Management provides direction. The proposed highway is new infrastructure, and represents an opportunity for best practice over a long-term planning horizon.

### **Ngā Awa – Catchment Recommendations – as per 3.1.1 recommendations 6-13**

#### **3.1.6 Otioro Pā (includes Te Hana Awa)**

##### **Mana Tangata**

Te Uri o Hau traditions associate Otioro (sounds of the abundance of the bird life), with the arrival of the families of Tahuhu, Karaunganui, Tahinga and Kura to the area. These were the children of Hotunui, who disembarked the Tainui waka at Ngātiunguru.

##### **Mana Whenua**

Otioro Pā and Te Hana Awa mark a significant point of connection for Te Uri o Hau, Ngāti Te Hana, Ngāti Mauku/ Ngāti Kauae, and Ngāti Whātua between the Kaipara Harbour in the west and Te Arai in the east. Otioro Pā is said to have extended from Pukanui/Kaiwaka Pā to Te Hana Awa.

Te Hana Awa is associated with Otioro Pā and was an important part of the waterway and portage network from coast to coast, being one of the shortest intercoastal sections in Kaipara.

##### **Pūtake**

Numerous generations occupied this area because it is a safe, strategic location with access to resources, however Otioro Pā was abandoned after the famous battle of Te Ika ā Ranganui c1825.

Otioro Pā includes an associated settlement area as part of the area of significance which extends along the ridgeline eastwards, with one recorded terrace and midden (CHI 7987). Historically the pā site may also have had nohonga, kāinga and other forms of occupation attached to them that were in existence before the pā were consolidated. A pā community was not confined to just the structural extent of the pā but was supported by a larger settlement area and environs which include tauranga waka (landing places), tauranga ika (fishing grounds), whare ohonga (birthing house), whare wānanga (house of learning), atāmira (ceremonial structures), mārā (cultivations), ahu otaota (middens), waipuna (water or springs) and tūahu (sacred places).

Taonga tūturu (artefacts) such as tools, implements, and fireplaces all demonstrated occupation and may continue to lie in the wider settlement area. Hōkai Nuku emphasises that areas of significance and taonga tūturu are not always identifiable, therefore Otioro Pā and its wider surrounds is considered an area of significance. As descendants, the emotional, physical, psychological and spiritual attachment to the area of significance and taonga tūturu has not changed.

### **Effects**

The Project crosses the eastern end of the associated settlement area and makes multiple crossings of Te Hana Awa headwater streams. The large amount of construction earthworks in the Ōruawharo catchment area presents a risk to the health of Te Hana Awa and the estuary where it joins Ōruawharo Awa, particularly when a rain event occurs. Increased sediment loads during construction are expected to increase, potentially impacting fish passage and smothering habitats within the awa, and placing stress on kaimoana in the Ōruawharo estuary. The Ōruawharo estuary is a mahinga kai, with many recorded archaeological sites testimony to its importance to the hapū of Ngāti Whātua. While restoration and mitigation associated with the Project has the potential to reverse some of the historic degradation of Te Hana Awa caused by agricultural practices, Hōkai Nuku is concerned that sediment and on-going operation contaminants will not be adequately mitigated before entering the estuary. Hōkai Nuku regards integrated mitigation that takes a Ki Uta Ki Tai approach within and outside the designation as vital to restoring the link between the Te Hana Awa, Otioro and the Ōruawharo Awa cultural landscape.

As part of the cultural significance of Te Hana Awa and its status as one of the shortest routes between Kaipara and Mahurangi, Hōkai Nuku regards the preservation of HN\_F\_TeHana\_01 as an open and restored headwater stream to be an important cultural footprint marker. Hōkai Nuku objects to the proposed culverting and diversion that will result in the loss of HN\_F\_TeHana\_01 and the native bush along its margin. Similarly, although now an exotic wetland, the proposed infilling to the large repo HN\_W\_TeHana\_01 will reduce ecosystem connectivity and function between Te Hana Awa and its associated repo.

The effects on the wider Otioro Pā settlement area cannot be determined until further field work and research has been completed.

### **Otioro Pā Recommendations**

27. Further field work and research is required to establish an extent for the pā and the associated settlement area;
28. Acknowledge the Hōkai Nuku Cultural Footprint, including Otioro Pā and Te Hana Awa, in the Urban Landscape Design of the Project.
29. Modify the existing design to ensure HN\_F\_TeHana\_01 is daylighted.
30. Modify the existing design to retain and restore HN\_W\_TeHana\_01 as a native repo.

### **Ngā Awa – Catchment Recommendations – as per 3.1.1 recommendations 6-13**

## Cultural Heritage Recommendations - as per 3.1.1 recommendations 14-19

### **3.1.7 Te Hana**

#### **Mana Tangata**

Ngāti Awa - Rangimarewa

Ngāti Whātua - Ngāti Mauku/ Ngāti Kauae of Te Uri O Hau tūpuna – Haumoewaarangi and Waihekeao, Rangiwahapapa, Te Hana and others.

#### **Mana Whenua**

Te Hana and her people of Ngāti Whātua occupied the rohe around lake Humuhumu, Pouto. Te Hana was puhi who was obliged to live in a state of tapu until married to her chosen husband, Rangiwahapapa, brother of Haumoewaarangi<sup>9</sup>.

The people of Ngāti Awa are said to have occupied the Oporo pā at the entrance of the Ōruawharo Awa and Taporapora rohe prior to Ngāti Whātua. A Ngāti Awa chief cast a love spell over Te Hana, and consequently Te Hana was compelled to swim across the Kaipara Harbour to join him at Oporo. Rangiwahapapa went with a large army to retrieve Te Hana, and as the pā was besieged Te Hana climbed on the top of the wharenuī and sat astride, instructing the children, elderly and sick to enter into the whare beneath her, where they would be spared from the onslaught.

#### **Pūtake**

Ngāti Whātua expelled Ngāti Awa from the Okahukura Peninsula and occupied the wider area under raupatu. The final battle with Ngāti Awa was fought not far from where the current Te Hana cultural centre stands. The entire rohe was named Te Hana, symbolising the events that led up to and following the retrieval of Te Hana. These events are significant to many Ngāti Whātua hapū as they illustrate their expansion out from Pouto along the Ōruawharo River.

Today Te Hana and her people of Ngāti Mauku/Ngāti Kauae are celebrated through the development of the Te Hana Te Ao Marama Cultural Centre.

#### **Effects**

The Project bypasses Te Hana thereby reducing traffic flows past and visibility of the Te Hana Te Ao Marama Cultural Centre, one of the only prominent built heritage markers in the region that demonstrates Māori cultural values. This is predicted to negatively impact public awareness of the area as a place of significance to Ngāti Whātua and Te Uri o Hau, as well as directly reducing visitor numbers to the centre. As kaitiaki of Te Hana Te Ao Marama, Ngāti Mauku/Ngāti Kauae are proud to contribute to the social and economic wellbeing of their community, and there are concerns that the alignment will reduce this ability if the Wellsford and Te Hana interchanges do not provide appropriate awareness and ease of access to Te Hana for non-resident road users.

#### **Te Hana Recommendations**

31. Acknowledge the cultural footprint of Te Hana, Rangiwahapapa and Haumoewaarangi in the Urban Landscape Design of the Project.

<sup>9</sup> Te Uri o Hau Kaitiakitanga o Te Taiao, 2011.

32. Collaborate with Hōkai Nuku to develop a gateway to Te Hana that embodies the significance of Te Uri o Hau tupuna.

33. Collaborate with Hōkai Nuku to ensure signage at both Wellsford and Te Hana interchanges encourage wayfinding to Te Hana Ao Marama Cultural Centre.

34. Invest in traffic calming infrastructure at Te Hana on SH1 to provide better safety to pedestrians and reduce noise.

### **3.1.8 Te Awa Maeneene (Maeneene Stream)**

#### **Mana Tangata**

Ngāti Whātua, Te Uri o Hau, Ngāti Tahinga – Ruawharo, Haumoewarangi and Waihekeao, Te Hana

#### **Mana Whenua**

The descendents of Haumoewarangi and Waihekeao, principle tupuna connecting many hapū and iwi of the Kaipara and Mahurangi regions, accessed the Kaipara Harbour through Te Awa Maeneene, linking with Topuni, Whakapirau and Ōruawharo.

#### **Pūtake**

The Ōruawharo River, Te Hana Creek and Maeneene Stream are a network of waterways that connect to the Kaipara Harbour. Historically they provided important inland routes and food sources, consequently the estuary where the Maeneene meets the Ōruawharo was a favoured area of occupation. A recorded pā site (CHI 6661) lies on the mountain ridge above Te Awa Maeneene and is the source of a tributary stream, however the full extent of occupation and use along the Maeneene is no longer known.

#### **Effects**

The Project crosses Maeneene, a tributary of the Ōruawharo river, a culturally significant awa with many wāhi tapu alongside and a customary shellfish reserve within, and creates a new bridge and culvert across the Maeneene Stream. This will have an effect on the mauri of the river catchment from a Ki Uta, Ki Tai perspective and will restrict the passage and breeding of fish.

Hōkai Nuku has completed limited field work with the Project Ecologists which has focused on the alignment rather than the full designation. This information is required before more detailed effects can be determined.

#### **Te Awa Maeneene Recommendations**

35. Acknowledge the Hōkai Nuku Cultural Footprint in the Urban Landscape Design of the Project including Te Awa Maeneene and Te Awa Ōruawharo.

36. Undertake pre-construction investigation of possible occupation sites in the Maeneene Road and Waimanu Road areas, using field surveys.

#### **Ngā Awa – Catchment Recommendations – as per 3.1.1 recommendations 6-13**

#### **Cultural Heritage Recommendations - as per 3.1.1 recommendations 14-17**



## 3.2 Pūnaha Taupuhi Kaiāo Taketake (Indigenous Ecosystems)

As kaitiaki, on behalf of the constituent members, Hōkai Nuku is responsible for promoting and maintaining healthy indigenous ecosystems. All taonga ngahere are valued for their spiritual and cultural worth; as children of Tāne Mahuta, as guides and holders of mātauranga, and as resources for people. Hōkai Nuku also values taonga ngahere for their ecosystem services such as provision of seed source, habitat for animals, land stabilisation and freshwater conveyance and filtration.

Ngā momo taonga (taonga species) are native birds, plants and animals of iconic significance to Hōkai Nuku. Generally, taonga species have a body of inherited knowledge relating to them, they are related to the Iwi or Hapū by whakapapa, and the Iwi or Hapū is obliged to act as their kaitiaki. Because they are an indicator of ecological function, Hōkai Nuku aim to achieve abundance and diversity of taonga species within these systems such that species highly sought after for cultural harvest are thriving and the biodiversity can sustain the people, cultural practices, connections and identity. These taonga species form a part of the Cultural Indicators work that Hōkai Nuku will contribute to the Project.

There exists some small pockets of significant ecological areas throughout the Project area which provide functioning ecology with a full sphere of Ngā momo taonga. These areas offer habitat for endangered and threatened fish (tuna, inanga, kōura etc.), freshwater mussel, birds (kākā, tariwai, kereru, mātātā (fernbird), bats (across Matariki Forest) and raupō. Hōkai Nuku supports the exclusion of these areas from direct and non-direct construction impacts.

The cultural values of Ki Uta Ki Tai demonstrates the interconnectedness of all life and considers the wider environmental context of the Project and its surroundings, including those which sit outside of the alignment. An integrated approach to mitigation is preferred, where a consolidation of works avoids fragmentation, integrates proposed works with ecological and landscape mitigation, provides for culturally significant landscape character areas, interconnects waterways and develops robust corridors for fauna.

Hōkai Nuku regards the Stream Ecological Value assessment tool for freshwater as limiting as it does not express a Ki Uta Ki Tai catchment approach. The SEV process potentially misses out the ability to identify changes in mauri and ecological functioning of the freshwater stream system throughout the alignment, and assessments may determine that a waterway is expendable because of its low SEV score.

Hōkai Nuku is particularly concerned to avoid impacts on wetlands to protect hydrological characteristics that cannot be effectively recreated, and which are highly influenced by sediment input. Off-set mitigation provides the opportunity to restore wetland systems which offer highly sought after harvesting resources.

Similarly, the Project can acknowledge the current highly degraded exotic dominated ecosystems and aspire to enhance and restore the optimum ecological function of kauri, podocarp, broadleaved forest, kahikatea/pukatea forest and kanuka/manuka scrub forest. Hōkai Nuku recommend that all landscape and mitigation planting utilise eco-sourced indigenous species under the guidance of Hōkai Nuku technical specialists and cultural advisors. This will ensure provision of pre-European ngahere diversity.

Recognition of pre-European local plant species diversity is of utmost importance when considering replacement plants for those felled during construction as some existing native trees may not be representative of a healthy ecosystem, for example, anthropogenic totara forest may be dominant throughout the project

designation not because it is the dominant canopy species but because it can survive in impacted systems. Therefore replacement planting plans should not aim to replicate impacted systems, but improve them. It is preferable that the replacement rate be higher than a 1:1 ratio.

### **Indigenous Ecosystems Recommendations**

37. Develop the Warkworth to Wellsford integrated ecological management and mitigation plan with the appropriate specialists including Hōkai Nuku that address the following;

- a. Develop a set of mitigation principles to be considered within a wider environmental and cultural context to provide a cohesive and integrated approach to mitigation.
- b. All plant species for ecological and landscaping mitigation planting to be eco-sourced with guidance and input from Hōkai Nuku technical specialists and cultural advisors.
- c. Protection priority for freshwater sites to be given to headwaters.
- d. Hōkai Nuku technical advisors and kaitiaki to work with Project Ecologists during site identification and field assessments to determine disparities between Ki Uta Ki Tai assessment and SEV assessment.
- e. The Project should proactively determine areas of interest with aligned stakeholders who hold land outside the designation to address downstream impacts and develop opportunities to integrate with strategies such as the Kaipara Moana Integrated Strategic Plan of Action.
- f. Development of assessment tools that take into consideration fish passage barriers downstream and outside of alignment e.g. mitigation of weirs on waterways that block fish passage, forestry harvesting within headwaters that have significant impact on mauri o te awa.
- g. A Pest Management Strategy that is responsive to introduced disease and pest species, timing and whole of life obligations of Project partners.
- h. Responses to biosecurity risks e.g. Kauri die back disease and Myrtle rust to utilise a suite of tools that includes mātauranga Māori and appropriate plant species choice throughout all planting.
- i. Undertake adaptive biosecurity management that reflects developing best practice strategies in order to prevent invasive species impacting native species diversity e.g. Myrtle rust and exotic plant species establishment.
- j. Implement innovative approaches for open soil and sediment run off protection (tip sites and cut and fill surfaces) such as hydro seeding with toe toe and kumarahou instead of grass.
- k. Covenant headwaters within the designation so that they are protected in perpetuity.
- l. Global warming and weather pattern changes and their effect on Project calculations to be considered within the assessment of effects.

38. Implement the Hōkai Nuku Cultural Harvest and Use Protocol to allow Hōkai Nuku to identify, acquire or harvest in a timely manner, plants which are planned for clearance within the Project area.

39. Develop a Restoration Staging Plan that will;

- a. Identify enhancement areas that consist of secondary canopy trees which offer protection for sub-canopy planting, enrichment, stabilisation planting and to buffer edge effects, provide for endangered species within protected sites and prevent disease incursions.
- b. Appropriately sequence land parcel retirement and fencing to maximise waterways protection and soil stability.

- c. Advocate for maximised riparian width and 'core' to ensure higher functioning ecosystems and protection from external influences; length and size of ecosystem corridors, and diverse ngahere parcels.

40. Hōkai Nuku to be consulted regarding suitable relocation sites for fauna. Relocation of fauna is to include Kaitiaki appointed by Hōkai Nuku, and Kaitiaki to be trained and engaged in the ecology assessment field work and relocation of fauna.

### 3.3 Aromātai Papawhenua Hoahoa Taone (Landscape, Visual & Urban Design )

The Project will have a significant effect on the whenua, natural and cultural landscape due to the large amount of earthworks required for the Project. Hōkai Nuku note the effects listed in the Landscape and Visual Effects Assessment, November 2017 and the potential for the Project to create benefits because of ecological mitigation. Hōkai Nuku supports the recommended mitigation of extensive revegetation to integrate landscape and ecological mitigation however Hōkai Nuku does not support the use of exotic species anywhere in the Project.

Hōkai Nuku supports the focus on planting and using design works at interchanges to create gateways. This can be further enhanced with appropriate cultural artworks which celebrate the cultural footprint of mana whenua.

The design and aesthetic treatment of major structures along the corridor (i.e. bridges, retaining walls) should reflect mana whenua of the locality. This will require Hōkai Nuku to be actively participating in the detailed design process. Hōkai Nuku requests that the naming of design features and structures be undertaken in collaboration with with Hōkai Nuku. Hōkai Nuku also notes that Waka Kotahi does not currently have a comprehensive Te Reo Māori Policy.

Hōkai Nuku has developed the following design principles and outcome for inclusion in the Urban Landscape Design Framework along with reference to the Hōkai Nuku values and Cultural Framework.

#### **Landscape Outcomes sought by Hōkai Nuku**

The cultural footprint and values of mana whenua are preserved and celebrated in the landscape

#### **Hōkai Nuku Principles of Design**

##### Rangatiratanga

- Affirming the self determination of iwi and hapū and the Treaty partnership between Hōkai Nuku and the Transport Agency is honoured by active engagement throughout the Project development and construction

##### Mana Tangata

- Tūpuna are celebrated in the naming of structures
- Te Reo Māori is correctly used in the Project

#### Mana Whenua

- Cultural reference points are acknowledged with pou whenua and other designs

#### Kaitiakitanga

- Guardianship rights and responsibilities are actualised with enhanced indigenous planting which supports the ecosystem and cultural practices
- Protecting and enhancing waterways
- Utilising sustainable design and practices

#### Urban Landscape Design Recommendations

41. The Hōkai Nuku Cultural Footprint is celebrated in the landscape and design features and at a minimum include artwork features at:

- Kōurawhero catchment
- Tunnel entrances to acknowledge Tohitohi o Reipae
- Hōteoro crossing and Iwi boundaries
- Koihamu
- Maeneene stream to acknowledge the Oruawhero catchment

42. Hōkai Nuku are actively engaged in the development of the Urban Landscape Design Framework which should include the Hōkai Nuku Principles of Design

43. Hōkai Nuku are engaged in the naming of features

44. Hōkai Nuku are engaged in the development of a Project specific Te Reo Māori Policy in lieu of Waka Kotahi approving a national policy

### 3.4 Pānga ā Hāpori ā Ohaoha (Social and Economic )

The Transport Agency broader objectives for Ara Tūhono, of which the Project is a part, are:

- To enhance inter-regional and national economic growth and productivity;
- To improve movement of freight and people between Auckland and Northland;
- To improve the connectivity between the medium to long term growth areas in the northern Rodney area (Warkworth and Wellsford); and
- To improve reliability of the transport network through a more robust and safer route between Auckland and Northland.

Hōkai Nuku supports these objectives, in particular, to further economic growth and connectivity and provide a safe and reliable transport network, and believes they can be achieved whilst enhancing the environment on which growth and connectivity are dependent.

Hōkai Nuku has a wide range of roles that include securing economic and social development (manaaki tangata) opportunities that will benefit their Iwi and Hapū members. Being a long-term project of significant scale, the Project has the potential to help uplift the mana of Hōkai Nuku, and invest in the long-term and sustainable growth of ngā tāngata by providing employment, education, training and development opportunities.

The area affected by the proposed alignment is within the Deeds of Settlement areas of the relevant mana whenua and any surplus land will therefore be subject to a "Right of First Refusal" opportunity to purchase.

### ***Effects***

The Project will have a significant effect on the communities living within and around the proposed highway, particularly Te Hana. Generally Hōkai Nuku views these effects as providing positive opportunities to manaaki (support) our people through safer passage ways, but also through the opportunities to engage in economic development. Hōkai Nuku believes that the proposed highway may have the beneficial impact of calming traffic on SH1 between Wellsford and Te Hana, and that Waka Kotahi and Auckland Transport should plan to provide better safety to pedestrians and cyclists and provide infrastructure for public transport along that route in order to improve connectivity for the local population. In effect, this would change the purpose of SH1 from an automobile-only highway to a mixed-used road that functions to serve the local community as much as it does those travelling through.

The restoration of land and waterways and the management of Māori cultural heritage within their rohe are also economic and learning opportunities for Hōkai Nuku members that Waka Kotahi and its contractors must actively facilitate.

### **Social and Economic Recommendations**

45. Hōkai Nuku seeks to be actively involved to provide direction and information relevant to their constituent Iwi and Hapū members. Activities of particular interest to Hōkai Nuku are:

- Land Acquisition - In the course of project completion, surplus land acquired for this project and not purchased via the Right of First Refusal clause, should be a point of good faith discussion between the Crown (Waka Kotahi) and Hōkai Nuku.
- Training and development - Create a project with Hōkai Nuku to investigate and implement options for encouraging Māori into planning, archaeology and infrastructure industries through training schemes, apprenticeships and bonded scholarships.
- Enterprise and Employment – Establish a social procurement target within the design and construction contracts to facilitate the contribution of businesses and people from Hōkai Nuku Iwi and Hapū to the Project.
- Ecological and Biodiversity Restoration and Management - Actively provide opportunities for Hōkai Nuku to develop and implement an Ecological and Biodiversity Restoration and Management Plan and employment programme for the Project. This includes sourcing, propagating, supplying native vegetation for replanting, and undertaking the planting programme.
- Visual Recognition of Mana Whenua - Hōkai Nuku to be actively participating in the design elements of the project so that mana whenua is appropriately acknowledged and reflected in the physical works.

## 4. CONCLUSIONS

### 4.1 Further Research

Hōkai Nuku notes that most of the Cultural Footprint Mana Whenua features are not recorded heritage sites. Further research and field work is required to confirm the location and extent of all of these features **before** the effects can be fully identified.

Hōkai Nuku requests a proactive approach to the identification of unrecorded sites, including urupā in the Kourawhero area, through the completion of an appropriate predictive modelling project, followed by field investigations prior to work commencing in any area with a medium to high likelihood of pre-European Māori occupation. Changes to the alignment may be necessary, so Hōkai Nuku recommends that Waka Kotahi continue to work with us to ensure investigations are done well in advance of construction to avoid delays (notwithstanding, Accidental Discovery Protocols will remain in place).

Hōkai Nuku will be actively engaged in the planning and implementation of further field work to support the collective understanding of the mana whenua features affected by the Project.

### 4.2 Acknowledging Culturally Significant Areas

Hōkai Nuku seeks formal and tangible recognition of culturally significant areas and events through Hōkai Nuku participation in the design elements of the project. This includes the development of a series of artworks, including the gateways to Wellsford and Te Hana and the Hoteo crossing. Hōkai Nuku also seeks input into the art works design and naming of significant structures such as bridges and retaining walls to reflect mana whenua, where appropriate. All signage that uses Māori names and words are to utilise correct spellings with macrons. As this process requires a coordinated communication strategy with LINZ and the Geographic Board, it is important that Hōkai Nuku are engaged in a timely manner to further this objective.

Hōkai Nuku regards landscape and ecological planting plans to be expressions and extensions of an area's cultural significance, requiring Hōkai Nuku guidance to ensure appropriately diverse and historically specific pre-European plants. Hōkai Nuku also seeks to avoid the destruction or modification of existing indigenous repo (wetlands), as these are culturally significant areas to tāngata whenua across Aotearoa that have long been considered expendable. Hōkai Nuku values the few repo that remain in our rohe, and wish to ensure the highway works do not impact their essential functions and mauri. Similarly, the health of our awa as culturally significant areas is a priority for Hōkai Nuku: we are in support of design and construction practices that reduce the number of temporary and permanent culverts, reduce sediment, protect headwaters, and do not affect fish migration and breeding.

### 4.3 Involvement in Project Planning

Hōkai Nuku seeks to be actively involved in both the development and, where appropriate, implementation and monitoring of management plans including any relevant sub management plans. Management plans will incorporate Cultural Indicators developed and monitored by Hōkai Nuku. In particular, Hōkai Nuku wish to collaborate on management plans that give the most effect to our kaitiakitanga aspirations and obligations as well as our statutory rights. These are; the Heritage and Archaeological Management Plan, Urban Landscape

Design Framework and Management Plans, Construction Environmental Management Plan and Ecological Management Plans. This active involvement will contribute an important cultural context to improve design and ecological mitigation, and will ensure Māori cultural heritage is managed efficiently and according to local tikanga.

Revegetation plans should include Hōkai Nuku input, particularly in terms of the types of species and the whakapapa of these plants, and should consider creating Iwi and Hapū employment opportunities through both restoration programmes and nursery procurement processes. Where possible the focus of these plans will be on **improving** the indigenous biodiversity of the area, not replicating the impacted system they are situated in, and linking corridors of ngahere from a broader catchment point of view.

As part of Waka Kotahi's Māori Strategy, Te Ara Kotahi, Hōkai Nuku recommends that they employ local Kaitiaki who have been appointed by Hōkai Nuku, to monitor the implementation of relevant management plans on the ground, for the total life of the project, to ensure the ecological effects on their taonga species are being appropriately avoided. Such monitoring arrangements will also be included formally by way of a consent condition.

Waka Kotahi should work with Hōkai Nuku on the development of a cultural harvest and use plan. If the felling of any mature trees is unavoidable, Waka Kotahi shall engage with Hōkai Nuku on how these could be utilised by local Hapū. Furthermore Hōkai Nuku would like to offer removed vegetation for use by local Hapū for projects and other opportunities.

#### 4.4 Relationships and Economic Development

It is hoped that Waka Kotahi and Hōkai Nuku will continue to engage in good faith and as partners in a Te Tiriti o Waitangi relationship. This shall include sharing information as it comes to light and actively collaborating together to develop relevant plans and policies.

Hōkai Nuku seeks that the existing Relationship Agreement between Hōkai Nuku and Waka Kotahi be reviewed to include the Warkworth to Wellsford Section details.

Waka Kotahi and Hōkai Nuku in partnership, should actively investigate opportunities for encouraging education, training and development through training schemes, apprenticeships and bonded scholarships for Hōkai Nuku.

Hōkai Nuku believes that Waka Kotahi should also engage in good faith discussions with Iwi and Hapū on the future of surplus land and the opportunities to develop projects which provide active protection and management of culturally significant.

Hōkai Nuku regards the contractors engaged by Waka Kotahi to be their representative agents who will also implement Waka Kotahi's Maori Strategy, Te Ara Kotahi. Hōkai Nuku asserts that contractors be formally required to work collaboratively with Hōkai Nuku and to establish a social procurement target for mana whenua and local Māori businesses so that that the economic opportunities are shared within the communities affected by the Project.





# APPENDIX 1

## List of Hōkai Nuku Recommendations

### Kōurawhero Recommendations

1. Acknowledge the Hōkai Nuku Cultural Footprint in the Urban Landscape Design of the Project including Kōurawhero.
2. A precautionary approach should be taken with regards to the Indicative Alignment until an archaeological survey can confirm the location of urupā, and if urupā are found, they should be avoided. Hōkai Nuku opposes the deliberate excavation of our tūpuna.
3. Undertake pre-construction investigation of possible urupā areas in the Kaipara Flats to Hōteo River, using an appropriate site suitability predictive process and field surveys.
4. Restrict streamworks within the Kōurawhero and Waiteraire awa (including water level changes) to the period Dec-March in order to protect breeding kōura females.
5. A precautionary approach should be taken with regards to the Indicative Alignment and proposed destruction of repo and connected forest sites until the new NPS for Freshwater Management provides direction. The proposed highway is new infrastructure, and represents an opportunity for best practice over a long-term planning horizon.

### Ngā Awa – Catchment Recommendations

6. Develop and implement in collaboration with Hōkai Nuku a set of mitigation principles to be considered within a wider environmental context. This will provide a cohesive and integrated approach to mitigation that is articulated throughout the designation and consent conditions (e.g. ecosystem restoration for wetlands and/or off-set mitigation outside of the designation) as well as landscape design (e.g. planting ratios and species that are informed by both cultural and ecological outcomes). This should take into account pre-construction mitigation and restoration (e.g stock fencing wetlands and streams, on-going pest management).
7. Collaborate with Hōkai Nuku to plan opportunities for ecological and cultural restoration throughout the Project, to protect, link and enhance areas of value.
8. Hōkai Nuku to complete a full Ki Uta, Ki Tai Cultural Indicators Assessment of the Project Designation. Indicators will be identified for the Project and used to assess the effects of the construction and operation of the Project and develop specific management recommendations to mitigate these effects.
9. Hōkai Nuku Technical Advisors and/or Kaitiaki are to be present for all field work assessment from the commencement of project planning to determine more detailed effects.
10. Design and construction should avoid indigenous repo (wetlands) loss. Where this is not possible, repo of the same size or larger is to be created at a nearby location to offset the loss. Hōkai Nuku should be collaborators on the design, planting and on-going management of the indigenous repo, with appropriate funding and support provided.

11. Design and construction should avoid indigenous vegetation loss. Where this is not possible, seedbank and/or transplant remnant taonga identified by Hōkai Nuku to an agreed mitigation area or alternative location to ensure the whakapapa of the plant is not lost.
12. Culverts to be designed for optimum adaption so that at the time of construction, not consent, they are compliant with guidelines and best industry practice for fish passage.
13. Design and construction should limit works in waterways e.g locate bridge piers outside waterways, limit the numbers of tributaries effected by spoil sites, seek alternatives to temporary culverts and minimise the need for crossings.

#### **Cultural Heritage Recommendations**

14. Develop a Hōkai Nuku approved guide to assist with implementing the Transport Agency Archaeological Accidental Discovery Protocol and Auckland Unitary Plan Accidental Discovery Protocol.
15. Work with Hōkai Nuku to ensure that the appointed Project Archaeologist has expertise to work with mana whenua and that they maintain a collaborative partnership with Hōkai Nuku in order to create and implement a successful heritage management plan.
16. All contractors, including during the investigation phase will undergo a Hōkai Nuku Cultural Induction.
17. Implement the Hōkai Nuku Cultural Monitoring Protocol from the planning and investigation phase through to completion of the Project.
18. Kaitiaki appointed by Hōkai Nuku will monitor earthworks from the planning and investigation phase through to completion of the Project.
19. Ensure, once the Project Archaeologists has finished assessment, that Māori archaeological material can be relocated as close to the area it was unearthed, in collaboration with Hōkai Nuku.

#### **Waihē Recommendations**

20. Acknowledge the Hōkai Nuku Cultural Footprint in the Urban Landscape Design of the Project including Waihē.
21. Design and construction should avoid loss of native forest, including at WN\_T\_Mahu 02. Where this is not possible, seedbank and/or transplant remnant fauna to a nearby mitigation area to ensure the whakapapa of the plant is not lost.

#### **Te Tohitohi o Reipae Recommendations**

22. Acknowledge the Hōkai Nuku Cultural Footprint in the Urban Landscape Design of the Project including Te Tohitohi o Reipae.
23. Collaborate with Hōkai Nuku to develop opportunities for biodiversity mitigation and ecological restoration to protect and enhance areas of ecological significance within the Dome Valley

### **Cultural Heritage Site Recommendations**

24. Further field work and research is required to confirm the extent of the probable cultural heritage area including using an appropriate site suitability predictive modelling process and field survey.
25. Acknowledge the Hōkai Nuku Cultural Footprint in the Urban Landscape Design of the Project, including this Ngāti Manuhiri nohonga.
26. Develop opportunities for biodiversity mitigation and ecological restoration to protect and enhance areas of ecological and cultural significance.

### **Otioro Pā Recommendations**

27. Further field work and research is required to establish an extent for the pā and the associated settlement area;
28. Acknowledge the Hōkai Nuku Cultural Footprint, including Otioro Pā and Te Hana Awa, in the Urban Landscape Design of the Project.
29. Modify the existing design to ensure HN\_F\_TeHana\_01 is daylighted.
30. Modify the existing design to retain and restore HN\_W\_TeHana\_01 as a native repo.

### **Te Hana Recommendations**

31. Acknowledge the cultural footprint of Te Hana, Rangiwahapapa and Haumoewaarangi in the Urban Landscape Design of the Project.
32. Collaborate with Hōkai Nuku to develop a gateway to Te Hana that embodies the significance of Te Uri o Hau tupuna.
33. Collaborate with Hōkai Nuku to ensure signage at both Wellsford and Te Hana interchanges encourage wayfinding to Te Hana Ao Marama Cultural Centre.
34. Invest in traffic calming infrastructure at Te Hana on SH1 to provide better safety to pedestrians and reduce noise.

### **Te Awa Maeneene Recommendations**

35. Acknowledge the Hōkai Nuku Cultural Footprint in the Urban Landscape Design of the Project including Te Awa Maeneene and Te Awa Ōruawharo.
36. Undertake pre-construction investigation of possible occupation sites in the Maeneene Road and Waimanu Road areas, using field surveys.

### **Indigenous Ecosystems Recommendations**

37. Develop the Warkworth to Wellsford integrated ecological management and mitigation plan with the appropriate specialists including Hōkai Nuku that address the following;

- a. Develop a set of mitigation principles to be considered within a wider environmental and cultural context to provide a cohesive and integrated approach to mitigation.
- b. All plant species for ecological and landscaping mitigation planting to be eco-sourced with guidance and input from Hōkai Nuku technical specialists and cultural advisors.
- c. Protection priority for freshwater sites to be given to headwaters.
- d. Hōkai Nuku technical advisors and kaitiaki to work with Project Ecologists during site identification and field assessments to determine disparities between Ki Uta Ki Tai assessment and SEV assessment.
- e. The Project should proactively determine areas of interest with aligned stakeholders who hold land outside the designation to address downstream impacts and develop opportunities to integrate with strategies such as the Kaipara Moana Integrated Strategic Plan of Action.
- f. Development of assessment tools that take into consideration fish passage barriers downstream and outside of alignment e.g. mitigation of weirs on waterways that block fish passage, forestry harvesting within headwaters that have significant impact on mauri o te awa.
- g. A Pest Management Strategy that is responsive to introduced disease and pest species, timing and whole of life obligations of Project partners.
- h. Responses to biosecurity risks e.g. Kauri die back disease and Myrtle rust to utilise a suite of tools that includes mātauranga Māori and appropriate plant species choice throughout all planting.
- i. Undertake adaptive biosecurity management that reflects developing best practice strategies in order to prevent invasive species impacting native species diversity e.g. Myrtle rust and exotic plant species establishment.
- j. Implement innovative approaches for open soil and sediment run off protection (tip sites and cut and fill surfaces) such as hydro seeding with toe toe and kumarahou instead of grass.
- k. Covenant headwaters within the designation so that they are protected in perpetuity.
- l. Global warming and weather pattern changes and their effect on Project calculations to be considered within the assessment of effects.

38. Implement the Hōkai Nuku Cultural Harvest and Use Protocol to allow Hōkai Nuku to identify, acquire or harvest in a timely manner, plants which are planned for clearance within the Project area.

39. Develop a Restoration Staging Plan that will;

- d. Identify enhancement areas that consist of secondary canopy trees which offer protection for sub-canopy planting, enrichment, stabilisation planting and to buffer edge effects, provide for endangered species within protected sites and prevent disease incursions.
- e. Appropriately sequence land parcel retirement and fencing to maximise waterways protection and soil stability.
- f. Advocate for maximised riparian width and 'core' to ensure higher functioning ecosystems and protection from external influences; length and size of ecosystem corridors, and diverse ngahere parcels.

40. Hōkai Nuku to be consulted regarding suitable relocation sites for fauna. Relocation of fauna is to include Kaitiaki appointed by Hōkai Nuku, and Kaitiaki to be trained and engaged in the ecology assessment field work and relocation of fauna.

### **Urban Landscape Design Recommendations**

41. The Hōkai Nuku Cultural Footprint is celebrated in the landscape and design features and at a minimum include artwork features at:

- Kōrawhero catchment
- Tunnel entrances to acknowledge Tohitohi o Reipae
- Hōteoro crossing and Iwi boundaries
- Koihamu
- Maeneene stream to acknowledge the Oruawhero catchment

42. Hōkai Nuku are actively engaged in the development of the Urban Landscape Design Framework which should include the Hōkai Nuku Principles of Design

43. Hōkai Nuku are engaged in the naming of features

44. Hōkai Nuku are engaged in the development of a Project specific Te Reo Māori Policy in lieu of the Transport Agency approving a national policy

### **Social and Economic Recommendations**

45. Hōkai Nuku seeks to be actively involved to provide direction and information relevant to their constituent Iwi and Hapū members. Activities of particular interest to Hōkai Nuku are:

- Land Acquisition - In the course of project completion, surplus land acquired for this project and not purchased via the Right of First Refusal clause, should be a point of good faith discussion between the Crown (NZTA) and Hōkai Nuku.
- Training and development - Create a project with Hōkai Nuku to investigate and implement options for encouraging Māori into planning, archaeology and infrastructure industries through training schemes, apprenticeships and bonded scholarships.
- Enterprise and Employment – Establish a social procurement target within the design and construction contracts to facilitate the contribution of businesses and people from Hōkai Nuku Iwi and Hapū to the Project.
- Ecological and Biodiversity Restoration and Management - Actively provide opportunities for Hōkai Nuku to develop and implement an Ecological and Biodiversity Restoration and Management Plan and employment programme for the Project. This includes sourcing, propagating, supplying native vegetation for replanting, and undertaking the planting programme.
- Visual Recognition of Mana Whenua - Hōkai Nuku to be actively participating in the design elements of the project so that mana whenua is appropriately acknowledged and reflected in the physical works.

## APPENDIX 2

### Project description

The Project involves the construction, operation and maintenance of a new four lane state highway. The route is approximately 26 km long. The Project commences at the interface with the Pūhoi to Warkworth project (P-Wk) near Woodcocks Road. It passes to the west of the existing State Highway 1 (SH1) alignment near The Dome, before crossing SH1 just south of the Hōteō River. North of the Hōteō River the Project passes to the east of Wellsford and Te Hana, bypassing these centres. The Project ties into the existing SH1 to the north of Te Hana near Maeneene Road.

The key components of the Project, based on the Indicative Alignment, are as follows:

- a) A new four lane dual carriageway state highway, offline from the existing State Highway 1, with the potential for crawler lanes on the steeper grades.
- b) Three interchanges as follows:
  - i. Warkworth Interchange, to tie-in with the Pūhoi to Warkworth section of highway and provide a connection to the northern outskirts of Warkworth.
  - ii. Wellsford Interchange, located at Wayby Valley Road to provide access to Wellsford and eastern communities including Tomarata and Mangawhai.
  - iii. Te Hana Interchange, located at Mangawhai Road to provide access to Te Hana, Wellsford and communities including Port Albert, Tomarata and Mangawhai.
- c) Twin bore tunnels under Kraack Road, each serving one direction, which are approximately 850 metres long and approximately 180 metres below ground level at the deepest point.
- d) A series of steep cut and fills through the forestry area to the west of the existing SH1 within the Dome Valley and other areas of cut and fill along the remainder of the Project.
- e) A viaduct (or twin structures) approximately 485 metres long, to span over the existing SH1 and the Hōteō River.
- f) A tie in to existing SH1 in the vicinity of Maeneene Road, including a bridge over Maeneene Stream.
- g) Changes to local roads:
  - i. Maintaining local road connections through grade separation (where one road is over or under the other). The Indicative Alignment passes over Woodcocks Road, Wayby Valley Road, Whangaripo Valley Road, Silver Hill Road, Mangawhai Road and Maeneene Road. The Indicative Alignment passes under Kaipara Flats Road, Rustybrook Road and Farmers Lime Road.
  - ii. Realignment of sections of Wyllie Road, Carran Road, Kaipara Flats Road, Phillips Road, Wayby Valley Road, Mangawhai Road, Vipond Road, Maeneene Road and Waimanu Road.
  - iii. Closing sections of Phillips Road, Robertson Road, Vipond Road and unformed roads affected by the Project.

- h) Associated works including bridges, culverts, stormwater management systems, soil disposal sites, signage, lighting at interchanges, landscaping, realignment of access points to local roads, and maintenance facilities.
- i) Construction activities, including construction yards, lay down areas and establishment of construction access and haul roads.

For description and assessment purposes in this report, the Project has been divided into the following areas (as shown in Figure 1 below):

- Hōteo South: From the southern extent of the Project at Warkworth to the Hōteo River.
- Hōteo North: Hōteo River to the northern tie in with existing SH1 near Maeneene Road.

For construction purposes, the Hōteo South section is divided into two subsections being:

- South – from the southern tie in with P-Wk to the northern tunnel portals; and
- Central – from the northern tunnel portals to the Hōteo River.



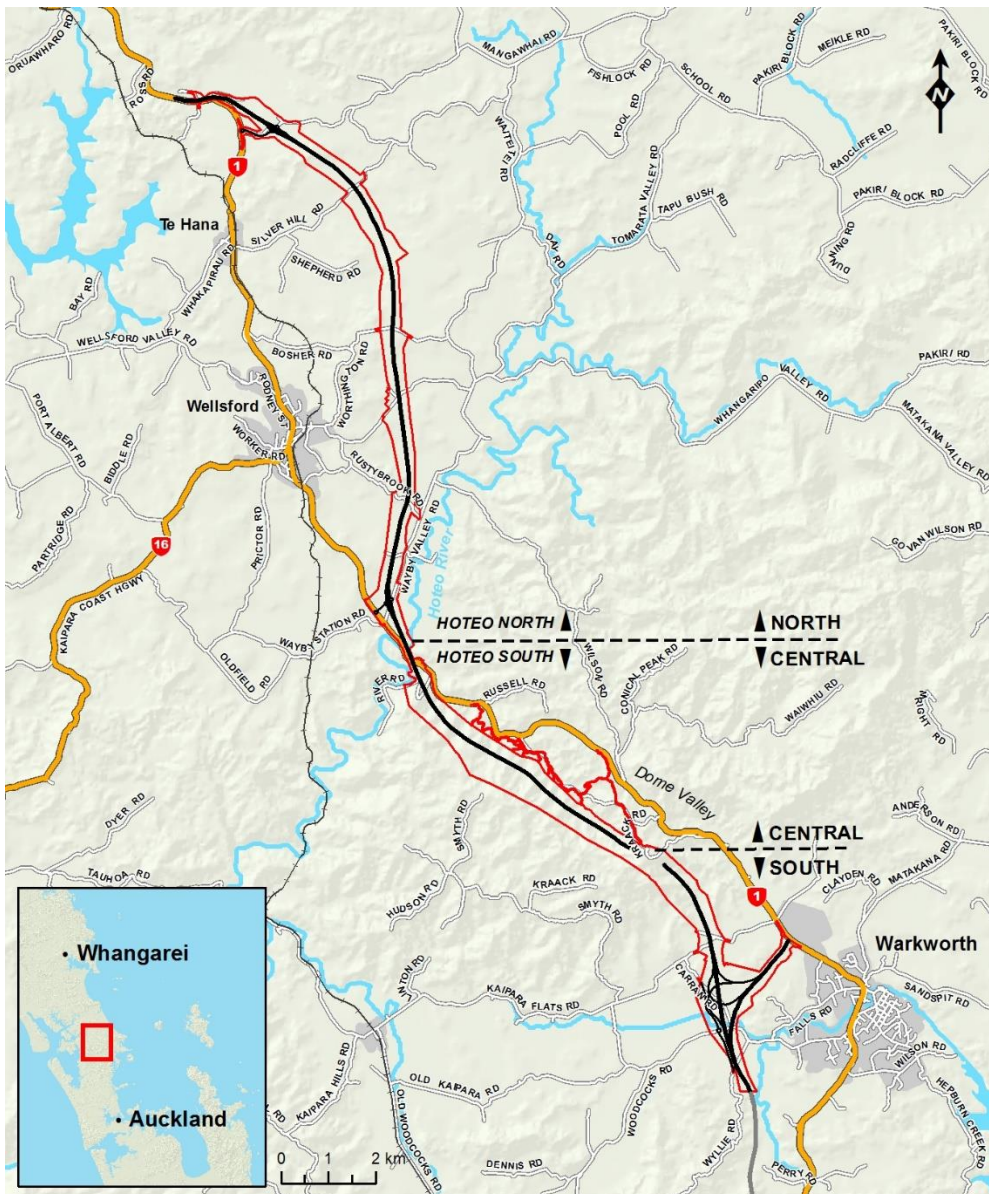


Figure 1: Project Area

The Indicative Alignment shown on the Project drawings is a preliminary alignment for a state highway that could be constructed within the proposed designation boundary. The Indicative Alignment has been prepared for assessment purposes, and to indicate what the final design of the Project may look like. The final alignment for the Project (including the design and location of associated works including bridges, culverts, stormwater management systems, soil disposal sites, signage, lighting at interchanges, landscaping, realignment of access points to local roads, and maintenance facilities), will be refined and confirmed at the detailed design stage.

A full description of the Project including its design, construction and operation is provided in *Section 4: Description of the Project* and *Section 5: Construction and Operation* of the AEE contained in Volume 1 and shown on the Drawings in Volume 3.





# Submission on Ara Tūhono Warkworth to Wellsford

Resource Consent Applications - BUN60354951, LUC60354952, LUS60354955, WAT60354953, WAT60355184, WAT 60356979, DIS60354954, LUC60355185, DIS60355186

## 1. Introduction

**1.1** Waka Kotahi New Zealand Transport Agency (Waka Kotahi) has submitted a Notice of Requirement (NoR) to Auckland Council for a designation of public work and associated resource consents for a new state highway between Warkworth and north of Te Hana (the Project).

Hōkai Nuku are an affected party as the mandated representative of mana whenua of the Project area.

**1.2** This submission is being given to;

- a. Describe Hōkai Nuku, our purpose and our relationship to Waka Kotahi and the Project to date
- b. Outline the basis of our **partial support** for the Project with regards to its effects on Māori cultural values. These effects are presented in detail in our Cultural Effects Assessment (CEA) for the Project, which this submission summarises. This CEA is attached as an appendix.

## 2. Hōkai Nuku

**2.1** Hōkai Nuku was formed in 2010 as an alliance between the Iwi and Hapū of the Pūhoi to Te Hana area to engage collectively with Waka Kotahi on the Pūhoi to Warkworth motorway, subsequently named Ara Tūhono by Hōkai Nuku.

**2.2** These Iwi and Hapū are Ngāti Manuhiri (Ngāti Manuhiri Settlement Trust), Ngāti Rango of Ngāti Whātua o Kaipara, Ngāti Mauku/Ngāti Kauae (Ngāti Mauku Kauae of Te Uri o Hau kaitiaki Charitable Trust), and Ngāti Whātua (Te Rūnanga o Ngāti Whātua). Representatives of Ngāti Manuhiri, Ngāti Rango, Ngāti Mauku/Ngāti Kauae and Te Rūnanga o Ngāti Whātua sit on Hōkai Nuku and provide expert advice to Waka Kotahi and Ara Tūhono contractors when required. The relationship with Waka Kotahi has been formalised through a Relationship Agreement which is based on the principles contained in Te Tiriti o Waitangi. These principles include active protection of Hōkai Nuku rights and interests, reciprocity, rangatiratanga, and involvement in decision-making.

**2.3** Hōkai Nuku confirms that since early 2010 Hōkai Nuku and Waka Kotahi have met regularly to discuss the Project and NoR process, with Waka Kotahi inviting feedback on a number of submission documents, including the Assessment of Environmental Effects and consent conditions. These meetings have been undertaken in the spirit of mutual reciprocity, and we thank Waka Kotahi and their contractor Jacobs for their commitment to the Relationship Agreement.

### **3. Mana whenua**

**3.1** Hōkai Nuku Iwi and Hapū are mana whenua of the Pūhoi to Te Hana area because they can demonstrate ahi kaa, that is continued occupation and governance over a long period of time, which is expressed through whakapapa, tikanga and kawa, historical narratives, place names, resource use and living memories. In the opinion of Hōkai Nuku, people who cannot also demonstrate occupation of the Project area are not mana whenua and should not be consulted as such vis-a-vis the RMA. Whilst other groups may have had a historical presence in the wider area, the ahi kaa Iwi and Hapū of the Project area represented by Hōkai Nuku have greater kaitiaki obligations and expectations, and greater weight must be given to their input.

**3.2** Therefore, our first concern is with the definition of Mana Whenua in both the draft Resource and Designation Conditions. ‘Mana Whenua’ has replaced the position of Iwi Advisor, nominated by Hōkai Nuku, which was the basis of mana whenua engagement under the Ara Tūhono Pūhoi to Warkworth Section conditions. Our concern is not a trivial matter of semantics, as significant engagement is again required between mana whenua and Waka Kotahi to meet the conditions for the next stage.

**3.3** The definition used by Waka Kotahi has been guided by the Auckland Unitary Plan (AUP), and simply states that mana whenua are Māori with ancestral rights and kaitiaki obligations in the Project Area. Unfortunately this definition does not acknowledge that there are different layers of rights and obligations. Ahi kaa groups have a relationship with their whenua that defines their identity deeply. For example, Hōkai Nuku Iwi and Hapū know where their tupuna, recent and ancient, lived and died within the Project designation. They can recount the names of the taniwha who protected the rivers. They can recount the battles where they consolidated their governance of the whenua, and they understand how that whenua came to be lost through Crown policies. Today there are small pockets of Māori owned land around the Project area that remain with our Iwi and Hapū members.

**3.4** Despite the demonstrable closeness of Hōkai Nuku Iwi and Hapū to the area, Auckland Council’s mana whenua engagement policy accords other groups who are unable to express such connections exactly the same level of interest. This generic approach appears to be based solely on who is on the Mana Whenua contacts list. Our position is that this engagement process is fundamentally flawed, and amounts to a tick box exercise for Auckland

Council that greatly distorts the intent of the RMA to involve Māori in processes pertaining to their ancestral lands.

**3.5** To illustrate, Ngāti Maru are currently listed by Auckland Council as being Mana Whenua of the inland Pūhoi and Wellsford area as far as the Ōruawharo awa. They were invited by Waka Kotahi to submit a Cultural Values Assessment for the Project, and this was subsequently incorporated into the Planning Version Urban Landscape Design Framework (ULDF). Hōkai Nuku does not dispute Ngāti Maru's connection to the Mahurangi waters as part of the Marutūahu confederation. However, Ngāti Maru has never occupied the Project area, and if asked, they would be unable to demonstrate any whakapapa connections that give them rights within the Project designation. Their historical interests were limited to the Hauraki Gulf, yet Auckland Council's engagement processes give Ngāti Maru jurisdiction over resources all the way to the other coast. Consequently under the proposed consent conditions, Ngāti Maru, as a listed mana whenua group, would be closely involved in the management of a cultural heritage that is not theirs. We consider this to be a gross misinterpretation of Māori customary rights which would produce adverse cultural effects for Hōkai Nuku if allowed. In particular, we are concerned that our tikanga around taonga unearthed by the Project will be compromised by the inclusion of outside iwi in decision-making.

**3.6** Hōkai Nuku agrees that geographical interests of iwi can overlap. This issue has already been constructively resolved for the Project designation through a tikanga based process between the ahi kaa groups, resulting in the formation of Hōkai Nuku. This outcome supports AUP Regional Policy Statement B6.2.2 (Policies) by;

*(d) recognis[ing] the role of kaumātua and pūkenga*

*(e) recognis[ing] Mana Whenua are specialists in the tikanga of their hapū or iwi and as being best placed to convey their relationship with their ancestral lands, water, sites, wāhi tapu and other taonga*

*(g) recognis[ing] and provid[ing] for mātauranga and tikanga*

*(h) recognis[ing] the role and rights of whānau and hapū to speak and act on matters that affect them.<sup>1</sup>*

**3.7** In contrast, the generic approach to Māori engagement proposed by the conditions fails to recognise tikanga. It fails to acknowledge differing levels of impacts of a resource consent on marae, whānau and hapū. We compare this to the approach taken for affected landowners. Here resource consenting makes a distinction between interested and affected landowners, rightly according affected parties more influence over the application as they are clearly more impacted by a proposal.

<sup>1</sup> Auckland Council, *Auckland Unitary Plan*, 'Regional Policy Statement B6. Mana Whenua', <https://unitaryplan.aucklandcouncil.govt.nz/Images/Auckland%20Unitary%20Plan%20Operative/Chapter%20B%20RPS/B6%20Mana%20Whenua.pdf>

**3.8** We also note the recent decision by the Environment Court, which agreed that consenting authorities ‘have jurisdiction to determine the relative strengths of the hapū/iwi relationship in an area affected by a proposal’<sup>2</sup>. The decision says that while there may be discomfort, ‘Consent authorities must face up to the complexity of issues in all facets of resource consenting, whether of a Māori cultural nature or otherwise’<sup>3</sup>. This supports our stance that customary rights within an area must be able to be demonstrated and weighed.

**3.9** Therefore, to ensure that the intent of the RMA is upheld on the Project and Hōkai Nuku Iwi and Hapū are not adversely affected by the inclusion of other groups who do not have a comparable ahi kaa relationship with the designation area, we ask that the definition of Mana Whenua be amended and the position of Iwi Advisor be restored.

#### **Recommendation – whole of submission point**

**3.10 Amend the definition of Mana Whenua in the Resource and Designation Conditions to ‘Māori who can demonstrate customary rights through occupation to resources within the Project designation, and who have responsibilities as kaitiaki over their tribal lands, waterways and other taonga’.**

**AND**

**Add a condition to the Mana Whenua Resource and Designation Conditions that requires Waka Kotahi to appoint an Iwi Advisor, nominated by Hōkai Nuku, who will undertake the roles and responsibilities set out in the conditions.**

#### **4. Cultural Values**

**4.1** Hōkai Nuku has completed a CEA for this Project. Potential effects of construction on our cultural values have been assessed using the key principles of Mauri, Kaitiakitanga, Ki Uta Ki Tai and Hauhake, Kohikohi<sup>4</sup>. This has largely been a desktop exercise although I did accompany Sarah Phear, Project Archaeologist on site visits in 2017, and our Technical Advisor Richelle Kahui-McConnell accompanied the Ecologists in the field in 2017. At this time Hōkai Nuku has been unable to complete a full Ki Uta Ki Tai Cultural Indicators survey as we have been unable to access private land, so detailed effects of construction have yet to be determined.

**4.2** We have also outlined specific areas of cultural significance using a Cultural Footprint Framework<sup>5</sup>. The framework focuses on the whakapapa links of Hōkai Nuku Iwi and Hapū

<sup>2</sup> *Ngāti Whātua Ōrākei Whai Maia Ltd v Auckland Council & Panuku Development Ltd*, Environment Court NZEnvC 184, Nov 2019, p.22.

<sup>3</sup> Ibid

<sup>4</sup> Hōkai Nuku CEA, Feb 2020, pp.14-15

<sup>5</sup> Hōkai Nuku CEA, Feb 2020, pp. 15-16

members to the Project area, iconic cultural identity markers that bind them to their rohe, and events, activities or relationships that provide rights to an area and use of resources. This framework has been primarily informed by interviews with Hōkai Nuku Cultural Advisors and Directors.

**4.3** The Cultural Footprint identified by Hōkai Nuku takes in;

- Kōurawhero and Kōurawhero Awa landscape
- Waihē (Mahurangi Awa and Harbour)
- Tohitohi o Reipae (The Dome)
- An unnamed Cultural Heritage Site near the Hōteao Awa
- Te Awa Hōteao
- Otioro Pā and Te Hana Awa landscape
- Te Hana township
- Te Awa Maeneene.

**4.4** Hōkai Nuku seeks to have our cultural footprint acknowledged in the Urban Landscape Design Framework. We believe this can be achieved via draft Designation Conditions 43-47 ULDF.

**Recommendation (subject to recommendation 3.10 re. Mana Whenua definition and Iwi Advisor position)**

**4.5** Support draft Designation Conditions 43-47 ULDF.

**4.6** Many of the effects on our cultural footprint can be mitigated by ensuring the Cultural Indicators Report required by draft Designation Conditions 15-16 is integrated into the plans that will have the most effect on our cultural values. This is discussed in the next section.

## **5. Cultural Indicators Report**

**5.1** The consent conditions for the Ara Tūhono Pūhoi to Warkworth Section required Waka Kotahi to have regard for any cultural indicators provided by Hōkai Nuku during the preparation of all management plans<sup>6</sup>. This application gives less scope to the Cultural Indicators Report. We agree that cultural indicators are not relevant to every management plan during construction, however we are concerned that the proposed conditions do not give adequate status to the Cultural Indicator Report as an iwi environmental and resource management tool under the RMA.

**5.2** For example, draft Designation Condition 16f requires the ULDF, Ecological Management Plan (EMP), Heritage and Archaeology Management Plan (HAMP) and the Cultural Monitoring

<sup>6</sup> *Final Report and Decision of the Board of Inquiry into Ara Tūhono – Pūhoi to Wellsford Road of National Significance: Pūhoi to Warkworth Section, Vol 3. Conditions D9, p.7 & RC7, p.43.*

Plan to acknowledge mana whenua cultural values. Draft Resource Consent Condition 9f requires these values be acknowledged in the Stream works Ecological Compensation Plan (SECP) and Cultural Monitoring Plan. There is actually no requirement for these plans to have regard for the report's identified cultural sites, indicators, landscapes and restoration opportunities.

**5.3** Cultural Indicators assessments are the primary means for Hōkai Nuku to understand and measure the effects of Project works on the mauri of our whenua and wai and are particularly useful when utilised over a longer-term. The legislative context that the Project operates in requires Waka Kotahi to provide for Hōkai Nuku to have a relationship with our rohe, taking into account Te Tiriti o Waitangi principles of Partnership and Duty of active protection. The policy context also directs plans and frameworks to integrate mana whenua values, mātauranga and tikanga in resource management (see RPS B6.3.2 and B7.4.2 (3)). This means that the onus is on Waka Kotahi to proactively implement the Cultural Indicators Report as a management tool.

**5.4** While draft Designation Condition 17 (Cultural Indicators Report) and Resource Condition 10 (Cultural Indicators Report) would seem to respond to this positively by requiring Waka Kotahi to implement our methods for management and measurement of effects, Hōkai Nuku is very concerned about the caveat 'where practicable to do so'. This is because the criteria for 'practicable' is not given, and variables such as budget and weather can easily change the meaning of 'practicable'. It is a very flexible word. This, as well as the fact that the management plans do not have to have regard for the Cultural Indicators Report as a whole, has the potential to leave our Cultural Indicators Report largely unimplemented and therefore pointless. We believe the specified plans should be clearly directed to have regard for the Cultural Indicators Report in its entirety, and where the preferred methods for the management of cultural effects cannot be implemented, the assessment of 'practicable' is based on a pre-defined criteria.

**5.5** To ensure the Cultural Indicators Report has been taken into account and integrated as efficiently as possible, it should be prepared at the earliest opportunity. Hōkai Nuku believes draft Designation Condition 15 and Resource Consent Condition 8 should be amended so that a Cultural Indicators Report is required to be completed at least 6 months before the start of detailed design.

**Recommendations (subject to recommendation 3.10 re. Mana Whenua definition and Iwi Advisor position)**

**5.6 Amend Designation Condition 15 and Resource Consent Condition 8 to read 'At least 12 months prior to start of detailed design of the Project, the Requiring Authority shall invite Hōkai Nuku Iwi and Hapū to prepare a Cultural Indicators Report for the Project. The Cultural Indicators Report should be completed at least 6 months before the start of detailed design. The purpose of the Cultural Indicators Report is to assist with the**

**protection and management of Ngā Taonga Tuku Iho (treasures handed down by our ancestors) during Construction Works’.**

**5.7 Add to Designation Condition 16 and Resource Consent Condition 9 to require the stipulated plans to take into account the whole Cultural Indicators Report when being prepared.**

**5.8 Clarify the criteria for assessing ‘where practicable’ in relation to Designation Condition 17 and Resource Consent Condition 10.**

## **6. Management of effects**

**6.1** According to the application’s Assessment of Environmental Effects (AEE), where avoidance of adverse effects has not been possible, an integrated approach to mitigation has been adopted that takes into account Ki Uta ki Tai. This is a principle used by Hōkai Nuku to understand how the mauri of a waterway is sustained from its source all the way to the sea. It reinforces the view that activities upstream also impact on the wellbeing of the environment downstream and aligns with the integrated management of catchments. Hōkai Nuku supports the intent of Waka Kotahi to holistically maintain healthy ecosystems by using Ki Uta Ki Tai as an overarching principle and agrees with the AEE that integrated mitigation also includes cultural effects.

**6.2** Among the key lessons from the Ara Tūhono Pūhoi to Warkworth Section, and one that we have consistently asserted to Waka Kotahi, is that Hōkai Nuku must be collaborators on the formation of plans and frameworks that will have the greatest impact on our cultural heritage and values, not consultees to the end product. As discussed, it is presently difficult to see how the draft conditions can adequately mitigate cultural effects without clear direction in the relevant plans. A collaborative process is one of the most efficient ways for Hōkai Nuku and Waka Kotahi to establish effective cultural effects strategies together, using the Cultural Indicators Report as a supporting tool.

**6.3** For this Project Hōkai Nuku wishes to collaborate on the following;

- a. Urban Landscape Design Framework (ULDF);
- b. Urban Landscape and Design Management Plans (ULDMPs);
- c. Ecological Management Plan (EMP).
- d. Heritage and Archaeological Management Plan (HAMP);

**6.4** Collaboration on these key documents will allow Hōkai Nuku to contribute as intended by RMA section 6e, which requires Waka Kotahi to provide Māori with a relationship with our lands, water, waahi tapu and other taonga. Hōkai Nuku believes the level and the quality of that relationship must be defined by Māori in order for this section to have any real meaning.



**6.5** A collaborative process is also the best way to achieve the RPS Objectives B.6.3, by according our values, tikanga and mātauranga sufficient weight and integrating them where appropriate.

**6.6** Finally, designation and resource consent conditions that support collaboration are practical mechanisms for our Hapū and Iwi members to assert their kaitiakitanga obligations within the limits of their capacity on the future Project, and will give some protection against potentially complex contracting arrangements.

**Recommendations (subject to recommendation 3.10 re. Mana Whenua definition and Iwi Advisor position)**

**6.7 Support Designation Conditions 44 - 47 Urban Landscape Design.**

**6.8 Amend Designation Condition 49 to include Hōkai Nuku Iwi and Hapū as collaborators on the preparation of the ULDMPs.**

While the ULDF provides high level direction, the ULDMPs implement this in detailed design. From our experience on the Ara Tūhono Pūhoi to Warkworth Section, we believe collaboration at this level is equally important because of the challenges that arise with integrated mitigation. We note that Final Condition D38A of the Pūhoi to Warkworth Section required the Iwi Advisor to be a collaborator on the sector plans and that these Warkworth to Wellsford Section conditions are a backwards step. The rationale for this has not been explained by Waka Kotahi, given the gains secured by Hōkai Nuku for a landscape planting mix and staging that prevents die-off and disease over the long term.

Hōkai Nuku input into the detailed ULDMPs as collaborators is consistent with the AEE's assertion that detailed design will be developed to the integrated mitigation outcomes intended in the designation application.

**6.9 Amend Designation Condition 57 Ecology Management Plan (EMP) to include Hōkai Nuku Iwi and Hapū as collaborators.**

The ecological outcomes sought by draft Designation Condition 54 Ecological Outcomes are some of the same cultural outcomes sought by Hōkai Nuku. We believe ecological effects mitigation and cultural effects mitigation cannot be easily compartmentalised as they have the same essential aim for healthy ecosystems. Our experience on the Ara Tūhono Pūhoi to Warkworth Section has shown that restoration planting and habitat rehabilitation are most successful when designed using both ecological and Māori cultural knowledge. This ensures locally representative diversity and resilience over the long-term. Therefore, the outcomes in draft Designation Condition 54 are best achieved by altering draft Designation Condition 57.

**6.10 Amend Designation Condition 79 Heritage and Archaeological Management Plan (HAMP) to include Hōkai Nuku Iwi and Hapū as collaborators.**

Hōkai Nuku objects to the identification, assessment, and management of our cultural heritage without our full participation and informed agreement. Currently draft Designation Condition 79 and Designation Condition 16 do not give adequate effect to RMA section 6e. In addition, collaboration on the HAMP is consistent with Auckland Council's RPS, which explains that 'the knowledge base of information about Mana Whenua cultural heritage is continually developing' and that protection of Māori cultural heritage 'will involve a collaborative approach with Mana Whenua, working in accordance with tikanga to identify, assess, protect and manage Mana Whenua cultural heritage, including the context for individual sites and places which are the footprint/tapu wae of Mana Whenua'.<sup>7</sup>

## 7. Ecology

**7.1** To reiterate, Hōkai Nuku supports the ecological outcomes stipulated in Designation Condition 54 Ecological Outcomes and strongly believes these outcomes will be more successfully achieved if Hōkai Nuku are able to collaborate on the EMP, and if the EMP has regard for the Cultural Indicators Report.

**7.2** Hōkai Nuku is supportive of the planting ratios in Designation Condition 62 Restoration Planting and Habitat Rehabilitation, and the emphasis on wetlands. Hōkai Nuku regard remnant wetlands, or repo, as a taonga that should be avoided in the first instance and mitigated and enhanced in the second. The ratios are an improvement on the Ara Tūhono Pūhoi to Warkworth requirements and are consistent with the ecological outcomes stated.

**7.3** As discussed earlier, there is currently no requirement for the EMP to have regard for our identified restoration opportunities in the Cultural Indicators Report (draft Designation Condition 16e). We are also not collaborators under the proposed conditions. Hōkai Nuku is concerned that the EMP may not adequately consider restoration planting and habitat rehabilitation at our identified sites unless there is a clear direction to do this. We believe an addition is needed to draft Designation Condition 63, which sets out the sites that will be replanted and rehabilitated.

**7.4** We are also supportive of draft Designation Condition 64, however we feel that Designation Condition 64h, regarding our cultural values, does not need to be qualified by 'where feasible and practicable'. The cultural values that Hōkai Nuku expresses are all related to preserving the mauri and interconnectedness of life and so acknowledgement of these values should be in harmony with restoration aims. We object to the way the conditions currently frame Māori resource management as unfeasible when in fact it is completely aligned with the integrated ecological outcomes that inform the overall design and mitigation. It is not because of Māori resource management that the Project area has such a low

<sup>7</sup> *Auckland Unitary Plan, Operative in part*. Chapter B6.6 Mana Whenua: Explanation and principle reasons for adoption, pp.9-10.

ecological baseline that now requires enhancement, but because of the legacy of the Crown's mismanagement. The very purpose of RMA section 6e is to remedy this.

### **Recommendations**

#### **7.5 Support Designation Condition 54 Ecological Outcomes**

**7.6 Add to Designation Condition 63 Restoration Planting and Habitat Rehabilitation so that the Requiring Authority must also consider the identified opportunities for restoration and enhancement of Mauri and Mahinga kai in Designation Condition 16e (Mana Whenua).**

#### **7.7 Support Designation Condition 64 Restoration Planting and Habitat Rehabilitation**

**7.8 Amend Designation Condition 64h by removing 'where feasible and practicable to do so'.**

### **8. Landscape design**

**8.1** We are supportive of an amended Designation Condition 49 Urban and Landscape Design Management Plans (ULDMP) as discussed, which then forms the basis of our support for Draft Designation Condition 49b (xv). Together, these conditions will largely provide for Hōkai Nuku to have input into the detailed design at crucial junctures in order to mitigate effects on our cultural footprint. We note that in this instance we do support the caveat 'where practicable and feasible' in relation to the Cultural Artworks Plan, but not to the cultural values identified in the Cultural Indicators Report. We suggest separating out this condition.

**8.2** Hōkai Nuku supports early, formalised engagement regarding a Cultural Artworks Plan.

### **Recommendations**

**8.3 Amend draft Designation Condition 49b (xv) to read 'Design and landscape features to acknowledge cultural values relating to landscape design identified through condition 16(f).'**

**8.4 Add Designation Condition 49b (xvi) to read 'Design and landscape features to acknowledge the recommendations of the Cultural Artworks Plan (if prepared), where feasible and practicable to do so.'**

**8.5 Support Designation Condition 19 Cultural Artworks Plan (subject to recommendation 3.10 re. Mana Whenua definition and Iwi Advisor position).**

### **9. Accidental Discovery Protocol**

**9.1** Hōkai Nuku supports draft Designation Conditions 82-84 Accidental Discovery Protocol.

**Recommendation (subject to recommendation 3.10 re. Mana Whenua definition and Iwi Advisor position)**

**9.2 Support Designation Conditions 82-84.**

**10. Cultural Monitoring**

**10.1** Hōkai Nuku supports draft Designation Condition 20-23 Cultural Monitoring Plan, and draft Resource Consent Conditions 12-15 Cultural Monitoring Plan.

**Recommendation (subject to recommendation 3.10 re. Mana Whenua definition and Iwi Advisor position)**

**10.1 Support Designation Conditions 20-23 and Resource Consent Conditions 12-15.**

**11. Water**

**11.1** Hōkai Nuku has examined the technical information in the NoR to the best of our ability at this time. We are supportive of the aims to avoid effects on the environment through design and feel comfortable with the approach to works in watercourses and wetlands where avoidance is not possible. Where we do have concerns is the sizing and design of culverts for future climate conditions and fish passage. We agree with the Water Assessment Report that the most up to date climate change estimates that are available at the time of detailed design should be used for the final design<sup>8</sup>. We would also like best practice for fish passage to be approached similarly.

**Recommendations**

**11.2 Support Resource Consent Conditions 54-63 Works in watercourses and wetlands and freshwater ecology.**

**11.3 Approach culvert design using up-to-date best practice and climate estimates for the final design.**

**12. Proposed designation and indicative alignment**

**12.1** The Hōkai Nuku CEA notes that urupā may be lying within the current designation at Hōteio South. We are opposed to the excavation of tupuna through construction works. We believe a precautionary approach should be taken with regards to the alignment until Hōkai Nuku has undertaken more research, including more interviews, archaeological modelling, and surveying of the area.

**Recommendation**

<sup>8</sup> Water Assessment Report, Waka Kotahi, p.16.

**12.2 Hōkai Nuku and Waka Kotahi to continue to work together to gather information about potential unrecorded burial sites. This information will be used to help decide the final alignment.**

### **13. The need for the Project**

**13.1** Hōkai Nuku is highly supportive of Waka Kotahi’s health and safety case for improved corridor resilience between Whangārei and Auckland to cope with increased use, particularly because SH1 between Warkworth and Te Hana has a high crash rate. Māori are more likely than the rest of the population to die<sup>9</sup> or experience serious injury from traffic accidents.<sup>10</sup> Hōkai Nuku wants to ensure the safety of our own whānau and their friends as they move throughout the rohe, and also the safety of manuhiri passing through.

**13.2** We have concerns however for the case put forward regarding movement of freight. We note the AEE relies on forecasts in the 2014 National Freight Demands Study<sup>11</sup> and that the most recent 2017/18 National Freight Demand Study has updated forecasts which are significantly different<sup>12</sup>. Furthermore, freight for international trade is undergoing changes as a result of the on-going Covid-19 pandemic, the impact of which we are still unclear about. While we agree that a better infrastructure network for Northland is vital and the Project is an important part of that badly needed investment, we also believe a revised analysis of freight movement should be considered before the designation is approved. We also make the point that the Upper North Island Freight Story referenced in the AEE is clear about the need for integrated transport network planning, combining rail, road and sea. The rationale for the Project presently shows limited consideration for future integration with other land transport modes in the region.

#### **Recommendation**

**13.3 The Consenting Authority should request more information using updated forecasts of freight movement between Auckland and Northland, taking into account confirmed rail projects in the region and how this will impact freight capability as an integrated network.**

### **14. Conclusion**

**14.1** The proposed Project is the next phase of the Ara Tūhono, which we know from experience will be a large and complex planning and construction effort. While Hōkai Nuku will continue to pursue non-regulatory tools such as the Relationship Agreement, we must

<sup>9</sup> *The Social Report 2016*, Ministry of Social Development, <http://socialreport.msd.govt.nz/safety/road-casualties.html>

<sup>10</sup> Stats NZ, 4 Oct 2018, <https://www.stats.govt.nz/news/higher-rates-of-serious-injuries-for-maori-from-vehicle-crashes-and-assaults>

<sup>11</sup> AEE, Waka Kotahi, p.21

<sup>12</sup> *National Freight Demand Study 2017/18*, Ministry of Transport, <https://www.transport.govt.nz/mot-resources/freight-resources/nationalfreightdemandsstudy/>

also use resource and designation conditions to secure an active role in both the design and construction phases.

**14.2** We believe this submission lays out clearly the legal obligation for Waka Kotahi to provide the Iwi and Hapū of Hōkai Nuku, as mana whenua, with direct mechanisms to express and protect their culture and cultural heritage. We also believe the submission lays out the positive benefits to the Project of integrating our knowledge through relevant management plans to avoid and mitigate effects on our rohe.

**14.3** While we are supportive of many of the aims of the Project, particularly with regards to ecological outcomes and improved corridor resilience, we feel that the proposed conditions may negatively impact our cultural values due to the input of other groups who are not ahi kaa, and ambiguity about the role of the Cultural Indicators Report in key management plans. We have made recommendations that would provide greater assurance that Hōkai Nuku's cultural footprint, values and methods will be acknowledged where appropriate.

**14.4** Our CEA gives a detailed account of our relationship to the Project area, and the areas and values that are significant to us, with recommendations that are not specifically related to consent conditions. It should be read as an integral part of our both submission and the NoR pack.

Nāku noa, nā

A handwritten signature in blue ink, consisting of a horizontal line that loops back down and then up again, ending in a small flourish.

Gena Moses-Te Kani  
Pou Tātaki (Iwi Advisor)  
Hōkai Nuku

**12.2 Hōkai Nuku and Waka Kotahi to continue to work together to gather information about potential unrecorded burial sites. This information will be used to help decide the final alignment.**

### **13. The need for the Project**

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**13.2** We have concerns however for the case put forward regarding movement of freight. We note the AEE relies on forecasts in the 2014 National Freight Demands Study<sup>11</sup> and that the most recent 2017/18 National Freight Demand Study has updated forecasts which are significantly different<sup>12</sup>. Furthermore, freight for international trade is undergoing changes as a result of the on-going Covid-19 pandemic, the impact of which we are still unclear about. While we agree that a better infrastructure network for Northland is vital and the Project is an important part of that badly needed investment, we also believe a revised analysis of freight movement should be considered before the designation is approved. We also make the point that the Upper North Island Freight Story referenced in the AEE is clear about the need for integrated transport network planning, combining rail, road and sea. The rationale for the Project presently shows limited consideration for future integration with other land transport modes in the region.

#### **Recommendation**

**13.3 The Consenting Authority should request more information using updated forecasts of freight movement between Auckland and Northland, taking into account confirmed rail projects in the region and how this will impact freight capability as an integrated network.**

### **14. Conclusion**

**14.1** The proposed Project is the next phase of the Ara Tūhono, which we know from experience will be a large and complex planning and construction effort. While Hōkai Nuku will continue to pursue non-regulatory tools such as the Relationship Agreement, we must

<sup>9</sup> *The Social Report 2016*, Ministry of Social Development, <http://socialreport.msd.govt.nz/safety/road-casualties.html>

<sup>10</sup> Stats NZ, 4 Oct 2018, <https://www.stats.govt.nz/news/higher-rates-of-serious-injuries-for-maori-from-vehicle-crashes-and-assaults>

<sup>11</sup> AEE, Waka Kotahi, p.21

<sup>12</sup> *National Freight Demand Study 2017/18*, Ministry of Transport, <https://www.transport.govt.nz/mot-resources/freight-resources/nationalfreightdemandsstudy/>

also use resource and designation conditions to secure an active role in both the design and construction phases.

**14.2** We believe this submission lays out clearly the legal obligation for Waka Kotahi to provide the Iwi and Hapū of Hōkai Nuku, as mana whenua, with direct mechanisms to express and protect their culture and cultural heritage. We also believe the submission lays out the positive benefits to the Project of integrating our knowledge through relevant management plans to avoid and mitigate effects on our rohe.

**14.3** While we are supportive of many of the aims of the Project, particularly with regards to ecological outcomes and improved corridor resilience, we feel that the proposed conditions may negatively impact our cultural values due to the input of other groups who are not ahi kaa, and ambiguity about the role of the Cultural Indicators Report in key management plans. We have made recommendations that would provide greater assurance that Hōkai Nuku's cultural footprint, values and methods will be acknowledged where appropriate.

**14.4** Our CEA gives a detailed account of our relationship to the Project area, and the areas and values that are significant to us, with recommendations that are not specifically related to consent conditions. It should be read as an integral part of our both submission and the NoR pack.

Nāku noa, nā

A handwritten signature in blue ink, consisting of a horizontal line that loops back down and then up again, ending in a small flourish.

Gena Moses-Te Kani  
Pou Tātaki (Iwi Advisor)  
Hōkai Nuku



**Amy Cao**

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**From:** NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz  
**Sent:** Monday, 29 June 2020 2:30 PM  
**To:** Central RC Submissions  
**Cc:** warkworth-wellsford@nzta.govt.nz  
**Subject:** BUN60354951 [ID:10672] Submission received on notified resource consent

We have received a submission on the notified resource consent for Land between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hoteo River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana. .

## Details of submission

### Notified resource consent application details

**Property address:** Land between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hoteo River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana.

**Application number:** BUN60354951

**Applicant name:** Waka Kotahi - New Zealand Transport Agency

**Applicant email:** warkworth-wellsford@nzta.govt.nz

**Application description:** Waka Kotahi - The New Zealand Transport Agency has applied for a Notice of Requirement to amend the Auckland Unitary Plan and applied for associated Regional Resource Consents to enable the construction, operation and maintenance for a new four lane state highway. Key components of the proposal include a four lane dual carriageway, three interchanges, twin bore tunnels under Kraack Road, a viaduct over the existing SH1 and Hoteo River, a bridge over Maeneene Stream, a series of cut and fills across the project area and changes to local roads. Resource consents are required in relation to earthworks, vegetation removal, structures and associated temporary works in, on, under or over watercourses and wetlands, diversion of streams and ground water, discharge to air, and stormwater management including the on-going stormwater discharge from the road surface.

### Submitter contact details

**Full name:** Tertia de Vaile Wildy

**Organisation name:**

**Contact phone number:** 09 415 9959

**Email address:** tertiaw@hotmail.com

**Postal address:**  
165 Glenmore Road,  
RD3 Albany  
Auckland 0793

### Submission details

**This submission:** opposes the application in whole or in part

**Specify the aspects of the application you are submitting on:**

The size of the proposed interchange at Warkworth, and the environmental and social impacts of it.

**What are the reasons for your submission?**

The plan for the proposed interchange is very expansive and will have an adverse effect on areas of native habitat that has a number of mature native trees -including large Totara, wet-lands, and parts of the Mahurangi River (a branch of which has been omitted from the plans). This will have a significant negative effect on vegetation and wildlife, particularly a variety of native birds who are living there happily at the moment. It will also impact the enjoyment of these areas by humans, whether walking or cycling, - they will now have to contend with the damage, the unnatural obstacles, the noise and the fumes.

**What decisions and amendments would you like the council to make?**

I would like the council to look carefully at the proposal and request the plans be amended to have less negative effects in all areas mentioned above. Please examine whether the wide spreading design is the economic, and whether it increases the aforementioned negative impacts.

**Are you a trade competitor of the applicant?** I am not a trade competitor of the applicant.

**Do you want to attend a hearing and speak in support of your submission?** No

**If other people make a similar submission I will consider making a joint case with them at the hearing:** Yes

**Supporting information:**

## Amy Cao

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**From:** NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz  
**Sent:** Monday, 29 June 2020 3:00 PM  
**To:** Central RC Submissions  
**Cc:** warkworth-wellsford@nzta.govt.nz  
**Subject:** BUN60354951 [ID:10673] Submission received on notified resource consent  
**Attachments:** Submission.pdf

We have received a submission on the notified resource consent for Land between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hoteo River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana. .

## Details of submission

### Notified resource consent application details

**Property address:** Land between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hoteo River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana.

**Application number:** BUN60354951

**Applicant name:** Waka Kotahi - New Zealand Transport Agency

**Applicant email:** warkworth-wellsford@nzta.govt.nz

**Application description:** Waka Kotahi - The New Zealand Transport Agency has applied for a Notice of Requirement to amend the Auckland Unitary Plan and applied for associated Regional Resource Consents to enable the construction, operation and maintenance for a new four lane state highway. Key components of the proposal include a four lane dual carriageway, three interchanges, twin bore tunnels under Kraack Road, a viaduct over the existing SH1 and Hoteo River, a bridge over Maeneene Stream, a series of cut and fills across the project area and changes to local roads. Resource consents are required in relation to earthworks, vegetation removal, structures and associated temporary works in, on, under or over watercourses and wetlands, diversion of streams and ground water, discharge to air, and stormwater management including the on-going stormwater discharge from the road surface.

### Submitter contact details

**Full name:** Dianne Civil

**Organisation name:**

**Contact phone number:** 021705688

**Email address:** dianne.civil@gmail.com

**Postal address:**

111 Kaipara Flats Rd, RD 1  
Warkworth  
Auckland 0981

### Submission details

**This submission:** opposes the application in whole or in part

**Specify the aspects of the application you are submitting on:**

Please refer to the attachment for further details

This is a submission on NZTA's proposal for its Warkworth to Wellsford Project – both the application for resource consents and the Notice of Requirement (NoR).

In particular, this is a submission on the Warkworth Interchange of that Project.

This submission is made in my capacity as:  
Owner of 111 Kaipara Flats Road  
Owner of Lot 4 DP469718  
Occupier of the "Double Truffle" Orchard at 109 Kaipara Flats Road

I am not a trade competitor of the NZTA.

The first two properties will be directly affected by effects of the Project.

The third property is likely to be acquired by the NZTA if the Project goes ahead. I have not been consulted during the alternatives' assessment.

The specific parts of the proposal that my submission relates to are:

The ecological effects of the Proposal on the Mahurangi River (Left Branch) and its margins including areas of mature remnant vegetation and areas of significant conservation and ecological value.

The landscape, visual and flooding and degraded amenity effects of the Proposal on the above properties

The effects of the Proposal on Double Truffle, a small but established orchard which is about to enter its most productive years for truffle. The interchange is proposed to pass directly over the orchard, yet there is no mention of it in any of the assessments provided by NZTA to date.

The effects of the Proposal on quality soils needed for agriculture and horticulture

The lack of any provision for pedestrian or cycling facilities, including along the Mahurangi River

The inadequate consideration of alternatives regarding the location and design of the interchange given the above effects

The lack of meaningful engagement or consultation regarding the above effects

The quality of the information and assessment regarding the impacts and effects on the Mahurangi River

The lack of protection for planned dwellings on existing building sites in regards to PPF (Protected Premises and Facilities)

### **What are the reasons for your submission?**

I oppose the location and design of the Warkworth Interchange.

This is because:

My family have lived next to the Mahurangi River continuously for 134 years. We have a strong connection with this Awa.

The interchange is larger than Spaghetti Junction. It is excessive in its design and affects a much greater area of land that is required for an Interchange to function safely and efficiently.

It affects the Left Branch of the Mahurangi River which flows to the Mahurangi Harbour and is recognised as an Area of Significant Conservation Value.

It affects areas of remnant vegetation classified as an Significant Ecological Area. Stands of mature totara and kahikatea will be lost to future generations.

It affects areas of other riparian vegetation that provides significant habitat for native fish, birds and invertebrates including several threatened species.

The above ecological effects have not been adequately avoided, remedied or mitigated and there are no environmental benefits to offset or compensate the effects. The use of three bridges is not sufficient, nor the level of riparian planting and habitat creation referred to on page 227 or the "enhancements" on page 376.

It also passes directly above "Double Truffle", a 15 year old orchard with 81 trees that has just started to produce a small amount of truffle and has great potential in the coming years. There is no recognition of this land use in section 3.3.5 or 9.20 of the Application and it appears to have been overlooked.

It also affects valuable growing land which has great potential for agriculture and horticulture. This does not make sense when the world is being hit by a pandemic which will impact food production and distribution globally. Aotearoa needs to be self sufficient and rather than destroy growing land we should be nurturing it.

The design will effectively block any future access along the banks of the River for walkways or cycleways.

The design will also cause an increase in flooding on local roads and properties, causing damage to roading, bridges and houses located in this area.

The design will change the area into a "transport infrastructure dominated landscape". The effects cannot be mitigated by the shelterbelt (p308).

The design fails to provide any opportunities for pedestrian and/or cyclist access to and along the river. The Proposal

does not support safe cycling and walking connections, and has failed to adequately consider such opportunities. Option C was selected without adequate regard to the effects on the Mahurangi River (Left Branch) and with no regard to the effects on my properties, as recorded on page 147 of the Application. Nor does there appear to have been any adequate assessment of the alternatives within Option C for locating and designing the interchange to minimize its effects.

The public have not been given fair and honest information regarding the effects of the Interchange on the Left Branch of the Mahurangi River. The River has been effectively erased from a number of important Public documents including the application notice, 30 of the maps in the application documents and the 3D model of the interchange at the public meeting held in Warkworth March 2nd 2019 leading up to the application being lodged.

There is no protection in regards to PPF considered for planned dwellings on identified building sites.

**What decisions and amendments would you like the council to make?**

I seek the Proposal be declined unless the issues with the Warkworth Interchange identified above can be properly addressed to my satisfaction.

**Are you a trade competitor of the applicant?** I am not a trade competitor of the applicant.

**Do you want to attend a hearing and speak in support of your submission?** Yes

**If other people make a similar submission I will consider making a joint case with them at the hearing:** Yes

**Supporting information:**

Submission.pdf

To Auckland Council

My name is Dianne Civil. I am of Māori (Ngāpuhi and Ngātiwai) and European descent.

This is a submission on NZTA's proposal for its Warkworth to Wellsford Project – both the application for resource consents and the Notice of Requirement (NoR).

In particular, this is a submission on the Warkworth Interchange of that Project.

This submission is made in my capacity as:

1. Owner of 111 Kaipara Flats Road
2. Owner of Lot 4 DP469718
3. Occupier of the "Double Truffle" Orchard at 109 Kaipara Flats Road

I am not a trade competitor of the NZTA.

The first two properties will be directly affected by effects of the Project.

The third property is likely to be acquired by the NZTA if the Project goes ahead. I have not been consulted during the alternatives' assessment.

The specific parts of the proposal that my submission relates to are:

4. The ecological effects of the Proposal on the Mahurangi River (Left Branch) and its margins including areas of mature remnant vegetation and areas of significant conservation and ecological value.
5. The landscape, visual and flooding effects of the Proposal on the above properties
6. The effects of the Proposal on Double Truffle, a small but established orchard which is about to enter its most productive years for truffle. The interchange is proposed to pass directly over the orchard, yet there is no mention of it in any of the assessments provided by NZTA to date.
7. The effects of the Proposal on quality soils needed for agriculture and horticulture
8. The lack of any provision for pedestrian or cycling facilities, including along the Mahurangi River
9. The inadequate consideration of alternatives regarding the location and design of the interchange given the above effects
10. The lack of meaningful engagement or consultation regarding the above effects
11. The quality of the information and assessment regarding the impacts and effects on the Mahurangi River
12. The lack of protection for planned dwellings on existing building sites in regards to PPF (Protected Premises and Facilities)

I oppose the location and design of the Warkworth Interchange.

This is because:

1. My family have lived next to the Mahurangi River continuously for 134 years. We have a strong connection with this Awa.
2. The interchange is larger than Spaghetti Junction. It is excessive in its design and affects a much greater area of land that is required for an Interchange to function safely and efficiently.

3. It affects the Left Branch of the Mahurangi River which flows to the Mahurangi Harbour and is recognised as an Area of Significant Conservation Value.
4. It affects areas of remnant vegetation classified as an Significant Ecological Area. Stands of mature totara and kahikatea will be lost to future generations.
5. It affects areas of other riparian vegetation that provides significant habitat for native fish, birds and invertebrates including several threatened species.
6. The above ecological effects have not been adequately avoided, remedied or mitigated and there are no environmental benefits to offset or compensate the effects. The use of three bridges is not sufficient, nor the level of riparian planting and habitat creation referred to on page 227 or the “enhancements” on page 376.
7. It also passes directly above "Double Truffle", a 15 year old orchard with 81 trees that has just started to produce a small amount of truffle and has great potential in the coming years. There is no recognition of this land use in section 3.3.5 or 9.20 of the Application and it appears to have been overlooked.
8. It also affects valuable growing land which has great potential for agriculture and horticulture. This does not make sense when the world is being hit by a pandemic which will impact food production and distribution globally. Aotearoa needs to be self sufficient and rather than destroy growing land we should be nurturing it.
9. The design will effectively block any future access along the banks of the River for walkways or cycleways.
10. The design will also cause an increase in flooding on local roads and properties, causing damage to roading, bridges and houses located in this area.
11. The design will change the area into a “transport infrastructure dominated landscape”. The effects cannot be mitigated by the shelterbelt (p308).
12. The design fails to provide any opportunities for pedestrian and/or cyclist access to and along the river. The Proposal does not support safe cycling and walking connections, and has failed to adequately consider such opportunities.
13. Option C was selected without adequate regard to the effects on the Mahurangi River (Left Branch) and with no regard to the effects on my properties, as recorded on page 147 of the Application. Nor does there appear to have been any adequate assessment of the alternatives within Option C for locating and designing the interchange to minimize its effects.
14. The public have not been given fair and honest information regarding the effects of the Interchange on the Left Branch of the Mahurangi River. The River has been effectively erased from a number of important Public documents and 3D models leading up to the application being lodged.
15. There is no protection in regards to PPF considered for planned dwellings on identified building sites.

I seek the Proposal be declined unless the issues with the Warkworth Interchange identified above can be properly addressed to my satisfaction.

I wish to be heard in support of my submission.

Regards  
Dianne Civil

**Amy Cao**

---

**From:** NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz  
**Sent:** Monday, 29 June 2020 4:15 PM  
**To:** Central RC Submissions  
**Cc:** warkworth-wellsford@nzta.govt.nz  
**Subject:** BUN60354951 [ID:10674] Submission received on notified resource consent  
**Attachments:** Warkworth to Wellsford RC Submission - NZ Heavy Haulage Assn\_June 2020.pdf

We have received a submission on the notified resource consent for Land between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hoteo River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana. .

## Details of submission

### Notified resource consent application details

**Property address:** Land between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hoteo River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana.

**Application number:** BUN60354951

**Applicant name:** Waka Kotahi - New Zealand Transport Agency

**Applicant email:** warkworth-wellsford@nzta.govt.nz

**Application description:** Waka Kotahi - The New Zealand Transport Agency has applied for a Notice of Requirement to amend the Auckland Unitary Plan and applied for associated Regional Resource Consents to enable the construction, operation and maintenance for a new four lane state highway. Key components of the proposal include a four lane dual carriageway, three interchanges, twin bore tunnels under Kraack Road, a viaduct over the existing SH1 and Hoteo River, a bridge over Maeneene Stream, a series of cut and fills across the project area and changes to local roads. Resource consents are required in relation to earthworks, vegetation removal, structures and associated temporary works in, on, under or over watercourses and wetlands, diversion of streams and ground water, discharge to air, and stormwater management including the on-going stormwater discharge from the road surface.

### Submitter contact details

**Full name:** Jonathan Bhana-Thomson

**Organisation name:** NZ Heavy Haulage Association

**Contact phone number:** 044720366

**Email address:** jonathan@hha.org.nz

**Postal address:**

PO Box 3873  
Lambton  
Wellington 6140

### Submission details

**This submission:** supports the application in whole or in part

**Specify the aspects of the application you are submitting on:**  
Proposed Designation Corridor and Maps



**What are the reasons for your submission?**

As outlined in the attached document, but to provide a suitable transport corridor for the transport of oversize loads.

**What decisions and amendments would you like the council to make?**

As outlined in the attached document

**Are you a trade competitor of the applicant?** I am not a trade competitor of the applicant.

**Do you want to attend a hearing and speak in support of your submission?** No

**If other people make a similar submission I will consider making a joint case with them at the hearing:** Yes

**Supporting information:**

Warkworth to Wellsford RC Submission - NZ Heavy Haulage Assn\_June 2020.pdf

## 1.0 SUBMITTER DETAILS

Name of submitter(s) <i>(please write all names in full)</i>	NZ Heavy Haulage Association Inc		
Physical Address:	Level 6, Aviation House, 12 Johnston Street, Wellington	Postcode:	6011
Address for service: (if different)			Postcode:
Telephone (day):	04 472 0366	Mobile:	027 417 5554
		Fax:	
Email:	jonathan@hha.org.nz		

## 2.0 APPLICATION DETAILS

Application Number:	BUN60354951		
Name of applicant: <i>(please write all names in full)</i>	New Zealand Transport Agency		
Address of proposed activity:	Warkworth to Wellsford New Highway	Postcode:	
Description of proposed activity:	Notice of Requirement to amend the Auckland Unitary Plan and applied for associated Regional Resource Consents to enable the construction, operation and maintenance for a new four lane state highway		

## 3.0 SUBMISSION DETAILS

My/our submission: (please tick one)

<input checked="" type="checkbox"/> Supports the Application	<input type="checkbox"/> Opposes the Application	<input type="checkbox"/> Neutral regarding the Application
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The specific parts of the application to which my/our submission relates to are: (use additional pages if required.)

The specific parts of the application and the points we wish to make are on the attached page

### 3.0 SUBMISSION DETAILS contd

The reasons for my/our submission are: (use additional pages if required.)


The decision I/we would like the Council to make is (including, if relevant, the parts of the application you wish to have amended and the general nature of any conditions sought):

To grant with consent with conditions

### 4.0 SUBMISSION AT THE HEARING

- I/we wish to speak in support of my/our submission.
- I/we do not wish to speak in support of my/our submission.
- If others make a similar submission, I/we will consider presenting a joint case with them at the hearing.

**Signature of submitter(s) or agent of submitter(s)**

<i>Jonathan Bhana-Thomson</i>

Date:	29/06/2020
Date:	
Date:	

#### IMPORTANT INFORMATION

The Council must receive this submission before the date and time indicated. A copy of this submission must also be given as soon as reasonably practicable to the applicant at the applicant's address for service.

All submitters will be advised of hearing details at least 10 working days before the hearing. If you change your mind as to whether you wish to attend the hearing, please phone the Council so that the necessary arrangements can be made.

#### PRIVACY INFORMATION

The information you have provided on this form is required so that your submission can be processed under the RMA, so that statistics can be collected by the Council. The information will be stored on a public register, and held by the Council. The details may also be made available to the public on the Council's website. These details are collected to inform the general public and community groups about all consents which have been issued through the Council. If you would like to request access to, or correction of your details, please contact the Council.

### **Submission Details**

This Association represents the interests of freight operators that specialise in the transport of oversized goods around New Zealand.

In general the Association supports the construction of this new road, as it will result in the significantly increased safety and efficiency of the transport of oversized (overdimension and/or overweight loads). There are however some specific comments that we wish to make our support contingent on, as follows.

### **Proposed Designation Maps**

These comments relate to the land that is required in order to designate an appropriate corridor in which to construct the new highway.

If this new highway is to be used by freight operators to transport oversized loads, then the corridor and land required in order to construct it, needs to enable a road of sufficient width, height clearance and weight capacity to be constructed.

The normal carriageway of the new highway needs to support an overall width in each direction of 11.0m and 6.2m in height.

In addition where the new highway crosses over the current State Highway 1 (Bridge 11), then this needs to provide at least 6.2m in height clearance on the roadway. However there is also a need to provide a high load route of up to 6.5m between Auckland and Northland, and the NoR must allow an off-road bypass at this point, else this will effectively cut off Northland from Auckland in terms of abnormally high loads being able to travel, given that the new highway includes tunnels with a height restriction.

Where the new highway crosses over local public roads, then the height clearance specified of 5.5m should be sufficient for the type of loads that need to travel on the local roads, and we support this clearance being provided.

Where there are bridges over the new highway then we request a clearance of 6.2m clearance to allow overheight loads to travel.

There are two tunnels on the new highway and we request that the dimensions in each allow a height of 6.2m and a width of 11m to travel through each tunnel.

The overall cross section shows that in open country there are good width clearances, and we support the design (and the land required to provide this) with at least a clear width of 11.0m on each side without a wide load overhanging the median or side barrier.

The interchanges also need to provide suitable width and height clearances. The designs available do not show the details design, but we recommend that the designs for roundabouts and other features comply with the requirements in the Association's design Guide, available here: <https://www.hha.org.nz/about/for-engineers/>

### **Summary**

We support the Resource Consents being issued as long as the consent conditions address the matters we have raised.

**Amy Cao**

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**From:** NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz  
**Sent:** Monday, 29 June 2020 8:00 PM  
**To:** Central RC Submissions  
**Cc:** warkworth-wellsford@nzta.govt.nz  
**Subject:** BUN60354951 [ID:10675] Submission received on notified resource consent

We have received a submission on the notified resource consent for Land between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hoteo River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana. .

## Details of submission

### Notified resource consent application details

**Property address:** Land between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hoteo River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana.

**Application number:** BUN60354951

**Applicant name:** Waka Kotahi - New Zealand Transport Agency

**Applicant email:** warkworth-wellsford@nzta.govt.nz

**Application description:** Waka Kotahi - The New Zealand Transport Agency has applied for a Notice of Requirement to amend the Auckland Unitary Plan and applied for associated Regional Resource Consents to enable the construction, operation and maintenance for a new four lane state highway. Key components of the proposal include a four lane dual carriageway, three interchanges, twin bore tunnels under Kraack Road, a viaduct over the existing SH1 and Hoteo River, a bridge over Maeneene Stream, a series of cut and fills across the project area and changes to local roads. Resource consents are required in relation to earthworks, vegetation removal, structures and associated temporary works in, on, under or over watercourses and wetlands, diversion of streams and ground water, discharge to air, and stormwater management including the on-going stormwater discharge from the road surface.

### Submitter contact details

**Full name:** malcolm lea

**Organisation name:**

**Contact phone number:** 0211502488

**Email address:** malcolmlea199@gmail.com

**Postal address:**  
199 shepherd road  
wellsford  
auckland 0975

### Submission details

**This submission:** is neutral regarding the application in whole or in part

**Specify the aspects of the application you are submitting on:**  
environment impacts, management plans and monitoring

**What are the reasons for your submission?**

to achieved the best possible outcome

**What decisions and amendments would you like the council to make?**

management plans to ensure best outcomes aqchieved . closing farmerline road to save one bridge a community group to interact with construction parties

**Are you a trade competitor of the applicant?** I am not a trade competitor of the applicant.

**Do you want to attend a hearing and speak in support of your submission?** Yes

**If other people make a similar submission I will consider making a joint case with them at the hearing:** Yes

**Supporting information:**

**Amy Cao**

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**From:** NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz  
**Sent:** Monday, 29 June 2020 8:30 PM  
**To:** Central RC Submissions  
**Cc:** warkworth-wellsford@nzta.govt.nz  
**Subject:** BUN60354951 [ID:10676] Submission received on notified resource consent

We have received a submission on the notified resource consent for Land between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hoteo River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana. .

## Details of submission

### Notified resource consent application details

**Property address:** Land between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hoteo River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana.

**Application number:** BUN60354951

**Applicant name:** Waka Kotahi - New Zealand Transport Agency

**Applicant email:** warkworth-wellsford@nzta.govt.nz

**Application description:** Waka Kotahi - The New Zealand Transport Agency has applied for a Notice of Requirement to amend the Auckland Unitary Plan and applied for associated Regional Resource Consents to enable the construction, operation and maintenance for a new four lane state highway. Key components of the proposal include a four lane dual carriageway, three interchanges, twin bore tunnels under Kraack Road, a viaduct over the existing SH1 and Hoteo River, a bridge over Maeneene Stream, a series of cut and fills across the project area and changes to local roads. Resource consents are required in relation to earthworks, vegetation removal, structures and associated temporary works in, on, under or over watercourses and wetlands, diversion of streams and ground water, discharge to air, and stormwater management including the on-going stormwater discharge from the road surface.

### Submitter contact details

**Full name:** Pauline Yarndley

**Organisation name:**

**Contact phone number:** 094223600

**Email address:** paulineyarndley@gmail.com

**Postal address:**  
214 Kaipara Flats Road, RD 1  
Warkworth  
Warkworth 0981

### Submission details

**This submission:** opposes the application in whole or in part

**Specify the aspects of the application you are submitting on:**  
Environmental contamination and destruction, effects of flooding, both in terms of volumes and longevity effects on

kaipara flats rd area, noise and light pollution both during construction and of finished roading . The long term effects of ecology by contamination and on the catchment of the kaourawhero tributary and consequently the Hoteo river .

**What are the reasons for your submission?**

I am effected directly by living on the boundary of the proposed motorway at Kaipara flats/Carran rd. An area which already has a strong history of flooding - I am one of the few remaining permanent residents who , by not been in the direct path of the proposed road have not been already bought out by the NZTA. ( A ploy which potentially reduces the public submission parties as NZTA have been purchasing ahead of this application since first proposals were released to the public in 2017). I want to ensure nzta have properly constructed and planned their motorway and have mitigated all environmental risks and impacts from both Human and geographical and biological aspects I am extremely concerned about the increase in the longevity of flooding events due to large volumes of water collecting in the dome area particularly when there are rapid floods in progress. My concerns are specific to my general location.

**What decisions and amendments would you like the council to make?**

Look very carefully at the hydrology and flood reports for our area indicating there will actually be an increase in flooding from their models 50mm depth ON TOP of what it already does represents a huge actual volume - affecting not only our immediate area but of course downstream through the very flat valley bottom to Kaipara Flats and reject the consent as is . Ensure adequate thick bands of planting of tall evergreen screening in the vicinity . Find an alternative culvert drainage from the realigned Kaipara flats rd that will not increase the volume of water under our own driveway by adding yet more water upstream than we currently have now . There is no culvert feeding this flood water run off to the right it mostly goes to the left and out to Carran rd. Please amend to mitigate this. Ensure there is no light pollution affecting our night sky. NO street lights Provide alternative drainage of the vast amounts of contaminated flood run off between the dome tunnel and kaipara flats rd to alternative catchments ie not all to the Kourawhero stream tributary which leads out down to the Hoteo - why contaminate a major part of the Hoteo from its beginning to end???? Can some not go to the Mahurangi Catchment and quickly out to sea rather than harbouring contaminants in the tributaries. Ensure low noise surface treatment of roading - These issues affect all residents in the surrounding area .

**Are you a trade competitor of the applicant?** I am not a trade competitor of the applicant.

**Do you want to attend a hearing and speak in support of your submission?** Yes

**If other people make a similar submission I will consider making a joint case with them at the hearing:** Yes

**Supporting information:**



## Amy Cao

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**From:** NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz  
**Sent:** Monday, 29 June 2020 8:45 PM  
**To:** Central RC Submissions  
**Cc:** warkworth-wellsford@nzta.govt.nz  
**Subject:** BUN60354951 [ID:10677] Submission received on notified resource consent

We have received a submission on the notified resource consent for Land between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hoteo River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana. .

## Details of submission

### Notified resource consent application details

**Property address:** Land between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hoteo River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana.

**Application number:** BUN60354951

**Applicant name:** Waka Kotahi - New Zealand Transport Agency

**Applicant email:** warkworth-wellsford@nzta.govt.nz

**Application description:** Waka Kotahi - The New Zealand Transport Agency has applied for a Notice of Requirement to amend the Auckland Unitary Plan and applied for associated Regional Resource Consents to enable the construction, operation and maintenance for a new four lane state highway. Key components of the proposal include a four lane dual carriageway, three interchanges, twin bore tunnels under Kraack Road, a viaduct over the existing SH1 and Hoteo River, a bridge over Maeneene Stream, a series of cut and fills across the project area and changes to local roads. Resource consents are required in relation to earthworks, vegetation removal, structures and associated temporary works in, on, under or over watercourses and wetlands, diversion of streams and ground water, discharge to air, and stormwater management including the on-going stormwater discharge from the road surface.

### Submitter contact details

**Full name:** Dean William Yarnley

**Organisation name:**

**Contact phone number:** 021731333

**Email address:** dyarnley@gmail.com

**Postal address:**  
214, Kaipara Flats Rd  
Warkworth  
Auckland 0981

### Submission details

**This submission:** opposes the application in whole or in part

**Specify the aspects of the application you are submitting on:**  
storm water disposal into the Kourawhero stream

lighting  
noise pollution from traffic

**What are the reasons for your submission?**

The 2km of motorway between Phillips rd and the tunnel is currently designed to drain into the Kourawhero stream this is at the beginning of the catchment of a 12km stream with minimal fall. Retention dams do not catch and hold all contaminant which will contaminant the whole water course over time. There will be increased flooding on kaipara flats road all the way to kaipara flats village. There is no reason to put two culverts into the kaipara flats rd just before 214 Kaipara flats rd ( from the south too the north) to create more flooding for us. Allow the water to continue down to where the culvert is currently (Just before Curren rd) If need be put another one in there.

**What decisions and amendments would you like the council to make?**

Remove bridge number 22 ,build the road up to the level with fill and allow the motorway stormwater to drain down the eastern side back to the mahurangi this will save the Kourawhero stream from any motorway contaminants. It will also save Kaipara flats from flooding issues created from 8 lanes of impermeable surface, and more than likely it will reduce costs. No motorway lighting between Kaipara flats rd and just before tunnel entrance as we moved to this area for a dark sky . Low noise tar needs to be used, we move here not to listen to road noise coming down the valley.

**Are you a trade competitor of the applicant?** I am not a trade competitor of the applicant.

**Do you want to attend a hearing and speak in support of your submission?** Yes

**If other people make a similar submission I will consider making a joint case with them at the hearing:** No

**Supporting information:**

**Amy Cao**

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**From:** NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz  
**Sent:** Monday, 29 June 2020 9:30 PM  
**To:** Central RC Submissions  
**Cc:** warkworth-wellsford@nzta.govt.nz  
**Subject:** BUN60354951 [ID:10679] Submission received on notified resource consent

We have received a submission on the notified resource consent for Land between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hoteo River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana. .

## Details of submission

### Notified resource consent application details

**Property address:** Land between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hoteo River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana.

**Application number:** BUN60354951

**Applicant name:** Waka Kotahi - New Zealand Transport Agency

**Applicant email:** warkworth-wellsford@nzta.govt.nz

**Application description:** Waka Kotahi - The New Zealand Transport Agency has applied for a Notice of Requirement to amend the Auckland Unitary Plan and applied for associated Regional Resource Consents to enable the construction, operation and maintenance for a new four lane state highway. Key components of the proposal include a four lane dual carriageway, three interchanges, twin bore tunnels under Kraack Road, a viaduct over the existing SH1 and Hoteo River, a bridge over Maeneene Stream, a series of cut and fills across the project area and changes to local roads. Resource consents are required in relation to earthworks, vegetation removal, structures and associated temporary works in, on, under or over watercourses and wetlands, diversion of streams and ground water, discharge to air, and stormwater management including the on-going stormwater discharge from the road surface.

### Submitter contact details

**Full name:** Daryl Walton

**Organisation name:** Accent Group

**Contact phone number:** 021 416627

**Email address:** daryl.walton@outlook.com

**Postal address:**  
21 School Road  
Wellsford  
Auckland 0900

### Submission details

**This submission:** supports the application in whole or in part

**Specify the aspects of the application you are submitting on:**  
I support this project.

**What are the reasons for your submission?**

Support of the project. As it is urgently needed to support growth and prosperity of Northland and the Wellsford area.

**What decisions and amendments would you like the council to make?**

The Council MUST Support the project.

**Are you a trade competitor of the applicant?** I am not a trade competitor of the applicant.

**Do you want to attend a hearing and speak in support of your submission?** Yes

**If other people make a similar submission I will consider making a joint case with them at the hearing:** Yes

**Supporting information:**

## Amy Cao

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**From:** NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz  
**Sent:** Monday, 29 June 2020 9:45 PM  
**To:** Central RC Submissions  
**Cc:** warkworth-wellsford@nzta.govt.nz  
**Subject:** BUN60354951 [ID:10680] Submission received on notified resource consent

We have received a submission on the notified resource consent for Land between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hoteo River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana. .

## Details of submission

### Notified resource consent application details

**Property address:** Land between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hoteo River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana.

**Application number:** BUN60354951

**Applicant name:** Waka Kotahi - New Zealand Transport Agency

**Applicant email:** warkworth-wellsford@nzta.govt.nz

**Application description:** Waka Kotahi - The New Zealand Transport Agency has applied for a Notice of Requirement to amend the Auckland Unitary Plan and applied for associated Regional Resource Consents to enable the construction, operation and maintenance for a new four lane state highway. Key components of the proposal include a four lane dual carriageway, three interchanges, twin bore tunnels under Kraack Road, a viaduct over the existing SH1 and Hoteo River, a bridge over Maeneene Stream, a series of cut and fills across the project area and changes to local roads. Resource consents are required in relation to earthworks, vegetation removal, structures and associated temporary works in, on, under or over watercourses and wetlands, diversion of streams and ground water, discharge to air, and stormwater management including the on-going stormwater discharge from the road surface.

### Submitter contact details

**Full name:** Brenten Walton

**Organisation name:**

**Contact phone number:** 021 221 5508

**Email address:** brenten.walton@outlook.com

**Postal address:**

21 School Road, 21 School Road, Wellsford  
Wellsford  
North Auckland 0900

### Submission details

**This submission:** supports the application in whole or in part

**Specify the aspects of the application you are submitting on:**  
The complete project.

**What are the reasons for your submission?**

Support the project. The project must not be split. This project is urgently needed to support the growth of Northland and Wellsford Area.

**What decisions and amendments would you like the council to make?**

The council must support the complete project.

**Are you a trade competitor of the applicant?** I am not a trade competitor of the applicant.

**Do you want to attend a hearing and speak in support of your submission?** Yes

**If other people make a similar submission I will consider making a joint case with them at the hearing:** Yes

**Supporting information:**

## Amy Cao

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**From:** NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz  
**Sent:** Monday, 29 June 2020 11:15 PM  
**To:** Central RC Submissions  
**Cc:** warkworth-wellsford@nzta.govt.nz  
**Subject:** BUN60354951 [ID:10681] Submission received on notified resource consent  
**Attachments:** 2020 06 29 VW nzta Submission Final 2.pdf

We have received a submission on the notified resource consent for Land between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hoteo River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana. .

## Details of submission

### Notified resource consent application details

**Property address:** Land between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hoteo River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana.

**Application number:** BUN60354951

**Applicant name:** Waka Kotahi - New Zealand Transport Agency

**Applicant email:** warkworth-wellsford@nzta.govt.nz

**Application description:** Waka Kotahi - The New Zealand Transport Agency has applied for a Notice of Requirement to amend the Auckland Unitary Plan and applied for associated Regional Resource Consents to enable the construction, operation and maintenance for a new four lane state highway. Key components of the proposal include a four lane dual carriageway, three interchanges, twin bore tunnels under Kraack Road, a viaduct over the existing SH1 and Hoteo River, a bridge over Maeneene Stream, a series of cut and fills across the project area and changes to local roads. Resource consents are required in relation to earthworks, vegetation removal, structures and associated temporary works in, on, under or over watercourses and wetlands, diversion of streams and ground water, discharge to air, and stormwater management including the on-going stormwater discharge from the road surface.

### Submitter contact details

**Full name:** Lionel Foster on behalf of

**Organisation name:** Vision Wellsford

**Contact phone number:** 0212263409

**Email address:** lionel@altisurv.co.nz

**Postal address:**  
11 Davies Rd Wellsford  
Wellsford  
Wellsford 0900

### Submission details

**This submission:** supports the application in whole or in part

**Specify the aspects of the application you are submitting on:**

1. Business and Development in Wellsford

2. Residents in Wellsford
3. Travel
- 3.1-safety
- 3.2-time
4. Resilience/Reliability
5. Accessibility to Northland
6. Summary

**What are the reasons for your submission?**

To Support.

**What decisions and amendments would you like the council to make?**

Grant Consent to Notice of Requirement for designation and resource consent for the construction, operation and maintenance (and associated activities) of a new State Highway between Warkworth and north of Te Hana.

**Are you a trade competitor of the applicant?** I am not a trade competitor of the applicant.

**Do you want to attend a hearing and speak in support of your submission?** Yes

**If other people make a similar submission I will consider making a joint case with them at the hearing:** No

**Supporting information:**

2020 06 29 VW nzta Submission Final 2.pdf





*...communicating a global vision.*

## **Vision Wellsford Submission: Warkworth to TeHana Route Protection for Motorway**

**29 June 2020**

### **Prelude**

While Vision Wellsford's support for is general in nature of the Notice of Requirement for designation and resource consent for the construction, operation and maintenance (and associated activities) of a new State Highway between Warkworth and north of Te Hana, this submission focuses mainly on the benefits for the future of Wellsford for both its residents and businesses, but also includes support for the saving on travel times, travel safety, resilience/reliability and improved accessibility to Northland. It also recognises and respects the Indicative Route selection process as the NZTA Detailed Business Case October 2019 states, which was *"...through a multi criteria assessment..."*. We believe that Council has no reason not to give full credit and endorsement to NZTA's very high calibre of planning and feasibility studies that selected the Indicative Route. This also gives us the assurance that a motorway will be designed with the paramount feature of safety, along with the efficient movement of people and goods together, all with better care and outcomes for the environment.

**Aspects of our submission in support are set out in the following:**

- 1. Business and Development in Wellsford**
- 2. Residents in Wellsford**
- 3. Travel**

**3.1-safety**

**3.2-time**

- 4. Resilience/Reliability**
- 5. Accessibility to Northland**
- 6. Summary**

### **1. Business and Development in Wellsford**

There are a number of factors which the motorway will provide that will encourage substantial economic benefit for business and the development of Wellsford:

- Improved proximity to Auckland (labour markets)
- Accessibility – location adjacent to major SH1 interchanges
- Improved connectivity between Auckland, Silverdale, Warkworth, Marsden, Whangarei and north
- Less congestion and improved connectivity for freight, enhancing business activity in Wellsford



...communicating a global vision.

- Accessibility to areas of land for housing available and potentially available through the structure plan process of the Future Urban zoned land, (be it somewhat limited), that is planned to start this year.
- Increased housing demand along with land scarcity in the supercity and house price differential between Auckland metro areas and Wellsford
- Development pressure at Silverdale/Warkworth is able to be released to Wellsford
- Significant retail town centre development vacant site immediately available
- Cost of land and cost of development in Wellsford vs Auckland urban
- SH16 Twin Coast Discovery Route still passes through Wellsford
- Reduced heavy traffic volume will encourage people to stop

Also in regard of the Business aspect benefits to Wellsford, Vision Wellsford supports the following Proposed Draft Designation Conditions:

#### **Urban and Landscape Design Framework**

– condition 44

*The ULDF shall be prepared by a suitably qualified and experienced person having regard to the:*

- (a) *Planning Version ULDF (2019) (submitted with the notice of requirement);*

And

– condition 49

*The [Urban and Landscape Design Management Plan(s)] ULDFMP(s) shall be prepared by a suitably qualified and experienced person and shall include the following details for the sector to which the plan applies:*

- (xiii) *Context – sensitive landscape design and planting at interchanges to create a local Gateway, wayfinding and promote a sense of place that reflects the destination accessed via the interchange.*

Within the Planning Version ULDF (2019), in sections **3.3 Connectivity**, **3.4 Wayfinding and Highway Stopping Places** and **4.3 Interchanges** set out the objectives and principles of the interchange (Warkworth, Wellsford and Te Hana) functions which include connectivity, wayfinding strategies, etc which are fundamental in directing (which include but is not limited to the following travellers) tourists and those that need journey breaks/rest stops. These wayfinding strategies are likely to also create an increased interest in Wellsford as a place to invest – this is where Wellsford is – it has real-time connectivity to the motorway – it is halfway between Whangarei in the North and North shore in the South.

## **2. Residents in Wellsford**

- Enabling Wellsford to recover a desirable village feel
- A destination people want to live at
- Enhanced social benefit due to improved accessibility, resilience and safety of road network
- Enhanced accessibility to essential services within township without State Highway 1 congestion

### 3. Travel

#### 3.1-Safety

The Govt's "Vision Zero" safe system approach to the national Rooding network is certainly a good target to aim for, but is near impossible to achieve with the current road we have, especially through the Dome valley. The only way to come near achieving this is by progressing the four lane motorway that is planned.

SH1 north of Warkworth is the main route north, thus the high importance of a safe road to travel on, as it is shared by both cars and large trucks servicing the north. The safety improvements being implemented in the dome valley currently will be a small improvement, but will not achieve the "Vision Zero" results that the Govt has set itself to achieve.

The main points relating to the inadequacies of the current Dome Valley safety improvements are outlined below;

- Center Barrier - only achievable on very small sections of the current road and safety improvements, as the regulations only allow barriers on straight sections of road and not allowed in the center of two lane bridges. (the most dangerous sections of this road)
- Road widening – this is also only achievable on a small percentage of the dome valley section of SH1, due to the protected native vegetation/trees etc that the highway passes through.
- Increasing Traffic count - Govt's current increased spending in the regions, creating much needed jobs, is continuing to increase the traffic count North, further bringing to the fore the inadequacies of the current two lane highway.
- Safety & Speed – The new four lane motorway to Warkworth being constructed to a grade 5 level with continual center barrier and 100kph and potentially 110kph speed limit, and motorists transferring to a narrow winding 80kph two lane highway through the Dome valley will create, potentially multiple traffic incidents, (crossing centre line, driver fatigue etc) endangering lives.

The intended result of the Govt's "Vision Zero" is the safe and efficient passage of people and goods. As demonstrated above, the current roading improvements will not meet these requirements.

Vision Wellsford fully endorses the NZTA's Detailed Business Plan October 2019 (DBP) "Investment Objective 2: improve safety for road users by reducing the number of DSI's by 100% between Warkworth and Te Hana." The road toll increases exponentially with the traffic now it has got to the density it is at now – peaking over 14,000 AADT in January 2018\*

\*NZTA National Telemetry Site Traffic Profile for Wellsford

### 3.2-Time

If there is an accident (and you are already travelling in the Dome before the road is closed) or there is a high volume of seasonal traffic, travel times between Warkworth and Wellsford can easily take between 2 – 3 × longer e.g. from what is normally a 20 minute journey can take 45 – 50 minutes or even longer when really bad, especially if the road becomes closed and you have to be diverted across the Matakana Hill Road. The DBP states that "*the project is forecast to result in no closures in the long-term.*" We say, fast track the motorway please!

Under normal conditions, it is expected the reduced the travel time 5 minutes between Warkworth (Kaipara Flats Road) and Wellsford interchange (Waby Station Road) and on the full section to Te Hana (Mangawhai Road) up to 9 minutes one way. This means a daily commuter/freighter on this section of the motorway, over a year, is likely to save 70 hours or more, not including the time delays of unavoidable accidents or seasonal overload.

## 4. Resilience/Reliability

Resilience/reliability for highways is gauged on reducing the unplanned closures, accessibility, travel time savings, all of which we've gone over above. NZTA demonstrates the confidence to achieve a high level of resilience/reliability in their DBP Investment Objectives 1 and 3:

### "Investment Objective 1

*Improve resilience to key social and economic activities between Auckland and Northland through reduction in unplanned closures by 90% between Warkworth and Te Hana: ..."*

### "Investment Objective 3

*Facilitate increase in Northland's regional GDP due to improved accessibility for freight for key markets between Warkworth and Te Hana by 30%: ..."*



*...communicating a global vision.*

Vision Wellsford have confidence in NZTA that they will reach these very high levels of resilience/reliability once this motorway infrastructure has been built. Vision Wellsford also strongly supports that this motorway is constructed 'in whole' from Warkworth to Te Hana. Otherwise the same resilience/reliability cannot be achieved.

#### **5. Accessibility to Northland**

As outlined in Investment Objective 1 and 3 above the Warkworth to Te Hana motorway project is a very key facilitator to the accessibility of Northland. On this account, the subject project was also supported by the Government Policy Statement on Land Transport (GPS 2018), that it provided improved accessibility to Northland, being a key Regional Development RED area. Vision Wellsford fully supports enhanced accessibility to Northland.

#### **6. Summary**

The Council is vigorously encouraged to grant the necessary consents for the Notice of Requirement for designation and resource consent application for the construction, operation and maintenance (and associated activities) of a new State Highway between Warkworth and north of Te Hana, which will result in an important infrastructure project that will be of great benefit, saving of lives and will facilitate growth in Wellsford and Northland.

Lionel Foster	Russell Don	Lloyd Stewart	Steve Wallace
Davies Road	Davies Road	SH No. 16	Batten Street
Wellsford	Wellsford	Wellsford	Wellsford

## Amy Cao

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**From:** NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz  
**Sent:** Monday, 29 June 2020 11:30 PM  
**To:** Central RC Submissions  
**Cc:** warkworth-wellsford@nzta.govt.nz  
**Subject:** BUN60354951 [ID:10682] Submission received on notified resource consent  
**Attachments:** 2020 06 29 Northland Submission Final2.pdf

We have received a submission on the notified resource consent for Land between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hoteo River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana. .

## Details of submission

### Notified resource consent application details

**Property address:** Land between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hoteo River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana.

**Application number:** BUN60354951

**Applicant name:** Waka Kotahi - New Zealand Transport Agency

**Applicant email:** warkworth-wellsford@nzta.govt.nz

**Application description:** Waka Kotahi - The New Zealand Transport Agency has applied for a Notice of Requirement to amend the Auckland Unitary Plan and applied for associated Regional Resource Consents to enable the construction, operation and maintenance for a new four lane state highway. Key components of the proposal include a four lane dual carriageway, three interchanges, twin bore tunnels under Kraack Road, a viaduct over the existing SH1 and Hoteo River, a bridge over Maeneene Stream, a series of cut and fills across the project area and changes to local roads. Resource consents are required in relation to earthworks, vegetation removal, structures and associated temporary works in, on, under or over watercourses and wetlands, diversion of streams and ground water, discharge to air, and stormwater management including the on-going stormwater discharge from the road surface.

### Submitter contact details

**Full name:** Des Mclean and Anthony Brodie

**Organisation name:** Independent Northland Business and Residents

**Contact phone number:** 0212425875 0212425295

**Email address:** dgm@pandfglobal.com

**Postal address:**  
3 Empire Street  
Kaitaia  
Kaitaia 0410

### Submission details

**This submission:** supports the application in whole or in part

**Specify the aspects of the application you are submitting on:**

1. Business and Development in Northland

2. Residents in Northland
3. Travel
- 3.1-safety
- 3.2-time
- 3.3-Environment Benefit
4. Resilience/Reliability
5. Accessibility to Northland
6. Summary

**What are the reasons for your submission?**

To Support

**What decisions and amendments would you like the council to make?**

Grant Consent to the Notice of Requirement for designation and resource consent for the construction, operation and maintenance (and associated activities) of a new State Highway between Warkworth and north of Te Hana.

**Are you a trade competitor of the applicant?** I am not a trade competitor of the applicant.

**Do you want to attend a hearing and speak in support of your submission?** Yes

**If other people make a similar submission I will consider making a joint case with them at the hearing:** No

**Supporting information:**

2020 06 29 Northland Submission Final2.pdf

## **Submission By: Independent Northland Business and Residents’-**

### **Warkworth to TeHana Route Protection for Motorway**

**29 June 2020**

#### **Prelude**

While Independent Northland Business and Residents’ support for is general in nature of the Notice of Requirement for designation and resource consent for the construction, operation and maintenance (and associated activities) of a new State Highway between Warkworth and north of Te Hana, this submission focuses mainly on the benefits for the future of Northland for both its residents and businesses, but also includes support for the saving on travel times, travel safety, resilience/reliability, environmental friendly features and last but not least, accessibility to Northland. This project also gives us enhanced and streamlined travel options that will ensure that Northland businesses maintain and enhance prosperity for their businesses and their communities. Additionally, carbon omissions will be lessened if commuters are not stalled in traffic on the highway.

**Aspects of our submission in support are set out in the following:**

- 1. Business and Development in Northland**
- 2. Residents in Northland**
- 3. Travel**

#### **3.1-safety**

#### **3.2-time**

#### **3.3-Environment Benefit**

- 4. Resilience/Reliability**
- 5. Accessibility to Northland**
- 6. Summary**

#### **1. Business and Development in Northland**

There are a number of factors which the motorway will provide that will encourage substantial economic benefit for business and the development of Northland:

- Improved proximity to Auckland (labour markets)
- Improved connectivity between Auckland, Marsden, Whangarei and north
- Less congestion and improved connectivity for freight enhancing business activity in Northland
- Prosperity for Northland Business as the Highway will enable ease of access for Northland Business commuters to engage business opportunities in Auckland.
- Makes it more viable and competitive to reposition manufacturing from Auckland whilst providing training and Jobs in the north thus reducing crime rates and easing pressure on Auckland infrastructure
- Good roading will help encourage tourism to the North when the market picks up again
- Benefit to Northland economy (as well as NZ overall) especially around options of tourism, freight hubs etc. if done soon will provide the options for growth post Covid 19.



- Current boost in Construction industry now but also the concrete evidence of further major work will enable the large construction companies to retain many workers and the skills they have. Stability in employment is key over the next 6 months and a green light to this project will be a big stimulus.

## 2. Residents in Northland

- A range of destinations people want to live at, while making the North a more attractive location to settle in thus easing the loading on schools in Auckland
- Enhanced social benefit due to improved accessibility, resilience and safety of road network e.g
- Already many tradie fathers currently work in Auckland and travel back for weekends and during the week to be with their families and keep the family unit together as they cannot afford to relocate or own housing in Auckland
- Great benefit to live in cheaper housing area and commute in. Helps regional towns and very is safe on 5 star roads and public transport.

## 3. Travel

### 3.1-Safety

The Govt's "Vision Zero" safe system approach to the national Roding network is certainly a good target to aim for, but is near impossible to achieve with the current road we have, e.g through the Dome valley. The only way to come near achieving this is by progressing the four lane motorway that is planned, and then continue it all way to Whangarei. When Northland is travelling between Auckland and Whangarei have to go through 3 of the highest incident areas in the country.

SH1 north of Warkworth is the main route north, thus the high importance of a safe road to travel on, as it is shared by both cars and large trucks servicing the north. The safety improvements being implemented in the Dome Valley currently will be a small improvement, but will not achieve the "Vision Zero" results that the Govt has set itself to achieve.

Independent Northland Business and Residents' fully endorses NZTA's Detailed Business Plan October 2019 (DBP) "*Investment Objective 2: improve safety for road users by reducing the number of DSI's by 100% between Warkworth and Te Hana.*" The road toll increases exponentially with the traffic now it has got to the density it is at now – peaking over 14,000 AADT in January 2018\*

\*NZTA National Telemetry Site Traffic Profile for Wellsford

### 3.2-Time

If there is an accident (and you are already travelling in the Dome before the road is closed) or there is a high volume of seasonal traffic, travel times between Warkworth and Wellsford alone can easily take between 2 – 3 × longer e.g. from what is normally a 20 minute journey can take 45 – 50 minutes or even longer when really bad, especially if the road becomes closed and you have to be diverted across the Matakana Hill Road. The DBP states that "*the project is forecast to result in no closures in the long-term.*" We say, fast track the motorway please!

Under normal conditions, it is expected that the travel time between Warkworth (Kaipara Flats Road) and Te Hana (Mangawhai Road) can be reduced up to 9 minutes one way. This means a daily

commuter/freighter on this section of the motorway, over a year, is likely to save 70 hours or more, not including the time delays of unavoidable accidents or seasonal overload.

### **3.3-Environment Benefit**

By providing this streamlined infrastructure option, there will be a reduction in the time that vehicles are currently on the road by significantly reducing delays, followed by the reduction of carbon omissions and therefore enabling a more environmentally friendly outcome.

#### **4. Resilience/Reliability**

Resilience/reliability for highways is gauged on reducing the unplanned closures, accessibility, travel time savings, all of which we've gone over above. NZTA demonstrates the confidence to achieve a high level of resilience/reliability in their DBP Investment Objectives 1 and 3:

*"Investment Objective 1*

*Improve resilience to key social and economic activities between Auckland and Northland through reduction in unplanned closures by 90% between Warkworth and Te Hana: ..."*

*"Investment Objective 3*

*Facilitate increase in Northland's regional GDP due to improved accessibility for freight for key markets between Warkworth and Te Hana by 30%: ..."*

Independent Northland Business and Residents' have confidence in NZTA that they will reach these very high levels of resilience/reliability once this motorway infrastructure has been built. Independent Northland Business and Residents' also strongly supports that this motorway is constructed 'in whole' from Warkworth to Te Hana. Otherwise the same resilience/reliability cannot be achieved.

#### **5. Accessibility to Northland**

As outlined in DBP Investment Objectives 1 and 3 above, the Warkworth to Te Hana motorway project is a very key facilitator to the accessibility of Northland. On this account, the subject project was also supported by the Government Policy Statement on Land Transport (GPS 2018), because it provided improved accessibility to Northland, being a key Regional Development RED area. Independent Northland Business and Residents' fully supports enhanced accessibility to Northland.

#### **6. Summary**

The Council is strongly encouraged to grant the necessary consents for the Notice of Requirement for designation and resource consent application for the construction, operation and maintenance (and associated activities) of a new State Highway between Warkworth and north of Te Hana, which will result in an important infrastructure project that will be of great benefit, saving of lives and will facilitate growth and prosperity in Northland.

Anthony Brodie	Des McLean
Parakiore Road	Pukepoto Road
Whangarei	Kaitaia

**Letter to support the submission for Transit NZ regarding the proposed motorway  
from Warkworth to Te Hana**

17<sup>th</sup> June 2020

To Whom It May Concern,

We have lived in Maeneene Road since 2005. Since we bought our property we have noticed a high amount of accidents on the stretch of State Highway 1 between Maeneene and Ross Road. Most have been very serious accidents, some have been fatal.

We are concerned about the proposed ending of the motorway and merging into the stretch of road between Maeneene Road and Ross Road. As there will be more traffic it will congest there, causing more accidents.

It is also currently very difficult coming out of Ross Road. This risk will be exacerbated with more traffic, especially when it is going faster from exiting a motorway.

We suggest the proposed ending of the motorway be taken in a straight route from Vipond Road, going up over the top of the hill at the top of where the pine trees were. The pines are currently being cut down which would make it a more accessible route. It would then come out past Ross Road, leaving the Maeneene/Ross Road part of the highway a much less dangerous road.

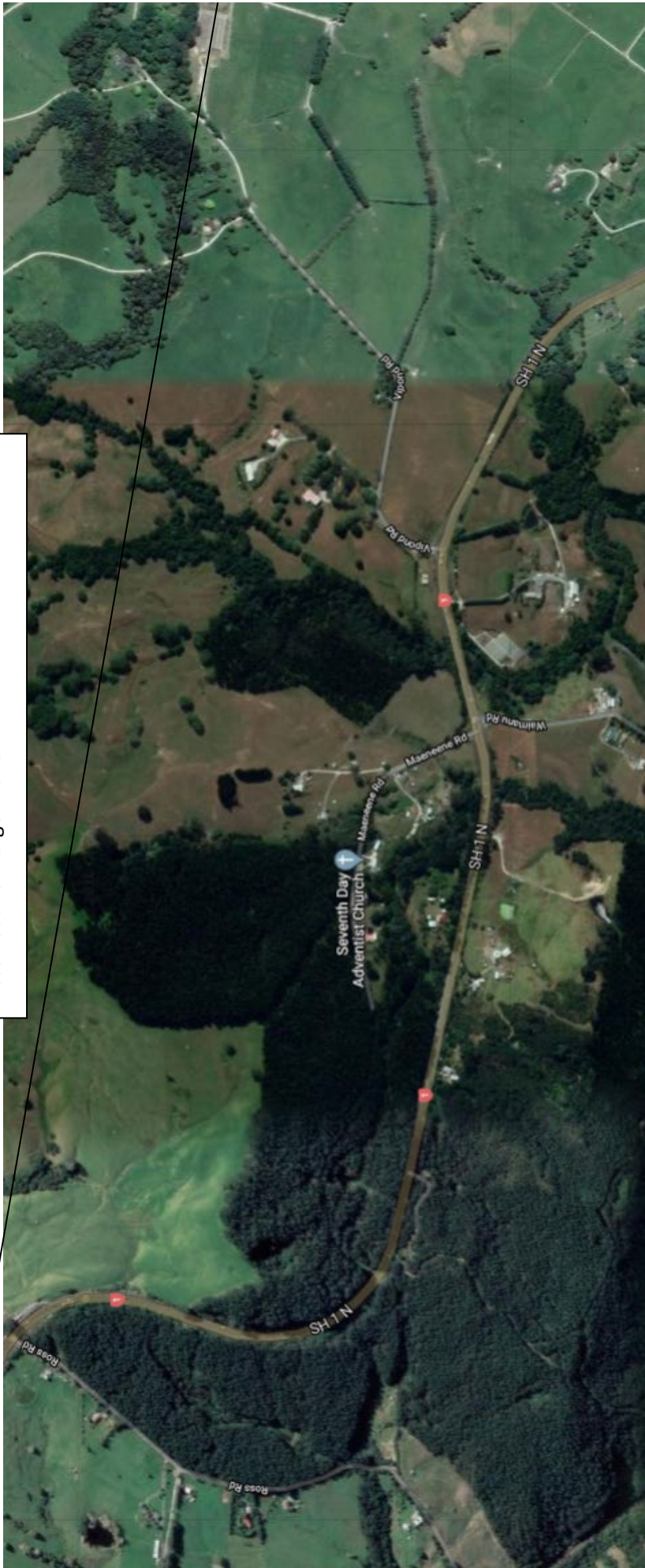
Yours Sincerely



Heidi Downey

heididowney@hotmail.co.nz

Motorway goes straight from Vipond over the hill past Ross Road to merge with SH1





Motorway carries on straight over the hill to just past Ross Road.

## Amy Cao

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**From:** Ron Reid <reideques1@gmail.com>  
**Sent:** Monday, 29 June 2020 9:50 PM  
**To:** Premium Submissions  
**Subject:** A letter to support the submission for Warkworth to Wellsford new motorway project.  
**Attachments:** motorway proposal.docx; Letter to support the submission for Transit NZ regarding the proposed motorway.docx

**Categories:** Emailed Submissions

29 June 2020.

To whom it may,

I am a land owner of a property that is affected by the new motorway (Warkworth to Wellsford/Tehana). I live at 28 Waimanu Road, where the new motor is proposed to end.

I feel that the new shw 1 should not be finishing at Waimanu Road but needs to be finishing just north of Ross Road. As this area is very very unsafe with a high accident area. To exit Ross road, there are blind corners from both ways north and south. You are having fast cars coming off your new shw 1 into a dangerous corner at the end of the passing lanes just south of Ross road.

I think a bit of forward planning to the future of where this road is going is a must.

I think the best way is going from Vipond road, straight up the hill and coming out just north of Ross road, just north past those few houses north of Ross road. So those from Ross road and north of Ross road can use the old shw 1 to go south to enter the new motorway near vipond area.

I have also enclosed two attachments. One a letter from a neighbor from Maneenee road(that is the road opposite Waimanu road) . The second one is a map from the neighbor to help you understand the area we are speaking about.

I want to thank you for the chance to have our say about the new motorway. I think it is a definite need for the area. Especially with the traffic increase in Warkworth to Wellsford area.

Many thanks,

Ron Reid,  
[reideques1@gmail.com](mailto:reideques1@gmail.com).

## Contact details

Full name of submitter: M H Creemers

Organisation name:

Full name of your agent: M H Creemers

Email address: [marco.c@samson.co.nz](mailto:marco.c@samson.co.nz)

Contact phone number:

Postal address:  
602/27 Gillies Ave  
Newmarket  
Auckland 1023

## Submission details

Name of requiring authority: Warkworth to Wellsford Motorway

The designation or alteration: Warkworth to Wellsford Motorway

The specific provisions that my submission relates to are:  
All

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 being a great project and of great benefit to the future of northland.

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

Submission date: 22 May 2020

## 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.

**Form 21**

**Submission on requirement for designation**

**To:** Auckland Council  
Private Bag 92300  
Auckland 1142  
[unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz)

**Name of submitter:** Spark New Zealand Trading Limited ("Spark")  
Private Bag 92028  
Auckland 1010

**The Proposal:**

This is a submission on a notice of requirement by the New Zealand Transport Agency (NZTA) for a designation for a public work, being the construction, operation and maintenance of a new State highway and associated activities between Warkworth and north of Te Hana. NZTA has also lodged a number of regional resource consent applications concurrently with the notice of requirement. However, Spark's submission only relates to the proposed designation.

**Spark 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:**

The designation in its entirety, and in particular the conditions of the designation that relate to network utilities.

**Spark's submission is that:**

Spark opposes the proposed designation unless the matters outlined in this submission are satisfactorily addressed.

Spark is New Zealand's largest digital services company delivering mobile, fixed and IT products and services to millions of New Zealand consumers and businesses. Spark along with other 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.



Spark and other network utility operators need to integrate necessary services into infrastructure projects such as road/motorway projects (e.g. provision for telecommunications services within tunnels). 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 current example, Spark has been 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 along that length of road. This process has 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 has proved to be very challenging to try to retrofit necessary telecommunications infrastructure into the design of this project.

Spark achieved a more satisfactory outcome in the Auckland East West Link 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, or to not preclude, the development of new network utility including telecommunications infrastructure where practicable to do so. There was an associated obligation in that condition to report on opportunities considered and whether or not they had been incorporated into the design in the outline plan(s)<sup>1</sup>.

Whilst there is no direct obligation on the requiring authority to accommodate such works/opportunities, a provision to ensure the matter is properly considered during the design phase through consultation with network utility operators, which sets appropriate expectations and ensures these opportunities are properly explored, is reasonable. In the case of telecommunications, this enables proper consideration of making provision for communications that support the function of the road. This should be a consideration distinct from relocating existing network utilities affected by the project which is the focus of the current proposed conditions.

NZTA undertook stakeholder engagement with Spark including provision of an early draft of the conditions for comment. Spark made some suggested amendments to the conditions to address the matters raised in this submission, and is disappointed to note that these requested changes have not been addressed to any extent in the notified proposed designation conditions, in spite of a condition of this nature being adopted for the East West Link Project by the same Requiring Authority.

<sup>1</sup> East West Link Condition NU2

Whilst Spark supports proposed Condition 24 to ensure the safe and efficient operation of existing network utilities affected by the project are protected and any relocation of exiting network utilities is appropriately dealt with, it considers that the conditions are deficient in not addressing opportunities to integrate new infrastructure, and particularly those which support the function of the road, into the designation conditions.

**Spark seeks the following decision from the Requiring Authority:**

Add a new condition in the Network Utilities section as follows (or wording of like effect):


*XX: The Requiring Authority shall consult with telecommunications Network Utility Operators during the detailed design phase to identify opportunities to enable, or not preclude, the development of new telecommunications facilities including access to power and ducting within the project, where practicable to do so.*

*The consultation undertaken, opportunities considered, and whether or not they have been incorporated into the detailed design, shall be summarised in the Outline Plan or Plans prepared in accordance with Condition [TBC].*

**Drafting Note:** Spark would have no objection to this proposed condition being applied to network utility operators other than telecommunications as was the case with East West Link designation condition NU2.

**Spark does wish to be heard in support of its submission.**

**If others make a similar submission, Spark will not consider making a joint case with them at the hearing.**



**Signature of submitter  
(Chris Horne, authorised agent for Spark)**

**Date:** 28 May 2020

**Address for service of submitter:**

Spark New Zealand Trading Limited  
Private Bag 92028  
Auckland 1010

Attention: Graeme McCarrison  
Engagement and Planning Manager

**Telephone:** 09 357 2807

**E-mail:** [Graeme.McCarrison@spark.co.nz](mailto:Graeme.McCarrison@spark.co.nz)

CC.

Chris Horne

Incite

PO Box 3082

Auckland

**Telephone:** 0274 794 980

**E-mail:** [chris@incite.co.nz](mailto:chris@incite.co.nz)

To: Auckland Council

**Submission by Transpower New Zealand Limited on the Notice of Requirement for a Designation and Regional Consent Applications (Ref. BUN60354951) by the New Zealand Transport Agency for Ara Tūhono - Warkworth to Wellsford**

23 June 2020

*Keeping the energy flowing*



**Address for Service:**

Transpower New Zealand Ltd  
PO Box 17215 Greenlane  
Auckland 1546

Attention: Jenna McFarlane,  
Senior Environmental Planner

Ph: (09) 590 6851

Email: [Jenna.McFarlane@transpower.co.nz](mailto:Jenna.McFarlane@transpower.co.nz)

Transpower New Zealand Limited The National Grid

## 1. INTRODUCTION

- 1.1 This document and appendices form part of Transpower's submission to Auckland Council on the regional consent applications and Notice of Requirement<sup>1</sup> (the application) by the New Zealand Transport Agency (NZTA) for Ara Tūhono – Warkworth to Wellsford transport corridor (the Project).
- 1.2 Transpower New Zealand Limited (Transpower) is the State-Owned Enterprise that plans, builds, maintains, and operates New Zealand's high voltage transmission network - The National Grid. The National Grid comprises around 12,000 km of transmission lines and cables, and some 164 substations. It links generators to distribution companies and major industrial users from Kaikohe in the North Island, to Tiwai Point in the South Island. Transpower's principal role is to ensure the reliable supply of electricity throughout the country and, therefore, has a significant interest in ensuring that development does not adversely affect the operation, maintenance, upgrading and development of the existing transmission network.
- 1.3 Transpower's Henderson – Maungatapere (HEN-MPE-A A) 110kV single circuit transmission line and Towers 201 and 202 are directly affected by the proposed 'Te Hana Interchange' and works located at Mangawhai Road (see site plan attached as Appendix A).
- 1.4 Transpower's interest in the Notice of Requirement (NoR) and regional consent applications relates to those project works in relation to the proposed Te Hana Interchange, that could adversely affect its HEN-MPE assets. The indicative alignment proposes construction of the Te Hana Interchange directly beneath Transpower's HEN-MPE-A transmission line and proposes a new transmission line support structure to provide appropriate clearance between the interchange and the transmission lines.
- 1.5 Prior to notification of the application, the applicant undertook limited consultation with Transpower. The degree of impact on Transpower's assets is not made clear in the application, and very little assessment is provided by the applicant. The application asserts that the proposed construction works will be managed in a way that minimises impacts on the National Grid. However, the proposed mitigation measures are limited, and the draft Network Utilities conditions (24 and 25) provided in the application do not sufficiently address Transpower's concerns.
- 1.6 For the purposes of this submission, Transpower's engineers have undertaken a high-level desk top assessment of the current indicative alignment of the Te Hana Interchange and this review indicates that it will significantly affect the HEN-MPE assets. Our preliminary assessment indicates that in order to provide appropriate clearance between the lines and the proposed roads and interchange, a new intermediate structure may be required between spans 200-201, and Tower 202 (in span 202-203) may need to be replaced with a taller structure. This cannot be confirmed however until a detailed engineering assessment is undertaken by Transpower.
- 1.7 Transpower's general position is that it is neutral in relation to the merits of the proposal. However, it would hold significant concerns if the final design and associated earthworks and any mitigation measures and conditions confirmed do not adequately take account of the National Grid assets affected by the Project. It is due to the need for conditions to be imposed to protect the National Grid that Transpower has lodged this submission opposing (in part) the proposal.

<sup>1</sup> Application numbers: BUN60354951, LUC60354952, LUS60354955, WAT60354953, WAT60355184, WAT60356979, DIS60354954, LUC60355185, DIS60355186

Sustainable management of resources will not be achieved if the effects of the project on the National Grid are not appropriately avoided, remedied, or mitigated.

## 2. STATUTORY CONTEXT

### National Policy Statement on Electricity Transmission 2008 (NPSET)

**2.1** Under the Resource Management Act 1991 (RMA), the National Grid is recognised as a significant physical resource that must be sustainably managed, and any adverse effects on that infrastructure must be avoided, remedied or mitigated. The NPSET confirms the national significance of the National Grid and the need to appropriately manage activities and development under, and close to it.

**2.2** The Objective of the NPSET is as follows:

*To recognise the national significance of the electricity transmission network by facilitating the operation, maintenance and upgrade of the existing transmission network and the establishment of new transmission resources to meet the needs of present and future generations, while:*

- *Managing the adverse environmental effects of the network; and*
- *Managing the adverse effects of other activities on the network.*

**2.3** The NPSET contains 14 Policies. In particular, Policy 2 of the NPSET requires decision-makers to recognise and provide for the effective operation, maintenance, upgrading and development of the electricity transmission network. Whilst Policy 10 requires that all decision-makers: *“to the extent reasonably possible manage activities to avoid reverse sensitivity effects on the electricity transmission network and to ensure that operation, maintenance, upgrading, and development of the electricity transmission network is not compromised.”*

**2.4** In 2017, the High Court<sup>2</sup> emphasised the strength of Policy 10, stating:

*“[85] Policy 10, though subject to the “reasonably possible” proviso, is, in my judgment, relatively prescriptive. It requires that decision-makers “must” manage activities to avoid reverse sensitivity effects on the electricity transmission network, and “must” ensure that the operation, maintenance, upgrading and development of the electricity transmission network is not compromised. What is sought to be protected is the national electricity transmission grid – an asset which the NPSET recognises is of national significance. A mandatory requirement to ensure that an asset of national significance is not compromised is, in my judgment, a relatively strong directive.”*

**2.5** Section 11 of the Assessment of Environmental Effects (AEE) report states that the Project works are consistent with the relevant provisions of the NPSET on the basis that works in the vicinity of the National Grid are to be designed and managed to ensure the Project will not hinder the operation and maintenance of the National Grid. However, the application does not explain what measures are proposed to ensure this, other than commenting on the need for an intermediary transmission pole and tower raising to provide necessary clearance over the alignment.

**2.6** The application asserts that “particular regard” has been given to the NPSET to identify a suitable solution to minimise the impacts of the project on Transpower’s HEN-MPE assets. However, the application does not make a full assessment against the NPSET. Rather, the assessment in Section

<sup>2</sup> Paragraph 85, High court interim judgement of Justice Wyllie in *TRANSPower NEW ZEALAND LTD v AUCKLAND COUNCIL* [2017] NZHC 281 [28 February 2017]

11 of the AEE report focuses primarily on the transport benefits derived from the Project and provides no assessment on how adverse effects on the transmission line is managed in a manner to ensure the National Grid is not compromised.

- 2.7** Section 7.4.6 of the application states that “...*The Te Hana Interchange location at Mangawhai Road was common for all of the alignment options in the scheme assessment which tied into SH1 south of Vipond Road (i.e. no other options were developed or considered for the general location of this interchange).*” Alternatives in relation to minimising adverse effects on Transpower’s HEN-MPE assets were not considered as part of the route development process and hence Transpower considers the proposed works to be inconsistent with Policy 2 and 10 of the NPSET.
- 2.8** Although NZTA was in contact with Transpower in 2017 and a high-level response was provided to NZTA, NZTA has not yet made a request for Transpower to progress to an Investigation Project to assess the current design of the Te Hana Interchange and the possible changes required to its assets. Therefore, a full and detailed impact assessment of the current design on Transpower’s assets has not yet been undertaken, including advice regarding any high-level design solutions (for example relocation or Tower raising).
- 2.9** In the event that some of Transpower’s assets are relocated to reduce the impact of the proposal, the adverse effects of the proposed construction work on Transpower’s remaining assets, as well as any assets in new locations, still need to be considered and measures outlined to avoid, remedy or mitigate these effects. The application does not address this. Therefore, Transpower considers that in its current form the proposed works are not consistent with the NPSET.

**Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 (NESETA)**

- 2.10** The NESETA came into effect on 14 January 2010 and applies to existing (as at 14 January 2010) high voltage transmission lines owned and operated by Transpower (i.e. existing National Grid transmission lines). The NESETA:
- specifies that activities that relate to the operation, maintenance, upgrading, removal or relocation of existing transmission lines are permitted, subject to terms and conditions to ensure that these activities do not have significant adverse effects; and
  - specifies resource consent requirements for transmission activities that do not meet the terms and conditions for permitted activities.
- 2.11** Section 6.2.7 of the AEE report asserts that any approvals required in accordance with the provisions of the NESETA will be sought prior to the commencement of construction activities and approvals under the NESETA are not sought as part of this application.
- 2.12** Whether or not consent is required under the NESETA is not yet known because what work is, or may be, required to Transpower’s assets is yet to be determined. This requires a detailed impact assessment of the current design on Transpower’s assets. Only once this assessment has been progressed with Transpower can Transpower comment on the actual impacts of the design and advise on any high-level design solutions.
- 2.13** The final extent of any consents required under the NESETA will be subject to further design work by Transpower. Because this Transpower design process has not commenced, it is not known what changes will be required to the affected assets and what consents are required, including whether

these consents will be granted. Therefore, there may be implications for the NZTA project design in this location due to this uncertainty.

### **The New Zealand Electrical Code of Practice for Electrical Safe Distances - NZECP 34:2001 (NZECP)**

**2.14** The NZECP is a mandatory code of practice pursuant to the Electricity Act 1992 which sets minimum safe distances from overhead transmission lines to protect persons, property, vehicles and mobile plant from harm or damage from electrical hazards. The Code establishes safe clearance distances to buildings and structures, the ground (including stockpiles of earth), and other lines, as well as how close buildings, structures and excavations can occur to poles and towers. All proposed works for the project must comply with these requirements.

**2.15** In the first instance, all project works must comply with the minimum safe clearance distances set out in NZECP, including of relevance:

- Section 2 - Minimum Safe Distances for Excavations and Construction near support structures; and
- Section 4.3 – Material Deposited under or near overhead lines; and
- Section 5 – Safe Distances for Mobile plant; and
- Section 9 – Safe Approach Distances for People.

**2.16** There is no assessment in the application of the Project works against the requirements of the NZECP. Based on the high-level assessment by Transpower’s engineers, in its current form the proposed earthworks are unlikely to meet the requirements under NZECP, particularly those relating to earthworks in proximity to towers and beneath the conductors (line). Transpower will need to work with NZTA to find suitable solutions in this regard, including progressing a proper assessment to determine the exact nature of the impact of the proposed works on Transpower’s assets.

### **Auckland Unitary Plan – Operative in part**

**2.17** Chapter D26<sup>3</sup> of the Auckland Unitary Plan - Operative in part (AUP) recognises the National Grid as being a physical resource of national significance and includes an objective and policies to recognise and provide for the National Grid.

**2.18** Objective D26.2 (1) require that the efficient development, operation, maintenance and upgrading of the National Grid is not comprised by subdivision, use and development.

**2.19** Policy D26.3(1) is of particular relevance to the National Grid (and this project) and requires subdivision, use and development within the National Grid Corridor Overlay to be undertaken so that it:

- a) meets the New Zealand Electrical Code of Practice for Electrical Safe Distances;
- b) does not compromise the security of supply and/or integrity of the National Grid assets; [and]
- c) does not compromise ongoing access to conductors and support structures for maintenance and upgrading works.

**2.20** The National Grid is a piece of nationally significant infrastructure which requires particular provisions to ensure its efficient and safe operation. This is provided for in the provisions of

<sup>3</sup> Auckland Unitary Plan Operative in part, Chapter D26: National Grid Corridor Overlay.



Chapter D26, which contain specific objectives and policies that direct and manage development in proximity to the National Grid. However, we note that there is no detailed assessment provided in the Application against these provisions.

**2.21** Rather as discussed above, Section 11 of the Application groups the provisions of the NPSET, National Grid Corridor provisions (D26) and regional infrastructure provisions (B3 of the AUP) into one policy assessment. In doing so, the application focuses primarily on the transport and infrastructure benefits derived from the Project and does not specifically assess how the proposed works are consistent with Chapter 26.

**2.22** The application states that “...*The Project has sought to minimise the impact on transmission assets, and the Indicative Alignment requires the installation of an additional transmission line support structure in order to comply with the clearance requirements in NZECP34:2001*”. As stated above, it is not clear how the Project seeks to minimise adverse effects on the transmission line and how the provisions of Chapter D26, and specifically Policy D26.3(1) (a-b), are provided for.

**2.23** In addition, further design investigation of this current design has not been undertaken with Transpower and the full extent of the impact on Transpower’s HEN-MPE assets is not understood at this stage.

**2.24** Therefore, for the above reasons and the following, Transpower considers the proposed works are inconsistent with the objective and policies of Chapter D26 of the AUP:

- The potential adverse effects of the proposed works (for the current design) on the National Grid line have not been fully considered or avoided as far as reasonably practicable;
- The proposed works would adversely affect the operation, maintenance or upgrading of the National Grid, however they remain located near the National Grid; and
- An assessment of the proposed works against the relevant provisions of the NZECP has not been undertaken.

**2.25** Whilst the delivery of key transport infrastructure is also a key consideration and has support at a policy level within the AUP, the relief being sought by Transpower in this submission, which is essential to appropriately integrate the operation, maintenance, upgrading and future development of National Grid infrastructure with the NZTA project, is consistent with the relevant objectives and policies of the AUP.

### **3. ISSUES OF SPECIFIC INTEREST TO TRANSPOWER**

#### **General Submission**

**3.1** Without limiting any of the specific reasons given in this submission, the extent to which the application is opposed (in part) is because it:

- Does not implement and/or give effect to the objective and policies of the NPSET, and the relevant infrastructure objectives, policies and other provisions of the other relevant planning instruments; and
- Fails to recognise and achieve and/or will not promote the efficient use and development of physical resources; and
- Has failed to adequately consider alternative sites, routes or methods of undertaking the work at a level of detail to avoid, remedy or mitigate adverse effects on the National Grid; and

- Has failed to assess the potential effects of the proposed construction works on the National Grid, and provide measures to avoid remedy or mitigate these, regardless of whether assets are relocated or not; and
- Has failed to consider the extent to which further authorisations and property rights may need to be obtained, with consequential effects on third parties, where the National Grid assets may need to be upgraded or otherwise relocated, and the consequences if those matters cannot be resolved; and
- Has failed to consider and assess the potential effects of the proposed construction works on the National Grid, regardless of whether assets are relocated or not; and
- Is otherwise inconsistent with and/or will not achieve the purpose of the RMA and the other provisions of Part 2 of the RMA.

### **Protection and Relocation and/or Modification of Transpower's Transmission Line Assets**

- 3.2** NZTA has made several statements throughout the AEE report regarding the Project's impact on Transpower's HEN-MPE A assets. Specifically, it notes the proposed works are located in close proximity to Transpower's transmission line and that an intermediary transmission pole will be required to provide the necessary clearance over the alignment.
- 3.3** Limited details of the proposed design are included in the application and, therefore, Transpower's engineers cannot accurately assess compliance with NZECP:2001. However, based on a high-level desktop assessment of the current design, for the purpose of this submission, Transpower's engineers have indicated that the proposed intermediary transmission pole may not provide the necessary clearance required under the NZECP:2001. As previously stated, only once a detailed assessment has been progressed with Transpower can Transpower comment on the actual impacts of the design and advise on any high-level design solutions for its assets.
- 3.4** In the first instance, Transpower requires NZTA to design its works such that the necessary vertical clearances to the lines are achieved and the relevant controls in NZECP are met. Only in instances where this is not practicable (e.g. earthworks close to existing towers) and either the roading work can be appropriately designed, or work to our towers can be designed to appropriately mitigate risks to the Transpower assets and the health and safety of contractors and the public, will Transpower consider dispensations under NZECP.
- 3.5** Transpower will need to seek its own resource consents from Council in due course for any works associated with changes to its existing transmission lines and/or modifying towers. These consents will generally be under the NESETA, although some additional regional consents may also be required (e.g. for discharge of stormwater from any construction sites that are subject to existing contamination). Should any of the necessary consents for Transpower works not be granted, there may be implications for the NZTA project design.
- 3.6** Whilst Transpower's general position on the wider proposal is neutral, it would hold significant concerns if the final design, and any mitigation measures and conditions confirmed, do not adequately take account of the National Grid assets affected by the Project. Transpower has lodged this submission opposing (in part) the proposal to ensure appropriate conditions are imposed to protect the National Grid.

### **Construction Management**

- 3.7** Managing construction around Transpower transmission lines (support structures and conductors) is critical for security of supply and health and safety during construction of the project. Transpower notes that two conditions are proposed within the NoR to assist in managing adverse effects on Transpower's HEN-MPE A assets, including the requirement that procedures, methods and measures are implemented during Project works to ensure effects of dust and vibration on the transmission line is managed (Condition 25).
- 3.8** Transpower supports this general approach but notes that NZTA will carry out work under the regional consents, before needing to rely on work authorised by the designation. Transpower therefore also seeks the inclusion of specific conditions on the relevant regional consent applications (see Appendix C).

### **Earthworks and Mobile Plant**

- 3.9** In the first instance, all earthworks and the stockpiling of materials must comply with the minimum safe clearance distances set out in NZECP (and covered in Section 2.14 above) relating to minimum safe clearances to conductors and towers. In particular, excavations which are too close to the towers can destabilise them, potentially putting the whole line at risk.
- 3.10** The application does not address the potential adverse effects of bulk earthworks on Transpower's assets, or NZECP and the need for the proposed works to comply with its requirements. Irrespective of whether Transpower's assets will remain in their current location or be moved to accommodate the Project, these effects and compliance with NZECP must be considered. Based on the high-level assessment by Transpower's engineers, in its current form the proposed earthworks may not meet the requirements of NZECP, particularly those relating to earthworks in proximity to towers and beneath the conductors (line). Transpower will need to work with NZTA to find suitable solutions in this regard, including progressing a proper investigation and assessment to determine the exact nature of the impact of the proposed works on Transpower's assets and the likely mitigation required.

### **Dust**

- 3.11** Dust from earthworks can build up on the insulators and conductors, which can cause flashovers and compromise the operation of transmission lines. It can also cause the infrastructure to wear/degrade at a faster rate. It is therefore important that bulk earthworks are managed appropriately to ensure they do not result in the discharge of dust and/or particulate matter, potentially able to cause damage to, or accumulate on, transmission lines or support structures. The application proposes site-specific erosion and sediment control plans, including the implementation of a Construction Air Quality Management Plan, however, does not include these plans or provide sufficient detail within the application so Transpower is unable to comment on whether the measures proposed are sufficient.

### **Access**

- 3.12** The application has not addressed how access to Transpower's assets, particularly the towers, will be maintained during construction and operation of the project.
- 3.13** Transpower has a legal right to access its transmission lines and support structures (e.g. for maintenance, inspections and upgrading) under the Electricity Act 1992, however this does not guarantee that physical access is available. Transpower's requirements for vehicle access to the

lines and towers needs to be considered so as not to compromise Transpower's ability to access and maintain the existing National Grid assets.

- 3.14** The National Grid has operational requirements and engineering constraints that both dictate and constrain the way it is managed. Clear working space and good access is required particularly around the base of towers, and in some cases under conductors, to move the plant and equipment in and set it up correctly. Transpower must be able to work on its structures without being too close to the road or requiring lane closures. The extent of any encroachment of buildings, other physical barriers (such as swales or shared use paths) and natural obstacles (such as waterways, valleys, and undulating ground) will also determine what access solutions are practical, and may limit the available options which can significantly increase the cost of undertaking any maintenance or upgrading work. Suitable access arrangements during construction and later ongoing access during operation of the state highway needs to be addressed for all affected towers.

#### **Additional Infrastructure**

- 3.15** Additional road infrastructure such as signage, swales/wetlands, culverts, shared use paths, lighting columns or crash barriers also have the potential to affect Transpower's assets. This level of detail has not yet been made available to Transpower's engineers in order to assess the potential impacts of this additional infrastructure.
- 3.16** The final location of any lighting columns or crash barriers will need to be assessed for compliance with the clearance requirements within NZECP. In addition, due to their conductive materials, where these are located near towers, an assessment of risks from EPR and induced voltages will need to be undertaken, and any design changes and necessary mitigation implemented to manage these risks.
- 3.17** It is unclear what drainage works, including any stormwater swales/wetlands ponds, are proposed to be located in proximity to the existing HEN-MPE A towers and under the lines. The details of these works are not included in the application, and therefore we have been unable to assess the actual impact on Transpower's assets. The application indicates that some planting is proposed beneath the lines, but details of the planting have not been provided. Depending on the nature of these works, they may breach NZECP clearance requirements and/or result in risks to the foundations of the towers. Transpower will need to confirm NZECP compliance prior to designs being finalised and work being undertaken.

#### **Proposed Conditions**

- 3.18** Since notification of the application, Transpower and NZTA have been working together on a revised set of conditions to address Transpower's concerns. In particular a condition precedent is sought, to ensure that no works occur in proximity to Transpower's assets until all detailed assessments are complete, necessary mitigations are in place, necessary approvals have been obtained where relocations or new assets may be required; and assets relocated/constructed as may be required.
- 3.19** An Electricity Infrastructure Construction Management Plan condition is also sought to address Transpower's concerns regarding construction around its assets.

**3.20** Attached as **Appendix B** are the set of conditions agreed between Transpower and NZTA. As of 22 June 2020, NZTA has confirmed that they accept these conditions and that they will form part of a revised set of conditions to be provided at the hearing.

#### **4. DECISION / RELIEF SOUGHT:**

- 4.1** That the Notice of Requirement and any relevant resource consents incorporate the conditions agreed between Transpower and NZTA, as provided in **Appendix B**.
- 4.2** As the design of the project or other conditions may be amended as part of the Council hearing process, other relief may be necessary to address the general matters raised in this submission.

Dated at Wellington on 23 June 2020.



Kate Searle

Senior Planner

**Tonkin + Taylor Ltd**

(Authorised to sign on behalf of Transpower NZ Ltd)

Ph: 04 806 4961 / Email: [KSearle@tonkintaylor.co.nz](mailto:KSearle@tonkintaylor.co.nz)

#### **Approved for Release by Transpower NZ Ltd:**



Senior Environmental Planner

**Transpower New Zealand Limited**

(Authorised to sign on behalf of Transpower NZ Ltd)

Ph: (09) 590 6851 / Email: [Jenna.McFarlane@transpower.co.nz](mailto:Jenna.McFarlane@transpower.co.nz)

#### **Appendices:**

**Appendix A:** Map of Transpower assets affected by the Project

**Appendix B:** Proposed Conditions – Agreed between Transpower and NZTA

#### **Copy Served to:**

**Waka Kotahi NZ Transport Agency**

C/- Cath Hepplethwaite,

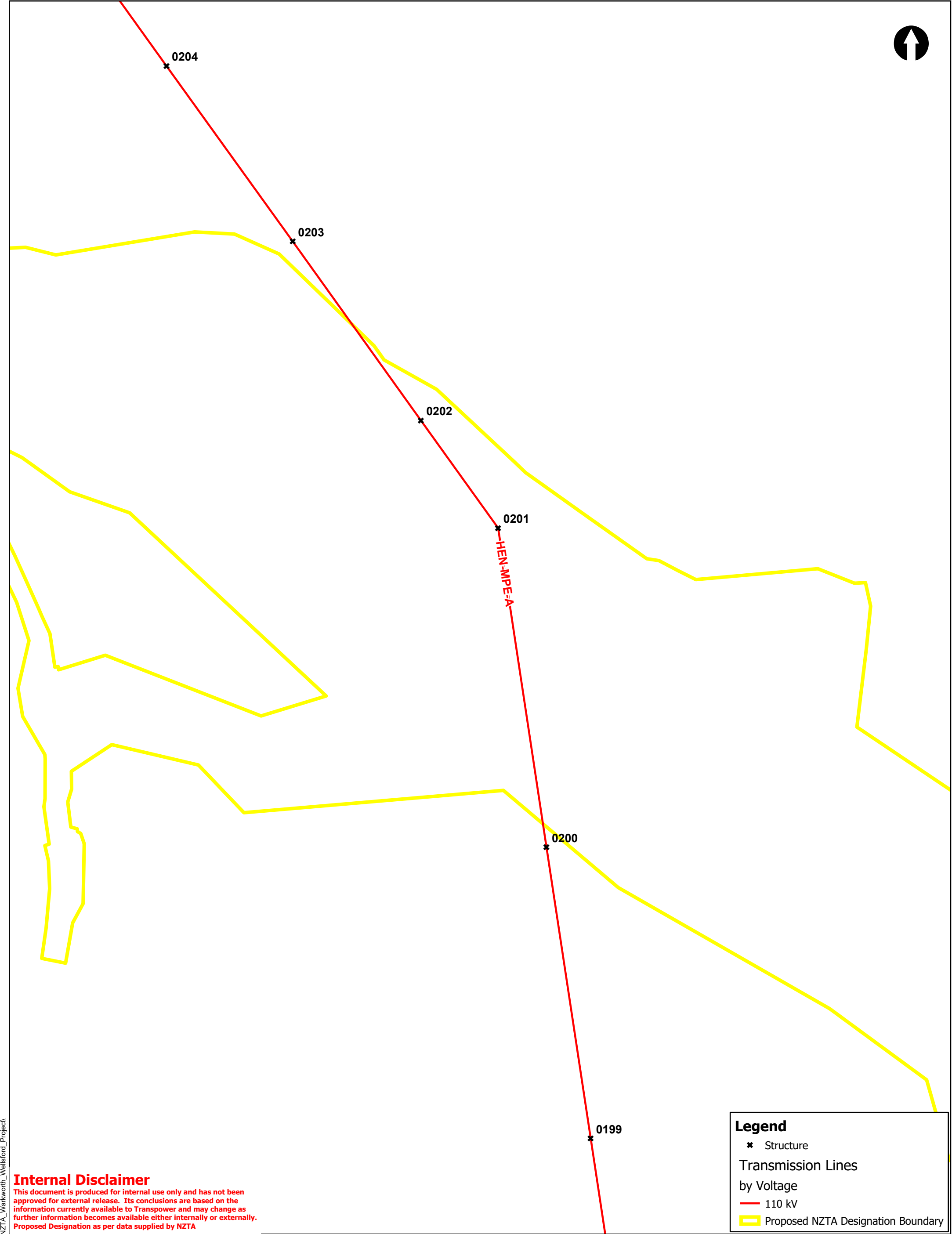
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[warkworth-wellsford@nzta.govt.nz](mailto:warkworth-wellsford@nzta.govt.nz)

**Appendix A:**  
Map of Transpower Assets



**Internal Disclaimer**

This document is produced for internal use only and has not been approved for external release. Its conclusions are based on the information currently available to Transpower and may change as further information becomes available either internally or externally. Proposed Designation as per data supplied by NZTA

**Legend**

- \* Structure
- Transmission Lines by Voltage
- 110 kV
- ▭ Proposed NZTA Designation Boundary



**TRANSPOWER**  
Prepared by: Geospatial & Drawings

**NZTA Warkworth to Wellsford Project**

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Projection: NZTM 2000 Scale: 1:5,000 Plan Size: A3L



Date: 12/06/2019 Drawn by: aldrichh

Path: I:\Spatial\GIS\Projects\p19067 NZTA\_Warkworth\_Wellsford\_Project

## **Appendix B:**

### **Conditions Sought as Agreed between Transpower and NZTA**

#### **Network Utilities**

**24.** The Requiring Authority shall ensure that Project Works do not adversely impact on the ongoing safe and efficient operation of Network Utility Operations and ensure practical access (including emergency access) for Network Utility Operators to existing and/or relocated Network Utilities during the construction and operation of the Project.

**24A.** The Requiring Authority shall consult with Network Utility Operators during the detailed design phase to identify opportunities to enable, or not preclude, the development of new network utilities facilities including access to power and ducting within the Project, where practicable to do so. The consultation undertaken, opportunities considered, and whether or not they have been incorporated into the detailed design, shall be summarised in the Outline Plan or Plans prepared in accordance with Condition [xx].

#### **Transpower – Design**

**25A.** The Project must be designed and undertaken to comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001).

**25B.** The Requiring Authority shall design and undertake earthworks to ensure that the vertical clearance provided between the HEN-MPE A transmission line conductors and the finished road level shall be a minimum of 10 metres for State Highway 1 (including approach roundabouts and on/off ramps), and 8 metres for Vipond Road.

**25C.** The Requiring Authority shall ensure that all trees and vegetation planted for the Project Works comply with the Electricity (Hazards from Trees) Regulations 2003; and cannot fall within 4m of any transmission line conductors.

**25D.** The Requiring Authority shall ensure that any new landscaping planted for the Project Works within 12m of the centre line of the HEN-MPE-A transmission line conductors is limited to species that will grow to a maximum of 2m in height at full maturity.

#### **Transpower – Construction**

**25E.** Construction or enabling works north of Wellsford must not commence within fifty (50) metres of the centreline of the HEN-MPE-A assets until the Electricity Infrastructure Construction Management Plan (EICMP) required by Condition 25F has been completed and either:

- (a) the construction and operation of the Project has been designed to comply with Conditions 24 and 25A to 25D; or
- (b) the HEN-MPE-A assets have been relocated or altered to ensure compliance with Conditions 24 and 25A to 25D and enable the construction and operation of the Project.

**25F.** The Requiring Authority shall prepare an Electricity Infrastructure Construction Management Plan (EICMP) prior to start of construction or enabling works within fifty (50) metres of the centreline of the HEN-MPE-A assets. The EICMP shall be prepared by a suitably qualified and experienced person in consultation with Transpower N Z Ltd. The purpose of the EICMP is to ensure works are carried out safely and to manage any potential adverse effects of the works on Transpower's assets, including confirming that all works will comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001) or any subsequent revision of that code.



**25G.** The EICMP shall:

- (a) Include a record of consultation undertaken with Transpower New Zealand;
- (b) Provide procedures, methods and measures to be implemented during Project Works to:
  - i) Manage effects of dust and other material potentially resulting from Project Works and able to cause damage, beyond normal wear and tear, to the HEN-MPE-A assets;
  - ii) Ensure that no activity is undertaken during construction that would result in ground vibrations, ground instability and/or ground settlement likely to cause damage to HEN-MPE-A assets;
  - iii) Meet applicable standards and Codes of Practice applying to the construction of Project Works that interface with the HEN-MPE-A assets;
  - iv) Ensure that, during construction and operation, changes to the drainage patterns and runoff characteristics do not result in adverse effects from stormwater on the foundations of any HEN-MPE-A support structures; and
  - v) Mitigate Earth Potential Rise, where use of conductive material for road infrastructure (e.g. metallic barriers, lighting) is within 25m of the outer foundations of any HEN-MPE-A support structures;
- (c) Confirm that all Project Works will comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001). For certainty, this shall include specific measures and methods relating to:
  - i) Excavation or disturbance of the land around any transmission support structures (Section 2);
  - ii) Building to conductor clearances (Section 3);
  - iii) Depositing of material under or near overhead conductors (Section 4.3);
  - iv) Mobile plant to conductor clearances and warning notices for mobile plant (Section 5); and
  - v) People to conductor clearances (Section 9).

*Advice Note: Along with the RMA processes, there are other additional processes and approvals applying to any work or activity that affect network utilities. The Requiring Authority may require additional approvals from Network Utility Operators prior to any works commencing in proximity to network utilities.*

*New definition:*

HEN-MPE-A	Transpower's Henderson to Maungatapere A (HEN-MPE-A) 110kV high voltage transmission line assets, which include: <ul style="list-style-type: none"><li>• the existing HEN-MPE-A transmission line Spans 199-204 and support structures/Towers 200-203; and</li><li>• any proposed new or relocated high voltage transmission line assets (spans and/or support structures) required as a result of the Project Works.</li></ul>
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## Contact details

Full name of submitter: Roger Williams

Organisation name: Warkworth Area Liaison Group

Full name of your agent:

Email address: [ropeworth@gmail.com](mailto:ropeworth@gmail.com)

Contact phone number: 094259127

Postal address:  
65 Alnwick St  
Warkworth  
Auckland 0910

## Submission details

Name of requiring authority: Warkworth to Wellsford Motorway

The designation or alteration: Warkworth to Wellsford Motorway

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:

Our submission supports forward planning and route protection by way of designation. We are concerned that the costs of the scheme as proposed are too high. We are also concerned that the traffic modelling and the business case are flawed and, as a consequence, the scheme may be delayed indefinitely. We are not satisfied that the Warkworth Interchange, as shown, is in the best interests of the Warkworth Community because it lacks a southern connection to the town. We plan to make a more detailed submission once we have had time to discuss it at our regular Warkworth Area Liaison Group meeting'

I or we seek the following recommendation or decision from Auckland Council:  
Revised Warkworth Interchange to include Southern Interchange.

Submission date: 25 June 2020

## 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.

## Submission to the Warkworth to Wellsford Project

### Submitted on behalf of the Warkworth Area Liaison Group

**The Warkworth Area Liaison Group is an open forum bringing together residents and ratepayer groups from the wider Warkworth area to discuss matters of local interest and concern. The WALG meeting of 1<sup>st</sup> July, attended by 28 people unanimously supported the points raised in this submission.**

Prepared by Roger Williams FENZ QSM

#### Qualifications and Experience

1. My full name is Roger Lewis Williams.
2. I am currently retired. My previous employment was with OPUS International Consultants and my position was of Civil Design Manager.
3. I am a graduate of Queen Mary College, University of London, holding a BSc (Hons) in Civil Engineering. I am a fellow of the Engineering New Zealand. I am a past member of the IPENZ Transportation Group. I have 42 years of experience in most aspects of civil engineering including structural, underground structures, highway design, transport engineering and road safety.
4. I have led a number of major transport planning projects that include:-
  - 4.1 Cambridge Bypass Designation Study.
  - 4.2 Te Puke Bypass (Tauranga Eastern Link Road) Study.
  - 4.3 Tauranga Route J Design.
  - 4.4 King Hussain Road Tunnel, preliminary and final design, Amman, Jordan. The project included a major transportation SATURN model for the whole of central Amman.
  - 4.5 Waitemata Harbour Crossing Study 2002 (Construction Feasibility Report).
  - 4.6 Development of the Strategy Study reporting system for Transit NZ and subsequent preparation of 7 separate strategy studies covering approximately half the State Highway Network in Waikato and Bay of Plenty.
  - 4.7 Team member for 4 area wide road safety audits in Waikato and Bay of Plenty. These 'blackspot' audits were to find safety improvements that could be put in place quickly. Solutions almost always provided very high benefits at very low costs.
5. I was the principal civil designer for other major transportation projects including Tai Kok Tsui Tunnels Hong Kong, North Greenwich Railway Station, part of the new Jubilee line in London, the Britomart Station and Transport Interchange Auckland New Zealand.

6. I have had published 14 technical engineering papers and received 8 awards for engineering excellence and my technical contribution to the engineering profession.
7. I am a Fellow of the then Institution of Professional Engineers of New Zealand, now Engineering New Zealand. I am also a Life Member of ENZ.

### The Project

The project covers the extension of the motorway north from Wyllie Road to Te Hana as SH1 North bypassing Wellsford.

### This Submission

Our submission supports forward planning and route protection by way of designation broadly along the lines as shown, however.

1. We are concerned that the costs of the scheme as proposed are too high and this may delay the scheme indefinitely.
2. We are also concerned that the traffic modelling and the business case are flawed. We are concerned that as a consequence the benefits of the scheme may be underestimated.
3. We are not satisfied that the Warkworth Interchange, as shown, is in the best interests of the Warkworth Community because it lacks a southern connection to the town and we offer alternatives for consideration.

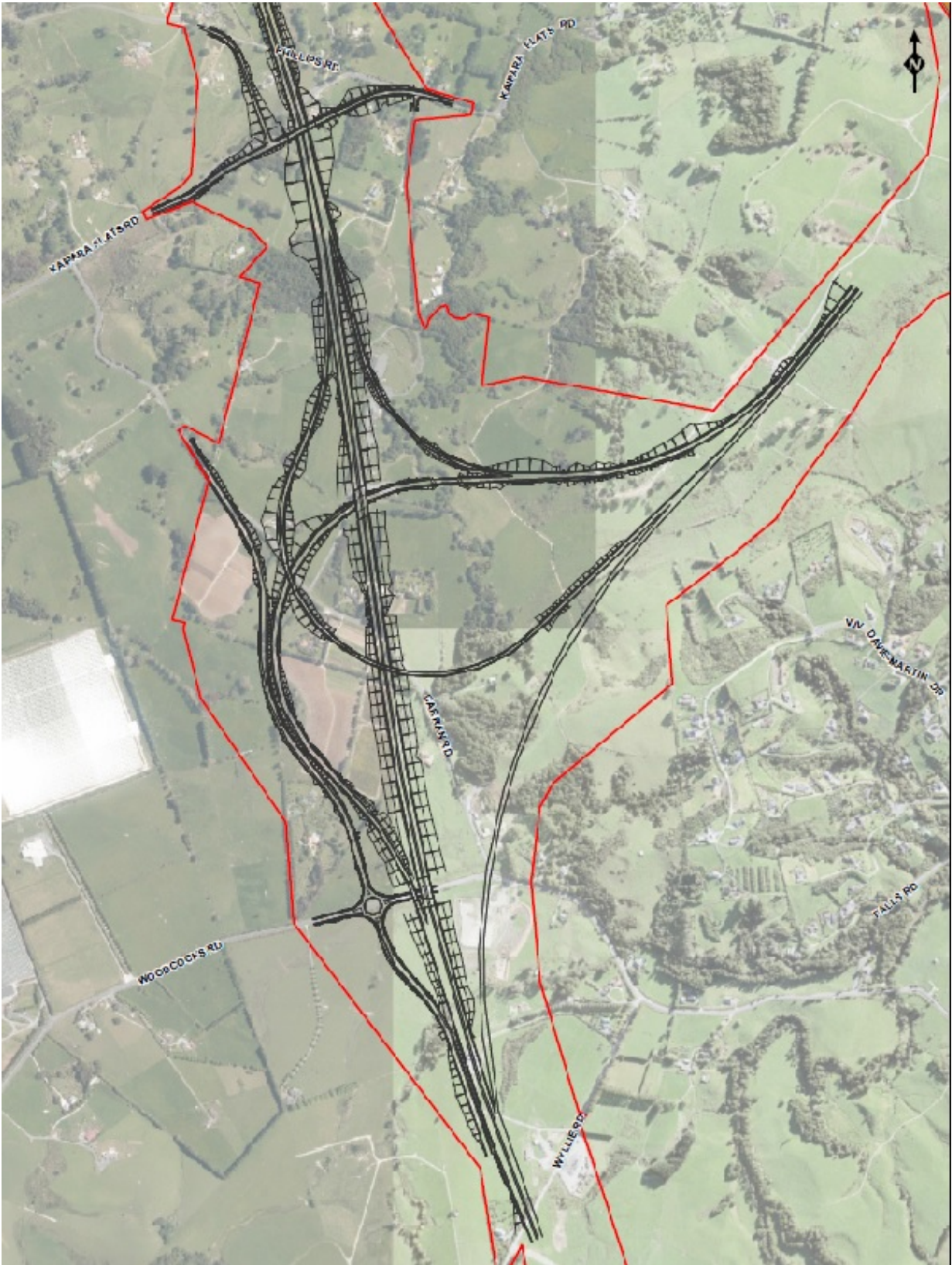
### Detailed Submission

This submission focusses on

1. The connections to Warkworth from the motorway.
  2. The Traffic Modelling
  3. The Economic Justification.
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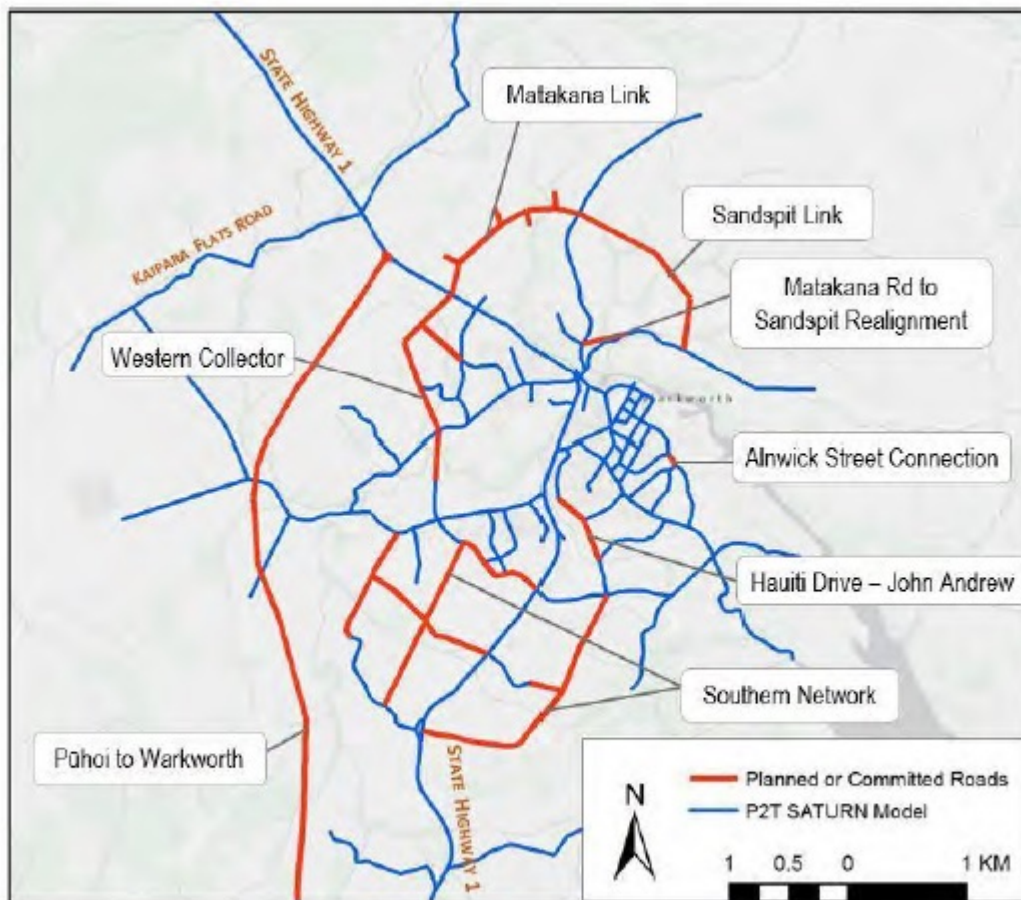


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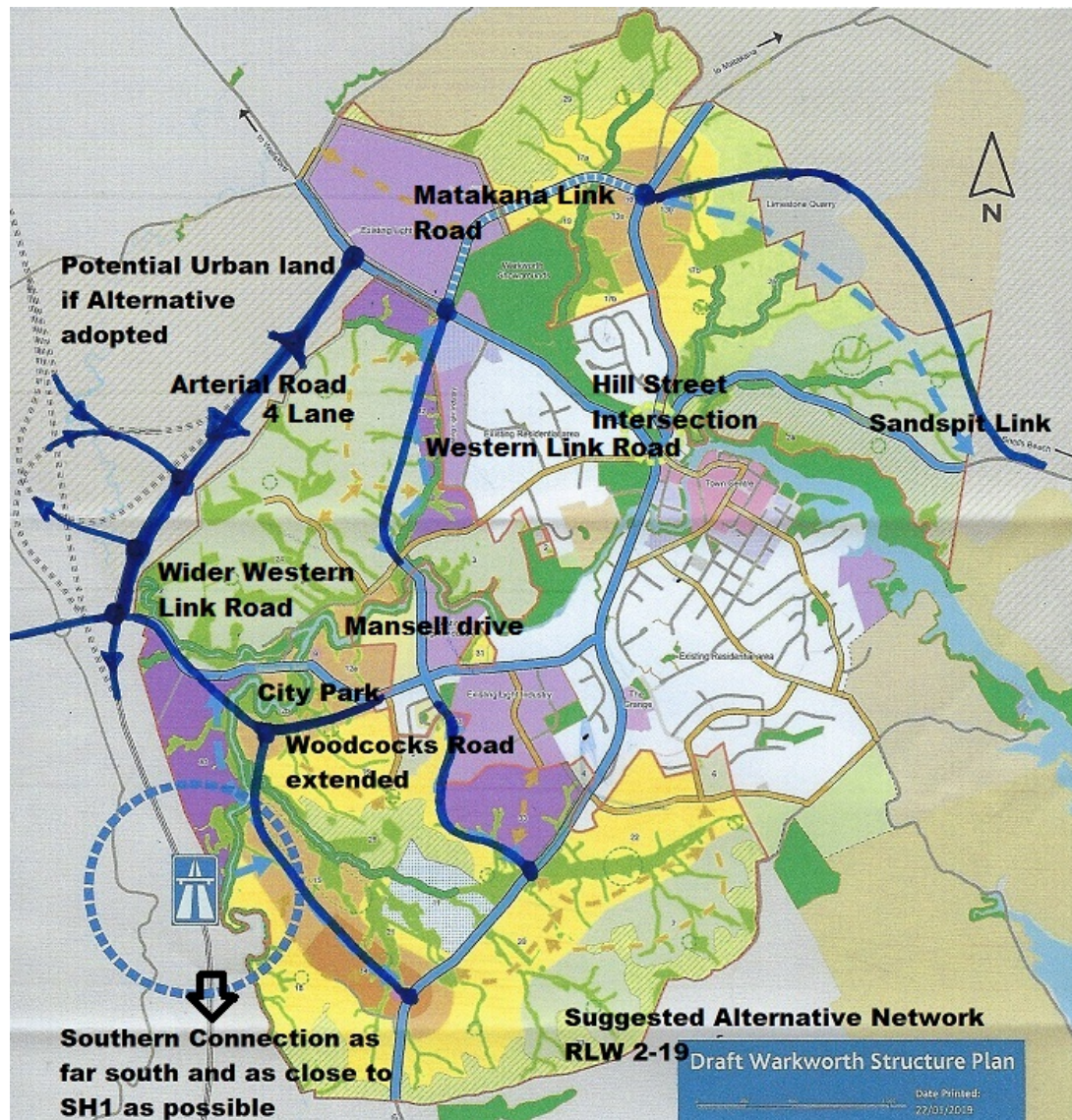
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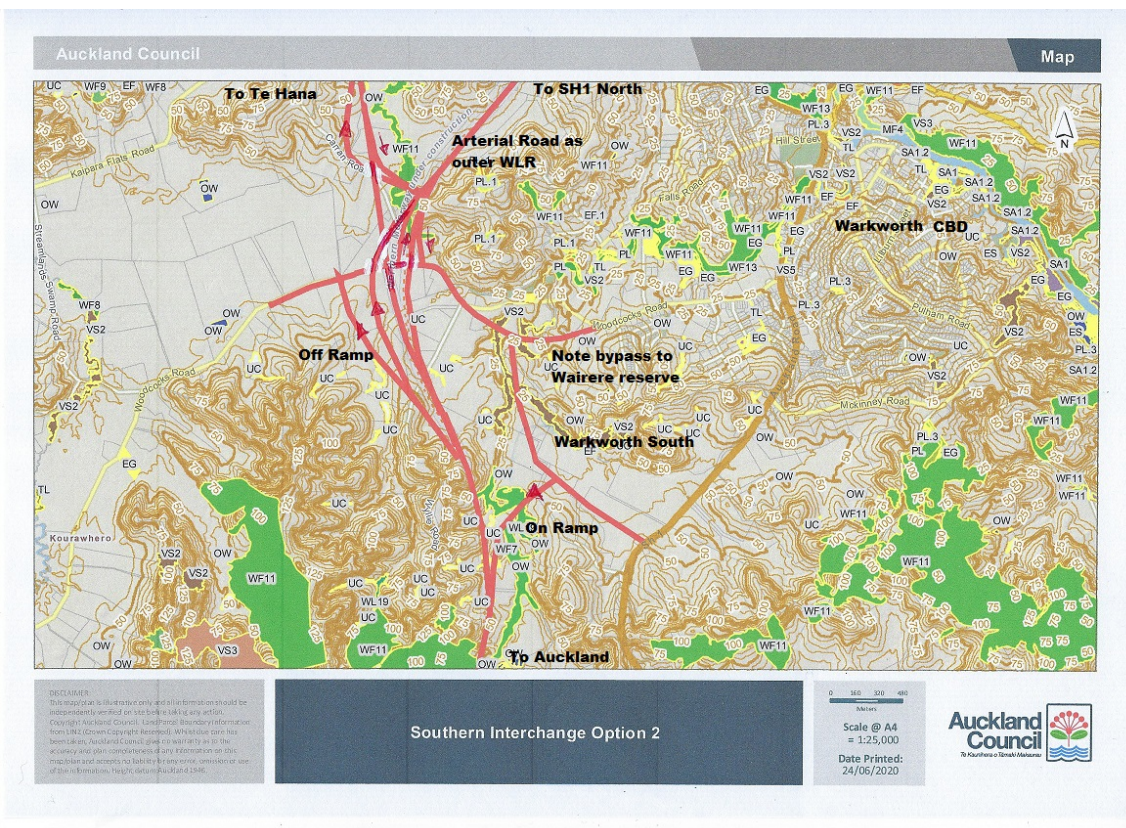
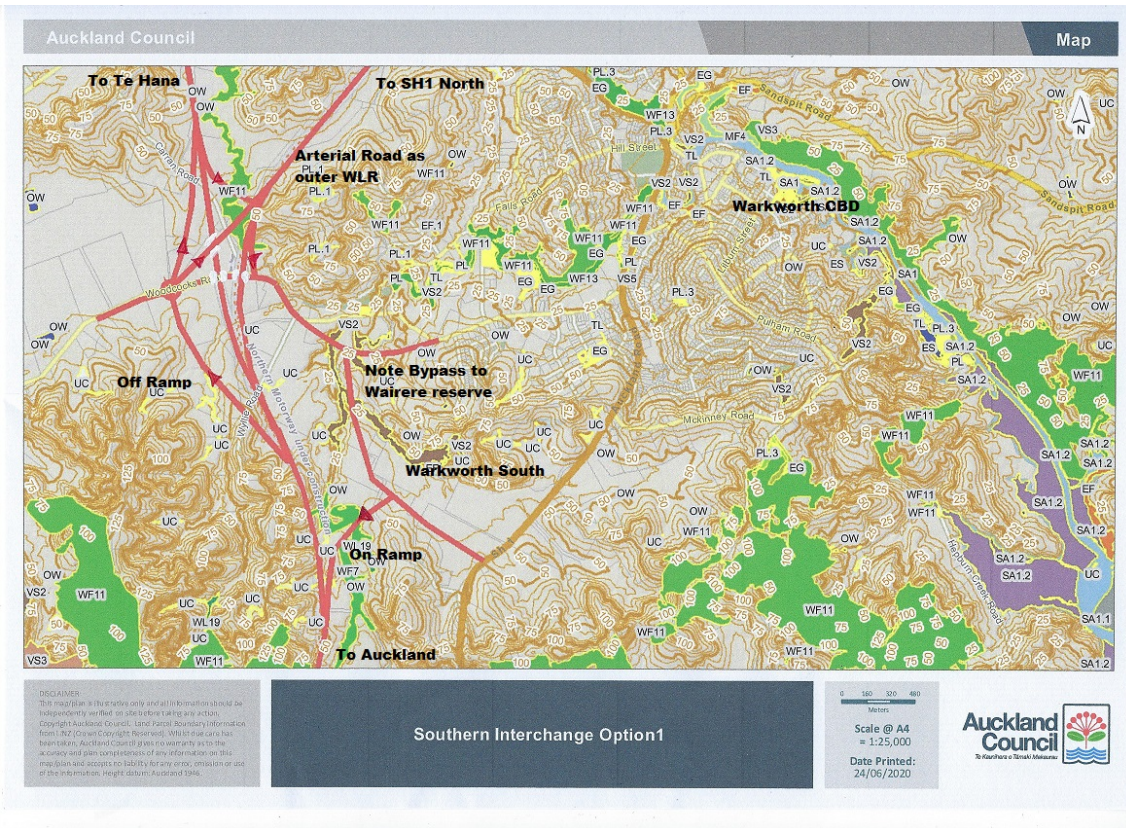
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Achieving a 4 lane highway for the WLR at Mansell Drive will be very difficult within the current road reserve because of the adjacent developments already in existence. The following alternatives relieve this problem.



# Suggested Alternatives for Warkworth Intersection(s) June 2020.

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## Discussion of Alternative Intersections June 2020

### Option 1

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6. Can be built around existing motorway construction.
7. Achieves the intersection with acceptable ramp spacings.
8. Requires less structures than the NZTA option.

### Option 2

As above but provides greater free flow movements but with some additional structures.

**Our Submission is that the Warkworth Intersection proposed by NZTA is likely to preclude a southern interchange because the minimum distance between intersections is likely to be unacceptably short. The alternatives suggested overcome this problem and better serve the Warkworth Community. These alternatives deserve investigation.**

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The whole of the Warkworth to Te Hana project proposal and its economic justification is based on it having a reliable Traffic Model. We consider that a better traffic model could improve the benefits of the scheme.

The Operational Transportation Assessment used for the Warkworth to Te Hana Motorway NOR has a number of serious errors in the Traffic Modelling.

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We have been in discussion with the Supporting Growth Alliance in March 2019 and they have acknowledged that there is a problem with the persons per household ratio that they have used for Warkworth but this has not been corrected.

Our assessment of the problem is shown below –

**Note 2019 data not yet available**

Location	Population	Households	Occupancy Ratio ex QuickStats 2013	AT I11.4 Model Ratio	Suggested Auckland urban ratio	Required scaling factor for Warkworth
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Auckland region	1415530	469497	3.01			

Discussion

The QuickStat 2013 occupancy ratios are already well above the 2.17 p/hh used in the I11.4 Traffic model. These QuickStat ratios are only likely to rise with new housing and young families brought about by the AUP creating Warkworth as a ‘Satellite Town’.

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The growth analysis using QuickStats shows that the traffic model underestimates the resulting local traffic in the Warkworth Area by approximately 26%.

Appendix E Traffic Volumes. The tabulated Traffic Volumes of Appendix E of the Operational Transportation Assessment page 73, shown later, has a large number of obvious numerical errors where the total traffic volumes do not match the summation of the light and heavy volumes.

The effect of the Wayby Landfill Project has not been considered. This is likely to add 260 heavy vehicle traffic movements daily each way from Auckland to the Wayby Intersection.

Submission

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A Detailed Business Case to support this project has been prepared. The DBC has used a cost of \$1.78b to \$2.18b and has a number of disturbing anomalies.

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Using a BCR of less than 1.0 means that any decision to go ahead cannot be justified on economic grounds. The decision to proceed must therefore be purely a political.

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### 4. [Reasons for not Tolling the route](#)

Any tolling the Warkworth to Te Hana Motorway will increase the traffic bypassing the motorway and therefore reduce the benefits of the motorway itself.

The tolling study on the Puhoi to Warkworth motorway showed that even a toll of \$1.50 would increase residual traffic on old State Highway by 50%. Doubling the traffic on the old SH1 can be expected to double the accidents on that road.

The efficiency of collecting revenue by tolling is very low. The transaction cost is \$0.70 (refer NZTA). Other costs that are incurred are 'tolls not recovered' 3% (\$0.021) and gantry operation, maintenance etc cost at least \$0.07 per vehicle.

For a \$1.50 toll 53% of the revenue collected is being lost in the collection process.

NZTA should attract as much of the traffic in the corridor to the new highway as possible. This maximises accident cost savings, vehicle operating cost savings, travel time savings and reduces emissions.

**Our Submission is that the route should not be tolled because this is counter productive to the case for the new route as proposed in the NOR.**

**I wish to be heard at any hearings      Roger Williams**

## Submission to the Warkworth to Wellsford Project

### Submitted on behalf of the Warkworth Area Liaison Group

**The Warkworth Area Liaison Group is an open forum bringing together residents and ratepayer groups from the wider Warkworth area to discuss matters of local interest and concern. The WALG meeting of 1<sup>st</sup> July, attended by 28 people unanimously supported the points raised in this submission.**

Prepared by Roger Williams FENZ QSM

#### Qualifications and Experience

1. My full name is Roger Lewis Williams.
2. I am currently retired. My previous employment was with OPUS International Consultants and my position was of Civil Design Manager.
3. I am a graduate of Queen Mary College, University of London, holding a BSc (Hons) in Civil Engineering. I am a fellow of the Engineering New Zealand. I am a past member of the IPENZ Transportation Group. I have 42 years of experience in most aspects of civil engineering including structural, underground structures, highway design, transport engineering and road safety.
4. I have led a number of major transport planning projects that include:-
  - 4.1 Cambridge Bypass Designation Study.
  - 4.2 Te Puke Bypass (Tauranga Eastern Link Road) Study.
  - 4.3 Tauranga Route J Design.
  - 4.4 King Hussain Road Tunnel, preliminary and final design, Amman, Jordan. The project included a major transportation SATURN model for the whole of central Amman.
  - 4.5 Waitemata Harbour Crossing Study 2002 (Construction Feasibility Report).
  - 4.6 Development of the Strategy Study reporting system for Transit NZ and subsequent preparation of 7 separate strategy studies covering approximately half the State Highway Network in Waikato and Bay of Plenty.
  - 4.7 Team member for 4 area wide road safety audits in Waikato and Bay of Plenty. These 'blackspot' audits were to find safety improvements that could be put in place quickly. Solutions almost always provided very high benefits at very low costs.
5. I was the principal civil designer for other major transportation projects including Tai Kok Tsui Tunnels Hong Kong, North Greenwich Railway Station, part of the new Jubilee line in London, the Britomart Station and Transport Interchange Auckland New Zealand.

6. I have had published 14 technical engineering papers and received 8 awards for engineering excellence and my technical contribution to the engineering profession.
7. I am a Fellow of the then Institution of Professional Engineers of New Zealand, now Engineering New Zealand. I am also a Life Member of ENZ.

### The Project

The project covers the extension of the motorway north from Wyllie Road to Te Hana as SH1 North bypassing Wellsford.

### This Submission

Our submission supports forward planning and route protection by way of designation broadly along the lines as shown, however.

1. We are concerned that the costs of the scheme as proposed are too high and this may delay the scheme indefinitely.
2. We are also concerned that the traffic modelling and the business case are flawed. We are concerned that as a consequence the benefits of the scheme may be underestimated.
3. We are not satisfied that the Warkworth Interchange, as shown, is in the best interests of the Warkworth Community because it lacks a southern connection to the town and we offer alternatives for consideration.

### Detailed Submission

This submission focusses on

1. The connections to Warkworth from the motorway.
  2. The Traffic Modelling
  3. The Economic Justification.
  4. Reasons for not tolling the route.
1. Connections to Warkworth. NZTA is proposing a single on and off connection in both directions as a free flow intersection. The existing and proposed connections to Warkworth are to the north of the township but most of the traffic will be to and from Auckland which is to the south. This adds 4km to each trip each way to or from Auckland. For through traffic on the motorway, the option of visiting Warkworth the interchange as shown will add 8.0 kms to the total trip and will be a significant disincentive and thus will disadvantage local business.

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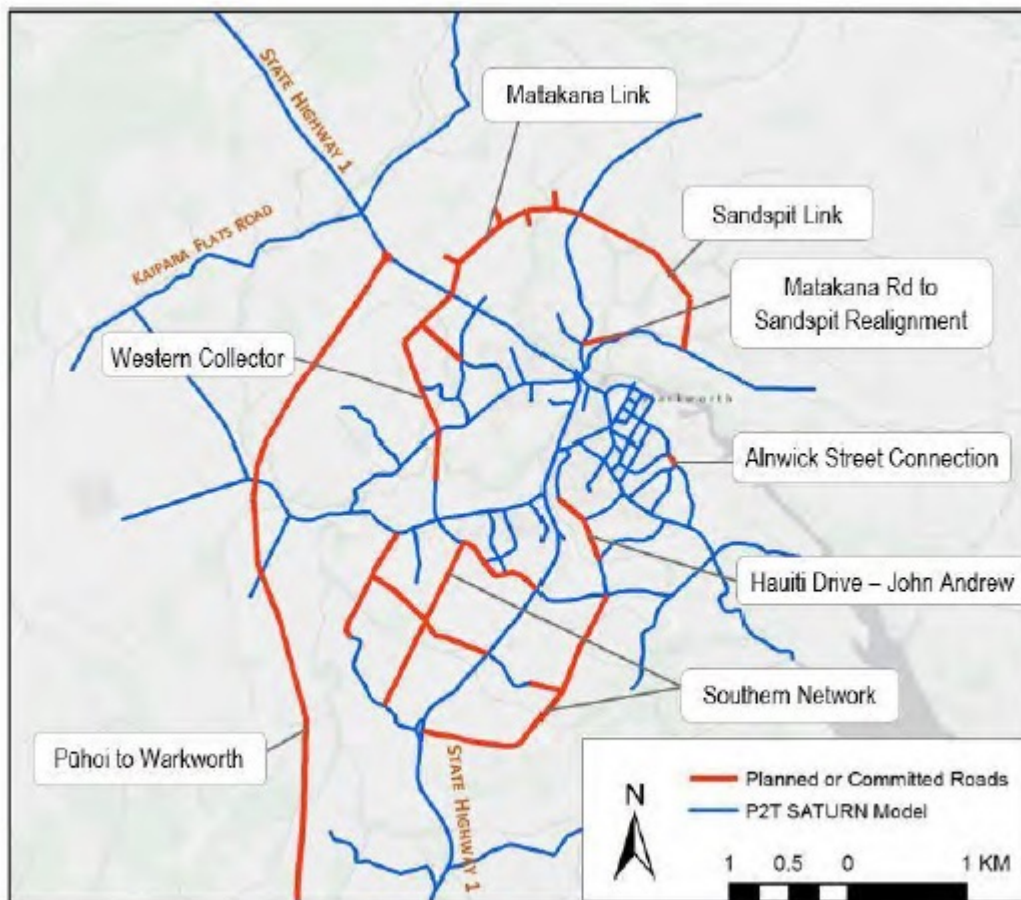


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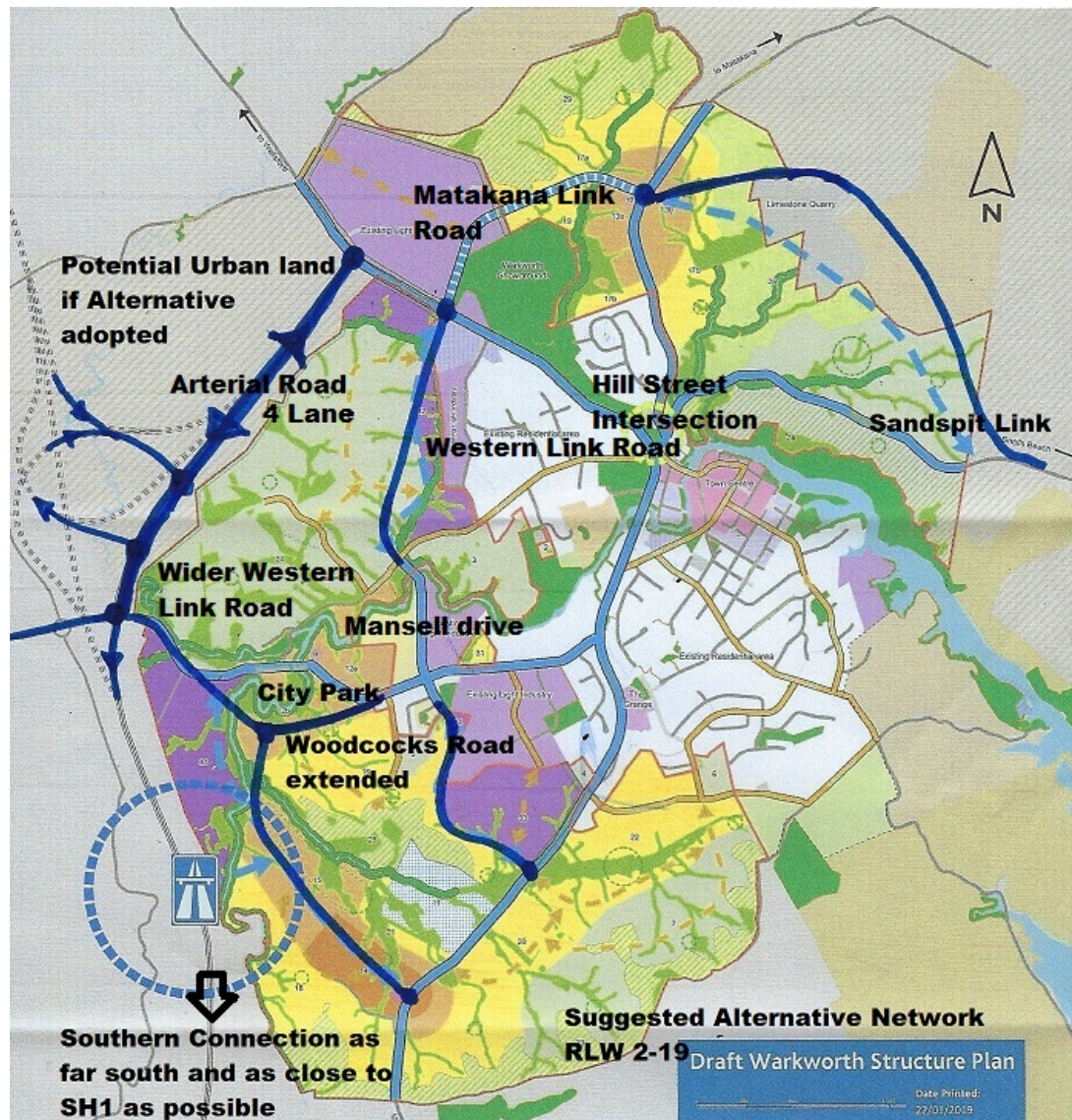
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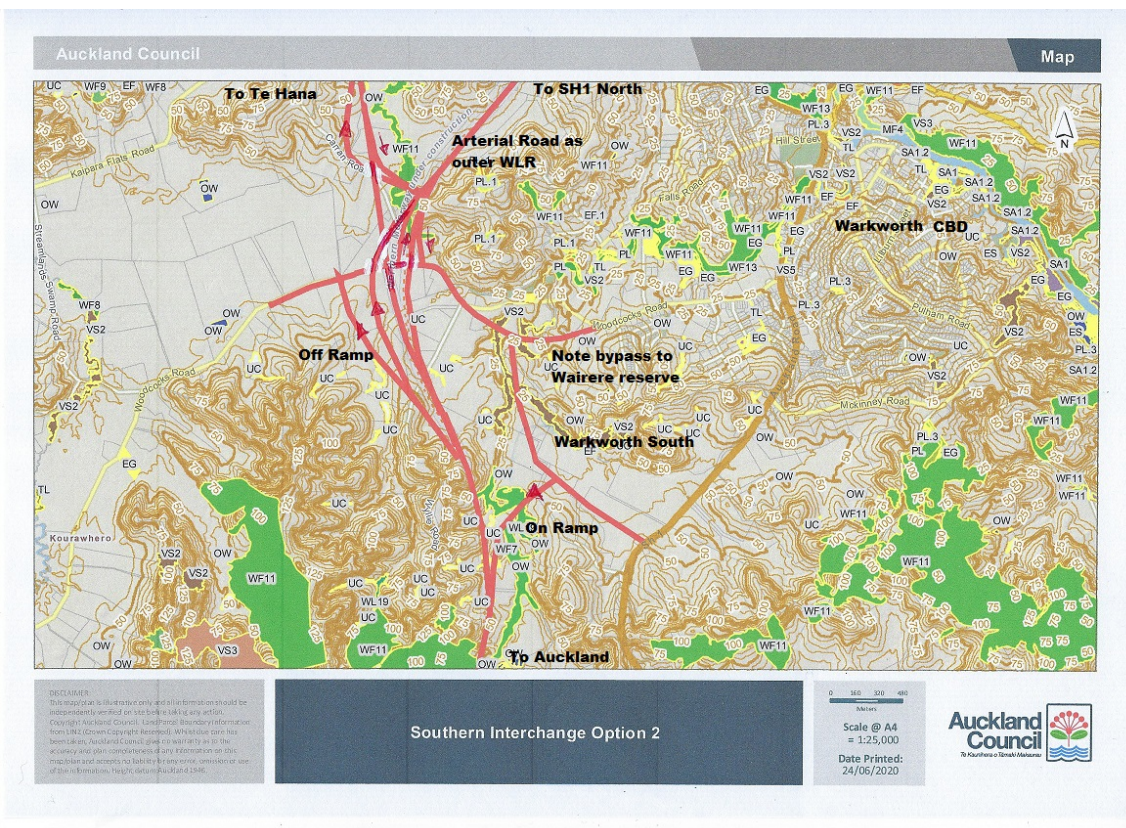
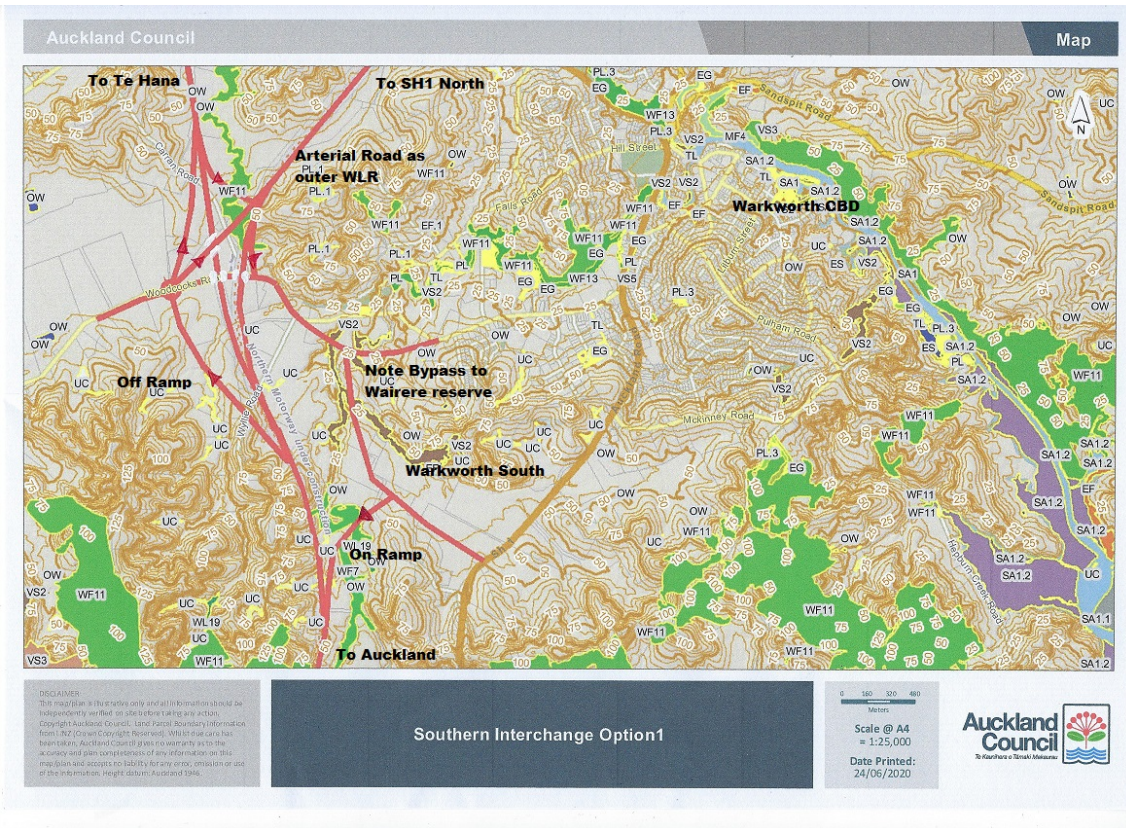
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**I wish to be heard at any hearings      Roger Williams**

**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](mailto:unitaryplan@aucklandcouncil.govt.nz) or post to :

Attn: Planning Technician  
Auckland Council  
Level 24, 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)

AMANDA CLAIRE OGUZ

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

THE FRIENDS OF STREAMLANDS - (TO BE INCORPORATED AS A SOCIETY AT A LATER DATE)

Address for service of Submitter

215 KAIPARA FLATS ROAD, WARKWORTH, AUCKLAND, 0981

Telephone:

0211584715

Fax/Email:

amanda.oguz@gmail.com

Contact Person: (Name and designation if applicable)

This is a submission on a notice of requirement:

By: Name of Requiring Authority

New Zealand Transport Agency

For: A new designation or alteration to an existing designation (describe)

Warkworth to Wellsford Motorway

NOR-SH1 Warkworth to Wellsford

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

PLEASE SEE ATTACHED PDF SUBMISSION

My submission is:

In support of the notice of requirement

In opposition to the notice of Requirement

Neutral [include box]

The reasons for my views are:

PLEASE SEE ATTACHED PDF 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 SEE ATTACHED PDF SUBMISSION

<sup>OUR</sup>  
WE ~~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, <sup>WE</sup> ~~I~~ will consider presenting a joint case with them at a hearing



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

28 JUNE 2020  
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.

The specific part this submission relates to are: -

1. The designation and motorway proposals that relate to the area south of the proposed tunnels.

Reasons: -

- The proposal will have major adverse effects on the environment. It does not adequately mitigate or remedy the potential adverse effects on the people and properties in the vicinity. In particular the effects of noise, dust, vibration, light, stormwater management, traffic nuisance and the social disruption are of concern.
- The effects on the natural waterways and flora and fauna in the vicinity are also of concern.
- The proposed motorway will have significant adverse effects on the property values in the immediate vicinity and adverse economic impacts which have not been adequately addressed.
- The proposed motorway will have a detrimental visual impact on the landscape.
- The application documents do not accurately reflect the actual effects that the proposal will have on those affected and the environment.

And

2. The nature of the application.

Reasons: -

- The project has been presented as an indicative alignment with the actual construction and operation to be determined by future management plans which means that it is not possible to assess how the specific details of the motorway will affect the environment and the affected parties.
- This denies affected parties the ability to review and have influence on the project through the design stage. It is contrary to the intent of the Resource Management Act 1991.

And

3. The proposed conditions.

Reasons: -

- The proposed conditions favour the delivery of the project over the environment and affected parties.
- They are not robust enough to ensure that the adverse effects will be adequately mitigated and remedied.

The relief sought is: -

1. Decline the application.

Failing that: -

2. Require the Authority to confirm the location and design of the motorway alignment along with the associated infrastructure so that the affected parties can have certainty over what is proposed.
3. Require the Authority to include in the application the various management plans so that an assessment of how the project will be delivered to meet the environmental objectives can be assessed.
4. Apply robust conditions that will ensure that those affected are impacted by the proposal in the least way possible.
5. Apply conditions that better improve the effects of the proposal on the social, economic, visual, cultural and general amenity of the area and people affected by the proposal.





THE PLANNING  
COLLECTIVE

## Form 21

### Submission on requirement for designation NOR – Warkworth to Wellsford Motorway that is subject to notification

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

To: Auckland Council – [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz)

Submitter: Silver Hill Trust - Greg and Ingrid McCracken (“**Submitter**”)  
263 Silver Hill Road, RD 5, Wellsford, 0975  
+61 21 857773 Greg  
Email: [greg.ingid@gmail.com](mailto:greg.ingid@gmail.com)

Address for service:

Burnette O’Connor (Agent)  
Planner / Director  
The Planning Collective  
[burnette@thepec.co.nz](mailto:burnette@thepec.co.nz)  
+64 21 422346

This is a submission on the Warkworth to Wellsford Motorway Notice of Requirement (the “**NoR**”):

Silver Hill Trust - Greg and Ingrid McCracken is not a trade competitor for the purposes of section 308B of the Resource Management Act 1991.

The submission is neutral. It neither supports or opposes the NoR.

- It is recognised at a high level that the NoR will:
  - Improve road safety
  - Reduce travel times through the improved route, quality, and safety. Further travel time reliability can be achieved as the population in both Warkworth and Wellsford and beyond increases through the newly zoned future urban land.
  - Improved route security.
  - Improved amenity through reduced noise and improved air quality at Wellsford and Te Hana townships by the removal of heavy traffic and high traffic volumes.
  - Enable improved inter regional and national economic growth and productivity.
- However, the NoR will have significant adverse environmental effects on the operation of the Silver Hill Trust farm, including significant adverse effects on the economic and personal health and wellbeing of the McCracken family. In particular:

- There will be a significant loss of high quality rural productive land through acquisition.
- The loss of land affects the viability of the dairy farm, both in the interim, during construction; and once motorway is operational. This is in relation to the retained land areas; the operation efficiency of those land areas and costs associated with replacement of infrastructure.
- There is a loss of practical operational access to leased blocks of adjacent land that form part of the farm.
- Adverse effects in relation to animal welfare that will affect productivity and therefore affect the economic productivity of the farm. For example, having to train cows to walk through underpasses; effects on animals from the proximity of the proposed highway to the existing cowshed and effects associated with the distance animals will have to walk to access the cow shed. Environmental effects, in terms of on-going investment in farming operations through uncertainty and timing.
- Adverse amenity effects for the occupants of houses on the 'home farm' associated with noise and traffic effects result both during construction and once motorway operational.
- The access to the existing bore water supply from Te Hana will be cut off. This provides a vital alternative water supply during drought situations.

**Context:**

Silver Hill Trust owns the following land parcels:

*Land Affected by the NoR:*

- 263 Silver Hill Road – Lot 1 DP 1115, Allot SW99, Parish of Oruawhoro SO 746 – 47.7529 hectares (**NOR requires 7.9 hectares**).
- 200 Mangawhai Road – Pt lot 3 DP 31165 and Lot 1 DP 31165 – 99.3225 hectares (**NOR Requires 28.3 hectares**).
- 194 Mangawhai Road – Lot 2 DP 494608 – 42.8505 hectares (**NOR requires 19.7 hectares**)
- Mangawhai Road - Pt Lot 4 DP 24208 (**NOR requires 20.9 hectares**).

*Land adjacent to NoR:*

- Silver Hill Road – Lot 1 DP 162674 and Lot 1 DP 193668 – 85.4747 hectares.
- Mangawhai Road - Sec WM97 Psh Of Oruawhoro SO 21509, Sec NEM97 Psh Of Oruawhoro SO 21509, Allot 201 Psh Of Oruawhoro SO 21509 and Pt Lot 4 DP 24208 (Pt Lot 4 DP 24208 is within the NOR, which forms part of the record of title containing all of these parcels) – 54.4590 hectares.

*Leased Properties:*

The submitter leases three adjacent properties:

- 344 Silver Hill Road – Allot 90 Psh Of Oruawhoro SO 5831A, Pt Allot NE99 Psh Of Oruawhoro DP 1115 – 46.64 hectares
- 312 Silver Hill Road – Lot 1 DP 168755, Lot 1 DP 53207 – 89.6868 hectares, however only 40 hectares is leased by the submitters.
- Silver Hill Road – Lot 2 DP 170585, Lot 1 DP 178799 – 42.69 hectares

The total land holding utilised by the submitter for rural productive purposes is 459.19 hectares approximately held over eight titles.

The NoR results in a net loss of 76.8 hectares of land, which is approximately 23.28% of the submitter's land holding of properties affected. This does not include 129.33 hectares of leased land.

The properties form part of a high functioning dairy farm. The farming activity involves grazing and milking cows as well as beef grazing on the steeper less productive land. There are two cow sheds; the second of which will become operational in the very near future, and a number of rural farm accessory buildings. Four staff are employed in the current operation, in addition to labour units supplied by the submitters. There is a solid family connection to this land through the submitter's (being second generation farmers of the land) and their five children (third generation). Land has been acquired over the years to increase the productivity and economic efficiency of the land holdings for rural productive purposes.

### **Effects of Warkworth to Wellsford Motorway (NOR)**

#### **Economic**

The Assessment of Environmental Effects to support the NOR<sup>1</sup> addresses the positive impacts of motorway and some businesses, however, does not specifically address the economic implications of the loss of 76.8 hectares of productive land for the submitter, or potential wider economic effects associated with the loss of highly productive land.

The NoR process has a significant impact on certainty for the submitters'. The length of time from the Requiring Authority making initial contact, to the notification and submissions process has been years. There will be further uncertainty moving forward related to the commencement and then completion of the construction process. The process and associated time delays removes certainty for the submitters with respect to farm operations, responses to change and investment decisions.

This includes the ability to operate the two existing cow sheds, stock numbers and the number of employees required to operate each shed. This is because the NoR will effectively split the farm leaving a portion that will be practically difficult to continue to operate with the remaining land area and which on its own will be economically marginal. These effects relate to the loss of usable land and infrastructure.

The loss of productive land adversely affects economies of scale and economic benefits accrued through the submitters long term goals and hard work to acquire the farm as it is now.

Currently the farm operates efficiently and effectively through the location of the existing cow shed and the investment in the new shed to further improve the operation. The efficiency includes the location of associated infrastructure including proximity to grazing paddocks.

The splitting of the farm as a result of the NoR affects production as stock will have further to walk to reach the cow sheds. The paddocks remaining on the north-western side of the NOR will be inaccessible unless access is achieved through an underpass. However even if an underpass is provided, the length of under pass can have adverse effects on animal health and wellbeing that can affect production. This is because animals will have to be trained to walk through tunnels that they are not used to doing. The length of the underpass' would be between 75 and 100 metres. Although the stock can be trained, this is not an easy task on a twice daily basis on average. The property has a large hill range along the middle-western portion of the land holding, which provides a barrier for twice daily trips to the cow shed. An underpass also has to ensure all farm equipment and vehicles can utilise the underpass for land management purposes.

<sup>1</sup> Warkworth to Wellsford Assessment of Environmental Effects, dated March 2020

The reduction in the land holding brings into question the economic viability. The NoR AEE concedes that the severance of land and the remaining viability of commercial farmland is regarded as a 'Moderate' Effect.<sup>2</sup>

During the construction and operational phases of the NOR, economic uncertainty will occur, and the long-term viability and efficiency of the rural production activities is unknown.

### Construction

During the construction phase of the NoR, there will be significant disruption to the operation of rural production activities, including the leased land holdings. The noise, vibration and construction traffic effects will have a significant impact on the on-going operation of the farm.

The NoR includes a Construction Noise and Vibration Assessment prepared by Jacobs GHD<sup>3</sup>. This report addresses construction noise and vibration, with the main focus on dwellings (Protected Premises and Facilities), being sensitive during the construction phase of the NoR. The assessment does not take into consideration the health and wellbeing of employees or stock. Stock particularly, within the property are easily affected by noise and vibration from activities external to the property, whilst it is envisaged that the stock will become used to noise and vibration associated with the road, over time, in the interim, this can be an operational hazard. These effects include stock rotation, access to essential infrastructure such as stock races, cow sheds and utility buildings.

As a result of the NoR a number of essential aspects of the farm infrastructure will be affected. This includes the location of the existing cow shed at 263 Silver Hill Road. Kim Robinson of AgFirst<sup>4</sup> meeting report states that existing location of the cow shed (approximately 200 metres to road edge) is *...too close for operation of the dairy farm, both during construction and following completion. Despite screening or bunding the effluent disposal area would be too close both visually and due to possible odours.*" It was suggested in the report, to move the cow shed to the west facing away from the NoR; this would include relocation of the effluent areas. Effluent disposal areas and offal pits are necessary for the farm to operate efficiently. The location of these types of farm infrastructure that maybe of concern to users of the motorway need to be located a sufficient distance from the receiving environment (motorway) to ensure reverse sensitivity effects can be minimised. A copy of the AgFirst report is **Attachment A**.

Access to both sides of the operational farmland is essential. The NoR splits the productive land.

The plans within the NoR documentation, outline two bridges within the submitter's land holdings. These are Underpass 17, which is the Silver Hill Road underpass for all traffic and Overpass 18,<sup>5</sup> which is for fuel and gas pipelines. Neither of these bridges enable stock access within the land holdings following the land acquisition. To enable some economic efficiency in the future, consideration is necessary to address on-going access between the severed land holdings for stock, machinery, and other vehicles. Kim Robinson of AgFirst also comments on access to the cow shed at 263 Silver Hill Road and states that a *...70m underpass on the main race heading from the current farm dairy*" is a suitable solution for access to the southern parts of the property, however additional access is necessary at the northern portion of the property at 194 Mangawhai Road. Underpasses need to be able to accommodate high sided trucks to enable continued grass and maize silage harvesting on both sides of the farm. The requiring authority needs to provide sufficient access to both sides of the farm

<sup>2</sup> Warkworth to Wellsford Assessment of Environmental Effects, dated March 2020

<sup>3</sup> Warkworth to Wellsford Construction Noise and Vibration Assessment, dated July 2019

<sup>4</sup> WW2W – Farm Meeting – AgFirst – 6 July 2017

<sup>5</sup> Proposed Designation & Indicative Alignment Plan – Jacobs GHD – Drawing R-108, Sheet 8 of 9 Revision O

for operational efficiency and stock wellbeing during both the construction and operation phases of the NOR. This may be in the form of vehicular underpass’.

The application for the NoR (including the Construction Traffic Assessment prepared by Jacobs GHD<sup>6</sup>) addresses the traffic effects during the construction phase of the NOR. The report mainly focuses on traffic within the roading network and access sites to the NoR, rather than the implications of the traffic movements on the efficient operation of the rural production activities. While the traffic associated with the construction of the NoR can be managed through appropriate traffic management plans, the on-going implications for the operation of the farm are unknown. Stock and stock movements within the land holdings are expected to be hindered as a result the construction phase, with a large number of heavy traffic movements within the haul roads having the potential to impact the operation. The NoR lacks information on how continued access to internal races and associated infrastructure is to be managed.

Other effects as a result of the construction phase of the NoR are those effects relating to air quality, especially involving the movement of vehicles along dusty roads, maintenance of the local roading network, dust associated with earthworks. The NoR addresses these effects in the Warkworth to Wellsford Air Quality Assessment, dated July 2019<sup>7</sup>. It is envisaged that these effects will be suitably managed through conditions.

Water supply for the existing rural production activities is through dams within the property and an existing connection to the North Albertland Community Bore Scheme. As a result of the NoR, the connection to the North Albertland Community Bore Scheme will be severed to the eastern portion of the land holdings. With the recent drought the Auckland Region has experienced, the dams within the property dried up, with the only water supply for stock come from the bore scheme. It is essential for the on-going use of the land holdings, for continued access to the North Albertland Community Bore Scheme for water supply both during construction and operational phases of the motorway.

### Operation

Once construction has been completed and the motorway is operational, noise, vibration, and traffic effects will continue to impact the on-going operation of the farm.

The application for the NoR (including the Operation Noise and Vibration Assessment prepared by Jacobs GHD<sup>8</sup>) addresses operational noise and vibration. The main focus of this assessment is on dwellings (Protected Premises and Facilities), being sensitive during the operational phase of the NoR. Once the motorway is operational, it is envisaged that noise will be more consistent and compliant, meaning that noise effects on stock will be more manageable. However, the NoR recognises the need for mitigation measures such as noise reducing road surface materials, noise barriers (or bunds) and potentially upgrading of building envelopes (such as glazing, ventilation etc<sup>9</sup>). These measures will help ensure that the health and wellbeing of employees and stock are managed. Noise mitigation measures themselves may impact on farm operation activities and there should be discussion with regard to the nature and location of any such measures on, or adjacent, to the farm.

Access to both sides of the property is essential during construction of the motorway and into the future. The project results in loss of the ability to utilise the leased properties because they will either

<sup>6</sup> Warkworth to Wellsford Construction Traffic Assessment, dated July 2019

<sup>7</sup> Warkworth to Wellsford Air Quality Assessment, dated July 2019

<sup>8</sup> Warkworth to Wellsford Operational Noise and Vibration Assessment, dated July 2019

<sup>9</sup> Warkworth to Wellsford Operational Noise and Vibration Assessment, dated July 2019 – Section 6 – Recommended Mitigation

be utilised for the motorway and/or access will be removed. This affects the economic viability of the submitter's rural production activities. The submitters' have leased a number of adjoining properties for in excess of 20 years and the effects of the NoR mean that it will not be operationally practical, or viable to utilise these land holdings in the future. This directly affects the economic viability of the farm.

### Environmental

There are essential operations such as investing in feed pads for stock, upgrading of effluent disposal ponds and systems and offal disposal. Due to the financial uncertainty around timing of the construction and operation of the motorway, the submitters cannot progress with farm improvements, particularly those of a larger scale (cow shed upgrades, feed pads, effluent disposal). The uncertainty around investment in farm improvements may, over time, have environmental implications.

### Social

The submitter's and their family have farmed this land for many years. There has been a clear path to expanding and improving the farm to create a strong business base for the family now and into the future.

The uncertainty created by the NoR process has significant effects on the health and wellbeing of the submitter's family, now and into the future. With five children, it had been the intention to operate the land holdings over two generations, however with the reduced land area and ability to access leased land, this may now not be economically viable, this has social, and potentially economic implications for the future generations.

### **Statutory Assessment**

The assessment of environmental effects submitted addresses the relevant objectives and policies of the Auckland Regional Policy Statement, Auckland Unitary Plan – Operative in Part.

In addition to the Unitary Plan matters there is also the 'Proposed National Policy Statement for Highly Productive Land' (NPS:HPL) This document seeks to recognise the range of values and benefits of and for primary production uses, maintain availability of land for future generations and protect it from inappropriate subdivision, use and development. This document has been through the consultation period. Submissions close on 10 October 2019. The Ministry for Primary Industries have stated on their website that the NPS:HPL will go to Ministers and Cabinet for approval, with likely effect of document middle of 2020. Whilst this document does not currently have legal effect, it provides a guidance on the desired outcomes for the highly productive land resource. The (NPS:HPL) states that<sup>10</sup> *...Highly Productive land means it has been designated Class 1, 2 or 3 by default.* The application sites are a mix of class 3, 4 and 6 soils<sup>11</sup>, with the most productive land currently utilised for dairy farming. The majority of the land that is to be acquired for the NoR is within the mix of classes 3, 4 and 6.

The NoR reduces the area of productive land available by 23%. This will impact on the economic viability of the farm and overall productivity outcomes. The implications of the NOR through the reduction of productive land within the submitters properties is considered to be inconsistent with the direction envisaged within the proposed NPS:HPL.

<sup>10</sup> Ministry for the Environment – Proposed National Policy Statement for highly productive land - Summary

<sup>11</sup> Land Resource Inventory – Soil Classifications

### Duration of NOR

The Requiring Authority has sought a 15-year lapse date to give effect to the NoR. It is likely that construction on the submitter's land will occur towards the end of this period as construction is understood to be commencing in the south and moving north. This results in significant uncertainty and associated personal and economic strain.

### Conclusion

Whilst the submission is neutral the submitter considers that there has been inadequate assessment of the effects of the NoR on them personally and on the ability for the farm to operate effectively in the future. People are part of the environment, as is the productive utilisation of the land resource.

There are adverse economic effects arising for the submitter and potentially the wider economy with respect to the contribution dairy farming makes to the local, regional, and national economy.

The loss of highly productive dairy farmland is a matter addressed in the Proposed NPS:HPL.

These aspects of the proposal are considered to be inconsistent with Part 2 of the RMA which requires *the sustainable management of natural and physical resources in a way or at a rate which enables people and communities to provide for their social, economic and cultural well-being and for their health and safety while sustaining the potential of natural and physical resources to meet the reasonably foreseeable needs of future generations.*

'Silver Hill Trust - Greg and Ingrid McCracken' **wish to be heard in support** of its submission.

If others make a similar submission, Greg and Ingrid McCracken will consider presenting a joint case with them at a hearing.



(person authorised to sign  
on behalf of submitter)

Date 26 June 2020



Kim Robinson  
PO Box 8059, Whangarei 0145  
Ph/Fax: +64 9 4595999  
Mobile: 027 4339465  
Email: kim.robinson@agfirst.co.nz

# WW2W

**Greg and Ingrid McCracken  
263 Silverhill Rd, Wellsford  
Property Ref: 3276A**

**Farm Meeting**

**06 July 2017**



# Assessment of WW2W Effect on Dairy Farming Business

## *Current Situation*

- 290ha owned (one block)
- 110ha leased
- 700 cows milked with yearlings grazed off for 12 months

## *Possible new Scenario*

- 220ha owned in two separate blocks
- 60ha milking and 140ha (80ha milking with adjoining 60ha drystock)
- 180 - 220 cows on each farm
- No lease land (no longer viable due to remaining land quality and access)
- Would need at least one significant underpass between farms to allow machinery and stock access
- New smaller home farm dairy away from IR

## **Main Issues**

### 1/ Time Frame / Intended Development Programme

- Greg and Ingrid were planning to commission the current farm dairy at the Mangawhai Rd end of the property
- Greg had already begun the planning process for this and assessed this would cost around \$300,000
- This would give him two smaller herds of approx. 300 and 400 cows which would relieve the pressure on the home farm dairy and facilities
- This would also allow him to milk off the better land at the far northwestern end of the property, which is too far from the home cowshed for milking access (he has been growing maize crops here)
- There was a plan to potentially increase milking herd numbers to over 800 cows
  
- Currently this development is on hold due to the motorway project
- If the timeframe for land disruption is likely to be 10 years or more, Greg would still like to complete this expansion in the next year or so
- If the project timeframe is shorter than this could the capital development be partially reimbursed on a pro rata timeframe basis?

## 2/ New Position of Designation Line at Northern End

- If the designation at this northern end moves outwards at all (from the red line) this second cowshed is going to become redundant
- The current position of the red line gives a block of around 60 ha which is bare minimum for a dairy unit (single operator, no debt)
- This 60ha is the maximum available for milking on the map:
  - o The good milking country in the NW corner is taken
  - o The Ward lease land which is left outside the designation line is poorer country and unsuitable for milking
- We would need to see the proposed position of the new designation to decide if it is viable to milk cows at all on this block after the disruption
- Note the effluent ponds are inside the current designated area so would need to be moved.
- The new effluent application area is also above the cowshed may require extra pumping

## 3/ Home Farm Dairy Shed Position

- On inspection of the proximity of the intended route to the current cowshed it would appear to be only around 200m from shed to possible road edge
- This is too close for the operation of the dairy farm, both during construction and following completion
- Despite screening or bunding the effluent disposal area would be too close, both visually and due to possible odours
  
- The cowshed would also be far too big for the new herd size (200-250 cows)
- The shed would need to be staffed by one milker versus the current 2-3
- The milking pit length is too long and there is too much area to clean each day to allow the efficient operation by one person
- The quantity of effluent would be significantly higher than that normally produced by a 250 cow herd, due to the large area of concrete in the current shed
- This would create significant ongoing costs for the owner
  
- The proposal would be to move the cowshed across to the west, on an area facing away from the motorway. The effluent disposal area would also be in this area

#### 4/ Access

- The two farms would need to be linked by a significant underpass which would be used for machinery, vehicles and stock.
- The proposed 70m underpass on the main race heading north from the current farm dairy would be the best option for this.
- Although the stock are not likely to be going through this tunnel on a daily basis, there would be cows and young stock moving through this access way regularly for management operations.
- The tunnel would need to be 10m wide and 4.5m high to accommodate these movements, it may also require lighting
- There is an area of good land left outside the designation in the NW corner of the property. Access to this area for stock and machinery would also need to be provided
- There are two options for this access
  - o A second underpass as proposed in the area above the northern cowshed
  - o A farm road formed from the southern cowshed across the hills to the southwest of the current designation line

## Contact details

Full name of submitter: David Stott

Organisation name: One Warkworth

Full name of your agent:

Email address: [davestott@xtra.co.nz](mailto:davestott@xtra.co.nz)

Contact phone number: 0272887580

Postal address:

PO Box 481

Warkworth

Auckland 0941

## Submission details

Name of requiring authority: Warkworth to Wellsford Motorway

The designation or alteration: Warkworth to Wellsford Motorway

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:

Our submission supports forward planning and route protection by way of designation. We are concerned that the costs of the scheme as proposed are too high. We are also concerned that the traffic modelling and the business case are flawed and, as a consequence, the scheme may be delayed indefinitely. We are not satisfied that the Warkworth Interchange, as shown, is in the best interests of the Warkworth Community because it lacks a southern connection to the town. We plan to make a more detailed submission once we have had time to discuss it with the business community.

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

Review the land area required because it renders large areas north of Warkworth unsuitable for development. Review the cost benefit of the project using projected traffic flows based on household size of 2.7 to 2.8 persons per household as was agreed with AT and Supporting Growth Auckland, in lieu of 2.17. Review scheme and hence land requirements taking into consideration a future interchange to the south of Warkworth.

Submission date: 29 June 2020

## 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.



**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](mailto:unitaryplan@aucklandcouncil.govt.nz) or post to :

Attn: Planning Technician  
Auckland Council  
Level 24, 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)

WENDY PATRICIA COURT

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

NA

Address for service of Submitter

124 PERRY RD, WARKWORTH, 0983

Telephone:

021815956

Fax/Email:

courtwp@hotmail.com

Contact Person: (Name and designation if applicable)

This is a submission on a notice of requirement:

By: Name of Requiring Authority

New Zealand Transport Agency

For: A new designation or alteration to an existing designation (describe)

Warkworth to Wellsford Motorway

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

SEE ATTACHED

My submission is:

In support of the notice of requirement

In opposition to the notice of Requirement

Neutral [include box]

The reasons for my views are:

SEE 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).

SEE 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

*@annufup*

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

29-6-2020.

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.



I had the misfortune to gain unwanted experience of the Public Works Act and the Resource Management Act when the Puhoi to Warkworth (P2W) motorway was planned, consented and constructed.

Although that motorway went through a Board of Inquiry process I find that the problems inherent in that process are evident again in the Resource Consent Application and the Notice of Requirement for Warkworth to Te Hana motorway currently being considered.

**The application is flawed and should not succeed.**

**The application is flawed.**

This application relies heavily on Management Plans which give no certainty. These plans can be changed at any time. (The P2W consent was granted with no specific Condition One which enabled the Transport Agency to change any aspect of construction as long as they met the Agency's "outcome" requirement. Also, certain aspects were left out of the contract with the chosen contractor which came as a surprise to landowners.)

Management plans are not robust enough. The long lead in time provides adequate time to get a more definite plan consented, which does not rely so heavily on Management Plans, thereby giving certainty to all. The RMA requires stakeholder input, however, this application offers no encouragement for stakeholder input or review, prior to lodgement.

**The application does not adequately address the effects of noise**

Adverse effects of noise on the area are not well covered. They are listed but not adequately mitigated or accurately documented.

Noise modelling is only as good as the data entered, and doesn't always correlate to physical circumstances. Noise experts will propose mitigation which is considered adequate. However, noise nuisance is a very personal thing (WHO). Different people react to the same noise in different ways.

Noise levels should be constantly monitored at PPF to prevent inaccuracies caused by timing issues as were evident on P2W (noise monitoring was sometimes carried out hours after heavy machinery had left the site).

Consideration of noise effects only on stakeholders 200 metres from construction is not appropriate, and depends heavily on topography. Ambient noise monitoring undertaken at only eight sites is not adequate for an area this large.

The use of OGPA (Open Grade Porous Asphalt) should be available for the entire length of the motorway, not just two small areas.

**The application does not adequately mitigate the social impact of the project on stakeholders.**

The application does not accurately portray the effect on the people and properties affected by this proposal. It is incorrect to say that the social impact will be moderate but of short duration. At the Board of Inquiry for the P2W motorway, the Transport Agency grossly under-represented the effects on affected landowners, preferring to overstate the benefits to the "travelling public." So here we are eleven years later still affected by noise, dust, poor communication, and loss of amenity.

Adverse effects of most issues underrate the impact in order to justify the consent being granted. Benefits to the local community are overstated while adverse effects on landowners are grossly underrated. "Long lead in enables people to make plans resulting in less concern,



stress, anxiety, and worry, and dissolve some of the apparent negativity”. Mitigation suggested is not significant enough to counter the huge impact that the motorway construction has on stakeholders. The social impacts have been assessed by someone who has never been through land acquisition under the Public Works Act. Also, stakeholders will not necessarily be better off due to mitigation. Health issues, especially mental health issues are under recognized.

**The application does not adequately address the visual aspects of the project.**

Visual aspects are noted to be minimized through use of the Urban Landscape Design Framework (ULDF). During the P2W design process certain aspects in the ULDF simply did not make it into the final design once the contractor came on board. Unilateral changes like this should not occur. The Transport Agency/ Contractor should have to make their case each time they change something. There is a definite need for increased oversight on the changes they make to address stakeholders concerns, and environmental issues. (The outcomes approach used in P2W has been shown to be flawed.)

**The proposed design of the Warkworth interchange is unnecessarily large and impacts on the surrounding environment in an adverse way.**

Previous proposals used less land and only crossed the Mahurangi River once. The current proposal crosses the Mahurangi River FOUR times which clearly impacts more heavily on the river than is necessary.

**The AEE is mistake ridden, and contains numerous inconsistencies, grammatical errors, and typos which makes of the document very difficult to read and understand.**

I would like to ask the Council to decline this application

or

Require the application to be revised to build in more robust conditions to protect the Mahurangi River, affected stakeholders, and the environment.

29 June 2020

Plans and Places  
Auckland Council  
Private Bag 92300  
Auckland 1142

Email: [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz)

**NOTICE OF REQUIREMENT FOR DESIGNATION – TRANSPORT CORRIDOR –  
WARKWORTH TO WELLSFORD**

Please find attached Auckland Transport's submission on Proposed Notice of Requirement for the Designation of a Transport Corridor – Warkworth to Wellsford for Waka Kotahi – New Zealand Transport Agency.

If you have any queries in relation to this submission, please contact me at [katherine.dorofaeff@at.govt.nz](mailto:katherine.dorofaeff@at.govt.nz), or on 09 447 4547.

Yours sincerely



Katherine Dorofaeff  
**Principal Planner, Land Use Policy and Planning North / West**

cc:  
Cath Heppelthwaite  
New Zealand Transport Agency  
[warkworth-wellsford@nzta.govt.nz](mailto:warkworth-wellsford@nzta.govt.nz)

## **Submission by Auckland Transport on Notice of Requirement for Designation: Transport Corridor – Warkworth to Wellsford**

**To:** Auckland Council  
Private Bag 92300  
Auckland 1142

**Submission on:** Notice of Requirement for a Designation from Waka Kotahi - New Zealand Transport Agency for the construction, operation and maintenance of a new state highway and associated activities between Warkworth and north of Te Hana

**From:** Auckland Transport  
Private Bag 92250  
Auckland 1142

### **1. Introduction**

- 1.1 Waka Kotahi - New Zealand Transport Agency ('the Transport Agency') has issued a notice of requirement ('the NOR') for a designation in the Auckland Unitary Plan (Operative in Part) and applied for the associated regional resource consents for the construction, operation and maintenance of a new four lane state highway. The Warkworth to Wellsford project is the second and final stage of the broader Ara Tuhono - Puhoi to Wellsford Project.
- 1.2 Key components of the project include a four-lane dual carriageway, three interchanges, twin bore tunnels under Kraack Road, a viaduct over the existing State Highway 1 and Hoteo River, a bridge over Maeneene Stream, a series of cut and fills across the project area and changes to local roads. The proposed state highway will be approximately 26 km in length. The requirement applies to an area of land of approximately 1348 ha located between Warkworth and North of Te Hana. The requirement applies to 205 land parcels (including local roads).
- 1.3 The NOR and applications for resource consents have been publicly notified together to provide for the construction, operation and maintenance of the four-lane state highway. This submission relates only to the NOR.
- 1.4 Auckland Transport is a Council-Controlled Organisation of Auckland Council ('the Council') and the Road Controlling Authority for the Auckland region. Auckland Transport has the legislated purpose to contribute to an 'effective, efficient and safe Auckland land transport system in the public interest'.<sup>1</sup> Auckland Transport is responsible for the planning and funding of most public transport; operating the local roading network and developing and enhancing the local road, public transport, walking and cycling network for the Auckland Region.
- 1.5 The Transport Agency has engaged with Auckland Transport in the development of this project as it relates to the local transport network. This has included opportunity to provide input on draft conditions. Auckland Transport looks forward to ongoing engagement during the detailed design phase. There will also be a

<sup>1</sup> Local Government (Auckland Council) Act 2009, section 39.

need to work with Auckland Council through the formal roading stopping process where the stopping and realignment of local roads is required for the project.

1.6 Auckland Transport is not a trade competitor for the purposes of section 308B of the Resource Management Act 1991.

## 2. **Specific parts of the Notice of Requirement that this submission relates to**

2.1 The specific parts of the NOR that this submission relates to are set out in **Attachment 1**. In keeping with Auckland Transport's purpose, the matters raised are about transport or transport assets. These matters include:

- Overall support for the proposal
- Ensuring the extent of the designation provides for interface with local roads
- Support for proposed conditions addressing effects on local roads
- Request for strengthening of the proposed condition addressing damage to local roads from heavy construction-related vehicles.

2.2 Auckland Transport supports the NOR subject to the applicant satisfactorily addressing the matters raised in **Attachment 1**.

2.3 Auckland Transport is available and willing to work through the matters raised in this submission with the applicant.

## 3. **Recommendations requested**

3.1 The recommendations which Auckland Transport seeks from the Council are set out in **Attachment 1**.

3.2 In all cases where amendments to the NOR are proposed or existing wording is supported, Auckland Transport would consider alternative wording or amendments which address the reason for Auckland Transport's submission. Auckland Transport also seeks any consequential amendments required to give effect to the recommendations requested.

## 4. **Appearance at the hearing**

4.1 Auckland Transport wishes to be heard in support of this submission.

4.2 If others make a similar submission, Auckland Transport will consider presenting a joint case with them at the hearing.

**Name:** Auckland Transport

**Signature:**



Christina Robertson  
Group Manager: Strategic Land Use and Spatial Management

**Date:** 29 June 2020

**Contact person:** Katherine Dorofaeff  
Principal Planner: Land Use Policy and Planning North / West

**Address for service:** Auckland Transport  
Private Bag 92250  
Auckland 1142

**Telephone:** 09 447 4547

**Email:** [katherine.dorofaeff@at.govt.nz](mailto:katherine.dorofaeff@at.govt.nz)

**Attachment 1**

<b>Issue</b>	<b>Support / oppose</b>	<b>Reasons for submission</b>	<b>Recommendations requested</b>
The overall NOR	Support	The proposed work and designation are reasonably necessary for achieving the objectives of the Transport Agency as set out in its Form 18 notice.	Confirm the NOR and proposed conditions subject to the amendments identified below.
Extent of the designation where the project interfaces with local roads.	Support in part	Auckland Transport seeks to ensure that the designation provides for suitable and safe transitions where the proposed state highway connects with local roads. The drawings provided with the application are not sufficiently detailed at this stage to satisfy Auckland Transport on this point. In some locations it may be necessary to extend the designation further along local roads to provide for road tie-ins as part of project works. The Transport Agency may be able to satisfy Auckland Transport's concerns by providing more detailed drawings.	<p>Include condition which sets out a process for the requiring authority to work with Auckland Transport on the detailed design of connections to local roads at the following locations:</p> <ul style="list-style-type: none"> <li>• Woodcocks Road, Carran Road (Map 1, R-101)</li> <li>• Kaipara Flats Road (Map 2, R-102)</li> <li>• Wayby Valley Road, Rustybrooke Road (Map 6, R-106)</li> <li>• Farmers Line Road, Worthington Road (Map 7, R-107)</li> <li>• Silver Hill Road (Map 8, R-108)</li> <li>• Mangawhai Road (Map 9, R-109).</li> </ul> <p>That process should also provide for extension of the designation if required along these local roads to provide a safe and integrated connection between the proposed state highway and connecting local roads.</p>
Proposed definition of Enabling Works	Support	The proposed definition of enabling works is useful to identify what is envisioned for preliminary construction activities.	Retain the definition of enabling works as part of the conditions.
Proposed condition 1	Support	It is appropriate and good practice to review and reduce the extent of the designation following the completion of construction.	Retain proposed condition 1 relating to designation boundaries post-construction.
Proposed condition 3	Support	The condition recognises that for some construction conditions there is an obligation which continues after construction.	Retain the reference in proposed condition 3 to obligations which continue after construction.
Proposed conditions 4 to 6 and Table 1	Support	The requirement for management plans for construction traffic, enabling works traffic and site-specific traffic is an appropriate way of ensuring that the requiring authority sets out the practices and procedures to be adopted to manage traffic effects.	Retain proposed conditions 4 to 6 and Table 1 relating to the management and outline plan process as it applies to construction, enabling works traffic and site-specific traffic.

Issue	Support / oppose	Reasons for submission	Recommendations requested
Proposed condition 7	Support	Appointing a Project Liaison Person is an appropriate way for the requiring authority to clearly communicate with stakeholders throughout the duration of the project.	Retain proposed condition 7 relating to the Project Liaison Person.
Proposed conditions 8 to 10	Support	The conditions relating to the Stakeholder and Communications Management Plan is an appropriate way of ensuring the requiring authority sets out how it will communicate with stakeholders. The specific identification of Auckland Transport in conditions 9(a) and 10(b) is supported.	Retain proposed conditions 8-10 relating to the Stakeholder and Communications Management Plan including the specific identification of Auckland Transport as stakeholder.
Proposed condition 31	Support	Kraack Road is not suitable for use as a haulage route for heavy vehicles.	Retain proposed condition 31 so that Kraack Road cannot be used as a haulage route for heavy vehicles between State Highway 1 and Saunders Road.
Proposed condition 33	Support in part	<p>The condition requires repair of damage to local roads, from heavy vehicles at construction site access points. Auckland Transport supports this condition but seeks that it be extended to include damage from heavy construction-related vehicles where local roads are used as construction or haulage routes.</p> <p>Auckland Transport also seek amendments to require the condition of the road to be assessed before and after construction activities so that damage caused by such construction vehicles can be identified, monitored and repaired. Auckland Transport notes that there are conditions on the designation for the Northern Corridor Improvement project requiring pre-construction visual assessments and pavement strength testing, and ongoing monitoring.</p> <p>The condition needs to be robust enough to cover road damage resulting from construction of the project, otherwise there will be additional costs to Auckland Transport for repairs and renewals.</p> <p>A minor amendment is sought to recognise that Auckland Transport's Code of Practice has been superseded by the Transport Design Manual.</p>	<p>Amend proposed condition 33 requiring repair of road damage to local roads caused by heavy construction-related vehicles, so that the condition:</p> <ul style="list-style-type: none"> <li>provides for the condition of the road to be assessed and documented before and after construction activities so that road damage can be identified, monitored, and repaired</li> <li>covers construction and haulage routes where these occur on local roads rather than being limited to damage at construction site access points.</li> </ul> <p>Amend the last sentence of condition 33 as follows:  'All repairs shall be undertaken in accordance with <del>the</del> Auckland Transport's <del>Code of Practice</del> <u>Transport Design Manual</u>.'</p>
Proposed conditions 34 to 37	Support in part	The conditions about a Construction Traffic Management Plan address the need for the requiring authority to manage construction traffic and construction parking. These conditions	Retain proposed conditions 34 to 37 relating to the Construction Traffic Management Plan, subject to minor rewording of condition 35.

Issue	Support / oppose	Reasons for submission	Recommendations requested
		<p>are relevant for addressing effects on local roads managed by Auckland Transport.</p> <p>A minor wording change should be made to condition 35 to make it clearer.</p>	<p>Amend proposed condition 35 as follows:</p> <p>'The Requiring Authority shall prepare a Construction Traffic Management Plan (CTMP) prior to the start of construction works to identify how condition 34 <del>will be met prior to the start of Construction Works.</del>'</p>
Proposed conditions 38 to 40	Support	<p>The conditions about Site Specific Traffic Management Plans provide for the requiring authority to identify specific construction methods to comply with the Construction Traffic Management Plan and to address particular circumstances, local traffic and community travel demands. These conditions are relevant for addressing traffic effects on local roads managed by Auckland Transport.</p> <p>A minor wording change should be made to condition 38 to make it clearer.</p>	<p>Retain proposed conditions 38 to 40 relating to Site Specific Traffic Management Plans.</p> <p>Amend proposed condition 38 as follows:</p> <p>'The Requiring Authority shall prepare a Site Specific Traffic Management Plan (SSTMP) or Plans where any Project construction activity varies the normal traffic conditions of any public road. <u>The SSTMP shall be prepared</u> prior to using that road <u>and</u> prior to start of the relevant Construction Works. ...'</p>
Proposed conditions 41 to 42	Support in part	<p>The conditions about Enabling Works Construction Traffic Management provide for a construction traffic management plan commensurate with the scale and effects of the proposed enabling works.</p> <p>A minor correction is sought to condition 42.</p>	<p>Retain proposed conditions 41 to 42 relating to Enabling Works Construction Traffic Management.</p> <p>Amend proposed condition 42 as follows:</p> <p>'... If the Requiring Authority has not received any comments from Auckland Transport within 20 Days of providing the EWCTMP to them, the Requiring Authority may consider that Auckland Transport has no comments.'</p>
Proposed condition 46(c)	Support	<p>The condition recognises the need to consult with Auckland Transport for areas within and adjoining local roads when preparing the Urban and Landscape Design Framework.</p>	<p>Retain proposed condition 46(c) requiring consultation with Auckland Transport in relation to the Urban and Landscape Design Framework.</p>
Proposed condition 49(b)(ix)	Support	<p>The condition recognises the need for detailed design drawings of landscape and urban design features prepared for Urban and Landscape Design Management Plans to show pedestrian and cycle facilities, including paths along local roads where these facilities are directly affected by Project Works.</p>	<p>Retain proposed condition 49(b)(ix) relating to the inclusion of pedestrian and cycling facilities including paths along local roads in Urban and Landscape Design Management Plans.</p>



Issue	Support / oppose	Reasons for submission	Recommendations requested
Proposed condition 52	Support	The condition recognises the need to rehabilitate temporary haul roads and access roads.	Retain proposed condition 52 requiring the rehabilitation of temporary haul roads and access roads.

# 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](mailto:unitaryplan@aucklandcouncil.govt.nz) or post to :

Attn: Planning Technician  
Auckland Council  
Level 24, 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) Denise Civil on behalf of Denise Lyn Civil, Ian Donald Shepherd Civil and Michael Charles Tisdall.  
Mr/Mrs/Miss/Ms(Full Name)  
Organisation Name (if submission is made on behalf of Organisation)

## Address for service of Submitter

48 Prospect Terrace, Mt Eden, Auckland 1024

Telephone: (027) 4963759 Fax/Email: icivil@xtra.co.nz  
Contact Person: (Name and designation if applicable)

## This is a submission on a notice of requirement:

By: Name of Requiring Authority	New Zealand Transport Agency
For: A new designation or alteration to an existing designation (describe)	Warkworth to Wellsford Motorway

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

See attached

My submission is:  
In support of the notice of requirement  In opposition to the notice of Requirement   
Neutral [include box]

## The reasons for my views are:

See 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).

See 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



*Denise Cive*

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

*21 June 2020*

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.



The specific part this submission relates to are: -

1. The whole of the designation and the proposed methods of managing the design, construction and monitoring process.

Reasons: -

- The proposal includes a motorway interchange for Warkworth that is over designed, unnecessarily large, and will have adverse effects on the environment and amenity of the immediate area.
- The proposed design of the Warkworth interchange is unnecessarily large and impacts on the immediate environment in an adverse manner.
- The proposal is contrary to the purposes and principles of the Resource Management Act (RMA) 1991.
- The proposal contravenes S 171 (1)(c) of the RMA.
- The location of the designation boundary is not reasonably necessary for achieving the objectives of the NZTA in vicinity of the proposed Warkworth interchange.
- The application is flawed.
- The AEE and supporting reports are riddled with errors, inaccuracies and inconsistencies which put into question the veracity of the outcomes and conclusions.
- The AEE omits a number of factors that should be considered.
- There is no provision for cycleways.
- There is no provision for interchange at Warkworth to service south Warkworth.
- The proposal does not provide for the maintenance and enhancement of public access to and along the coastal marine area, lakes and rivers.
- The project is ill conceived and the proposed alignment has not been inadequately investigated and does not take into account site specific circumstances.
- The proposal is indicative only in terms of the design proposal and alignment. This is not sufficient to adequately assess the definitive effects on the environment and the affected parties.
- The application is incomplete.
- The proposed motorway will have major adverse effects on the environment.
- The proposed motorway does not avoid any adverse effects.
- The proposed motorway does not adequately mitigate or remedy the potential adverse effects.
- The application does not adequately address the effects of stormwater management.
- The application does not adequately address the effects of noise.
- The application does not adequately address the effects of dust nuisance.
- The application does not adequately address the effects of on flora and fauna.
- The application does not adequately address the effects of light from the project.
- The application does not adequately address the effects of the project on the waterways in the vicinity.
- The application does not adequately mitigate the social impact of the project.
- The application does not adequately address the effects of on the rural environment.
- The application does not provide any certainty to the use of severed lands.
- The application does not adequately address the local economic impacts of the project.
- The proposal does not adequately address the visual effects of the project.
- The proposal does not enhance the landscape.
- The proposal is contrary to Section 6 of the RMA 1991.
- The proposal does not have any provision for a walkway along the banks of the Mahurangi.
- The proposal is contrary to Section 7 of the RMA 1991.
- The proposal does not provide for the maintenance and enhancement of amenity values, the quality of the environment.
- The proposal is contrary to the Auckland Unitary Plan.
- The proposal is contrary to section B9 Rural Environment in the Auckland Unitary Plan.
- The AEE and supporting documents down play the actual and potential effects on the environment.
- The proposal is contrary to the intent and provisions of the Forestry Act 1949.

And

2. The proposed conditions.

Reasons: -

- The proposed conditions are inadequate and inappropriate.
- The proposed conditions do not identify what is to be achieved and leave the outcome to a series of Management Plans prepared by the Contractor/Authority without further stakeholder input.
- Management Plans are not an appropriate way to achieve the desired environmental outcomes.

The relief sought is: -

1. Decline the application.

Failing that: -

2. Require the Authority to design the alignment as an actual proposal, fixed by a standard Condition 1 with the Warkworth interchange redesigned so that it fits in the area to the west of the Mahurangi River **with** the river being the designation boundary.
3. Require the Authority to submit the proposed management plans as part of this application so that they can be assessed by the Council and stakeholders at this stage of the process.
4. Require the Authority to include in the application the omissions outlined above.
5. Limit the ability of the Authority to damage the environment and destroy the riparian margins of the Mahurangi River, mature trees and ecological habitats.
6. Apply stronger conditions than have been proposed to better improve the effects of the proposal on the social, economic, visual, cultural and general amenity of the area and people affected by the proposal.



# 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](mailto:unitaryplan@aucklandcouncil.govt.nz) or post to :

Attn: Planning Technician  
Auckland Council  
Level 24, 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) Denise Lyn Civil on behalf of  
Mr/Mrs/Miss/Ms(Full Name) Ian Donald Shepherd Civil and Joan Colleen Civil.  
Organisation Name (if submission is made on behalf of Organisation)

## Address for service of Submitter

48 Prospect Terrace, Mt Eden, Auckland 1024

Telephone: (027) 4963759 Fax/Email: icivil@xtra.co.nz  
Contact Person: (Name and designation if applicable)

## This is a submission on a notice of requirement:

By: Name of Requiring Authority	New Zealand Transport Agency
For: A new designation or alteration to an existing designation (describe)	Warkworth to Wellsford Motorway

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

See attached

## My submission is:

In support of the notice of requirement   
Neutral [include box]

In opposition to the notice of Requirement

## The reasons for my views are:

See 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).

See 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

*Dennis Cive*

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

*21 June 2020*

Date

**Notes to person making submission:**

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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:

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- The application is flawed.
- The AEE and supporting reports are riddled with errors, inaccuracies and inconsistencies which put into question the veracity of the outcomes and conclusions.
- The AEE omits a number of factors that should be considered.
- There is no provision for cycleways.
- There is no provision for interchange at Warkworth to service south Warkworth.
- The proposal does not provide for the maintenance and enhancement of public access to and along the coastal marine area, lakes and rivers.
- The project is ill conceived and the proposed alignment has not been inadequately investigated and does not take into account site specific circumstances.
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- The proposal is contrary to the intent and provisions of the Forestry Act 1949.



And

2. The proposed conditions.

Reasons: -

- The proposed conditions are inadequate and inappropriate.
- The proposed conditions do not identify what is to be achieved and leave the outcome to a series of Management Plans prepared by the Contractor/Authority without further stakeholder input.
- Management Plans are not an appropriate way to achieve the desired environmental outcomes.

The relief sought is: -

1. Decline the application.

Failing that: -

2. Require the Authority to design the alignment as an actual proposal, fixed by a standard Condition 1 with the Warkworth interchange redesigned so that it fits in the area to the west of the Mahurangi River with the river being the designation boundary.
3. Require the Authority to submit the proposed management plans as part of this application so that they can be assessed by the Council and stakeholders at this stage of the process.
4. Require the Authority to include in the application the omissions outlined above.
5. Limit the ability of the Authority to damage the environment and destroy the riparian margins of the Mahurangi River, mature trees and ecological habitats.
6. Apply stronger conditions than have been proposed to better improve the effects of the proposal on the social, economic, visual, cultural and general amenity of the area and people affected by the proposal.

## Contact details

Full name of submitter: Sunnyheight Nurseries Ltd

Organisation name:

Full name of your agent: Terra Nova Planning Ltd

Email address: [tnp@tnp.co.nz](mailto:tnp@tnp.co.nz)

Contact phone number: 021 159 3240

Postal address:  
PO Box 466 Orewa  
Orewa  
Auckland 0931

## Submission details

Name of requiring authority: Warkworth to Wellsford Motorway

The designation or alteration: Warkworth to Wellsford Motorway

The specific provisions that my submission relates to are:

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

The reason for my or our views are:  
As attached

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

Submission date: 29 June 2020

Supporting documents  
Submission for Sunnyheights NZTA WW to Te Hana Requirement.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.

## **Submission on requirement for designation that is subject to public notification or limited notification by a territorial authority**

**To: Auckland Council**

**Name of submitter: Sunnyheight Nurseries Ltd**

This submission is to the notice of requirement from the **New Zealand Transport Agency for a proposed designation for a proposed work, being the construction, operation and maintenance of a widened state highway - Ara Tūhono – Warkworth to Wellsford (BUN60354951 LUC60354952, LUS60354955, WAT60354953, WAT60355184, WAT 60356979, DIS60354954, LUC60355185, DIS60355186).**

I am not a trade competitor for the purposes of [section 308B](#) of the Resource Management Act 1991.

I own a 281ha farm property accessed from Vipond Road (north) which currently has direct access to SH1 (refer **Attachment 1**).

### **1. The specific parts of the notice of requirement that my submission relates to are;**

- A. Support in principle for the proposed works enabled by the proposed designation and resource consent applications.
- B. Oppose noise effects from the construction and operation of the Highway.
- C. Oppose the Vipond Road (south) access road formation.

### **2. My submission is:**

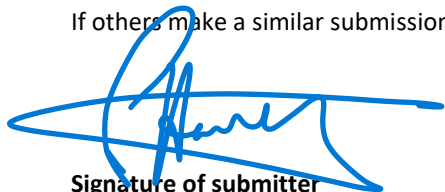
- A. I support the alignment and upgrade of the State Highway subject to the specific issues in B to C below. The proposed realigned state highway is an overdue and much necessary national infrastructure work and should be completed as soon as possible, with construction commencing no later than immediately after the completion of the Puhoi to Warkworth highway.
- B. I oppose the operational noise effects on my property and my neighbouring properties accessed from Vipond Rd. Our noise environment should be either maintained or improved as a result of the proposed works.
- C. I oppose any alternative Vipond Road access formation to my property and my neighbouring properties accessed from Vipond Rd that is not to full sealed rural road standard. The increase in traffic and adverse effects of the highway (aside from the positive effects) are mitigated by full sealed construction.

**3. I seek the following recommendation or decision from the territorial authority:**

- A. That the NZTA State Highway 1 widening Requirement be **confirmed**, but as modified by the matters identified in B to C below or related matters as may arise.
- B. Condition(s) applied requiring road design, construction and mitigation to be undertaken to ensure that my property and the neighbouring properties on Vipond Rd are exposed to minimum construction noise levels, and no more operational noise than the existing noise environment or the minimum residential rural noise limits from the Auckland Unitary Plan, whichever are the quieter.
- C. A condition applied requiring that the alternative Vipond Road access from Mangawhai Road is to be sealed over the full extent of the road (existing and new formation) to rural sealed road standard.

**I 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:** 29 June 2020

**Electronic Address for service:** Sunnyheight Nurseries Ltd: c/- Terra Nova Planning Ltd: [admin@tnp.co.nz](mailto:admin@tnp.co.nz).

**Telephone:** 09 426 7007

**Postal address:** Terra Nova Planning Ltd; PO Box 466; Orewa

**Contact person:** Shane Hartley (Director; Terra Nova Planning Ltd): [shanehartley@tnp.co.nz](mailto:shanehartley@tnp.co.nz)



June 2, 2020

Auckland Council/NZTA  
(be electronic submission)

Dear Sir/Madam

**Re: Submission Text by One Warkworth Business Association**

I write on behalf of the One Warkworth Business Association.

One Warkworth is made up of a passionate and successful base of Warkworth area business people who are determined to ensure that Warkworth's growth and prosperity is assured. More information on One Warkworth can be obtained from their website [www.onewarkworth.co.nz](http://www.onewarkworth.co.nz)

One Warkworth strongly supports the Notice of Requirement for the following reasons:

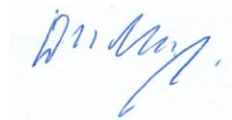
- 1 The proposal will result in a significant safety improvement for all users of the roading network between Warkworth and Te Hana. One WW has concerns with the safety risks through the Dome upon opening of the section of Motorway currently under construction (Puhoi to Warkworth) and which will finish immediately south of the Dome.
- 2 The proposal will result in significant productivity gains through the improved roading connectivity.
- 3 The proposal will positively increase the roading network capacity between Warkworth and Northland which in turn will have positive economic impacts for Warkworth and Northland.
- 4 Improved efficiency, travel time reliability and associated cost savings for parties travelling between Warkworth and Wellsford/Te Hana. This is particularly important for local businesses that rely on the existing SH1 between Warkworth and Te Hana.
- 5 The use of tunnels underneath Kraaks Hill avoids significant visual and landscape effects.
- 6 Opening of this section of Motorway will provide opportunities to better provide for alternative forms of transport use along the existing SH1 (for example, the future provision of cycle lanes).
- 7 Provides opportunities to improve the social connectivity and co-sharing of social infrastructure between Wellsford and Warkworth and Northland (for example community swimming pools and sports facilities).
- 8 The proposal will alleviate congestion through Wellsford and provide ability for Wellsford town centre to develop separate to the focus on the current SH1.
- 9 The proposal will improve the resilience of the roading network between Warkworth and Te Hana and in particular through the Dome which is currently subject to frequent temporary closures.
- 10 The estimated commencement of construction is 2030 although it is recognised that this may be brought forward or delayed. One WW supports the commencement of construction immediately upon completion of the current section of Motorway (Puhoi to Warkworth). Given the stated project objectives it is unclear how a delay till 2030 is justified.
- 11 One WW supports any opportunities that will be provided by this NoR to revisit and reassess the optimum road connections and layouts from Warkworth to the proposed new motorway extension. The current project under construction was planned prior to

the full extent of current future development for Warkworth was known and therefore was not designed to achieve the optimum outcome for the now planned urban area - For example the roundabout termination could be extended to provide direct access to and from the industrial subdivision to the motorway removing heavy traffic from ore local roads and residential areas; connections from any industrial areas in the south onto a western link to connect to that portion of the road that will in the future be vested back to Auckland Transport i.e. it will cease to be State Highway.

One Warkworth seeks that the Notice of Requirement is confirmed with appropriate conditions.

One Warkworth wish to appear at the hearing.

Sincerely,



**David Hay**  
Planning Consultant  
*Ph:* 09 425-9844  
*Mobile:* 027 425-0234

Copy to: -

Attachments: -

## Amy Cao

---

**From:** Jackie Lee on behalf of Resource Consent Admin  
**Sent:** Wednesday, 3 June 2020 9:50 AM  
**To:** Amy Cao  
**Subject:** FW: BUN60354951 [ID:10287] Submission received on notified resource consent  
**Attachments:** One WW Submission.pdf

**Categories:** Online

**Jackie Lee | Regulatory Support Officer North/West  
Resource Consents  
Ph 09 427 3332 | Extn (44) 3332  
Auckland Council, 50 Centreway Road, Orewa 0931**

*As New Zealand remains under COVID-19 Alert Level 2, Auckland Council is providing services in accordance with the government's direction. Regulatory Services are continuing to provide some face-to-face services, however our Graham Street service centre and reception remains closed at this stage. We are contactable by email or phone.*

*We apologise for any delay in responding to your inquiry and thank you for your continued patience and support.*

*You can also visit [aucklandcouncil.govt.nz](http://aucklandcouncil.govt.nz) for more information about our response to COVID-19, as well as access to general information and online services.*

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**From:** NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz  
<NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz>  
**Sent:** Tuesday, 2 June 2020 8:00 PM  
**To:** Resource Consent Admin <resourceconsentadmin@aucklandcouncil.govt.nz>  
**Cc:** warkworth-wellsford@nzta.govt.nz  
**Subject:** BUN60354951 [ID:10287] Submission received on notified resource consent

We have received a submission on the notified resource consent for Land between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hoteo River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana. .

## Details of submission

### Notified resource consent application details

**Property address:** Land between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hoteo River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana.

**Application number:** BUN60354951

**Applicant name:** Waka Kotahi - New Zealand Transport Agency

**Applicant email:** [warkworth-wellsford@nzta.govt.nz](mailto:warkworth-wellsford@nzta.govt.nz)

**Application description:** Waka Kotahi - The New Zealand Transport Agency has applied for a Notice of Requirement to amend the Auckland Unitary Plan and applied for associated Regional Resource Consents to enable



the construction, operation and maintenance for a new four lane state highway. Key components of the proposal include a four lane dual carriageway, three interchanges, twin bore tunnels under Kraack Road, a viaduct over the existing SH1 and Hoteo River, a bridge over Maeneene Stream, a series of cut and fills across the project area and changes to local roads. Resource consents are required in relation to earthworks, vegetation removal, structures and associated temporary works in, on, under or over watercourses and wetlands, diversion of streams and ground water, discharge to air, and stormwater management including the on-going stormwater discharge from the road surface.

## **Submitter contact details**

**Full name:** David Hay Planning Consultant for One Warkworth

**Organisation name:** One Warkworth Business Association

**Contact phone number:** 0274250234

**Email address:** [david@osbornehay.co.nz](mailto:david@osbornehay.co.nz)

**Postal address:**

PO Box 16,  
Warkworth  
Auckland 0941

## **Submission details**

**This submission:** supports the application in whole or in part

**Specify the aspects of the application you are submitting on:**

One Warkworth supports the Notice of Requirement. This submission only relates to the Notice of Requirement.

**What are the reasons for your submission?**

Please refer to the attachment.

**What decisions and amendments would you like the council to make?**

To recommend the confirmation of the Designation with appropriate conditions.

**Are you a trade competitor of the applicant?** I am not a trade competitor of the applicant.

**Do you want to attend a hearing and speak in support of your submission?** Yes

**If other people make a similar submission I will consider making a joint case with them at the hearing:** No

**Supporting information:**

One WW Submission.pdf

## Contact details

Full name of submitter: Susan Andrews

Organisation name: Heritage New Zealand Pouhere Taonga

Full name of your agent:

Email address: [sandrews@heritage.org.nz](mailto:sandrews@heritage.org.nz)

Contact phone number: (09) 307 9920

Postal address:

## Submission details

Name of requiring authority: Warkworth to Wellsford Motorway

The designation or alteration: Warkworth to Wellsford Motorway

The specific provisions that my submission relates to are:

The entire proposal and its effects on historic heritage and Māori cultural values.

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

The reason for my or our views are:

Please see attached submission and associated appendix.

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

Please see attached submission and associated appendix.

Submission date: 29 June 2020

Supporting documents

HNZPT WW2W NoR Submission 29 06 20.pdf

APPENDIX A.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.



29<sup>th</sup> June 2020

Auckland Council  
Private Bag 92300  
Auckland 1142

Dear Sir or Madam

**SUBMISSION OF HERITAGE NEW ZEALAND POUHERE TAONGA TO NOTICE OF REQUIREMENT TO DESIGNATE LAND**

**To:** Auckland Council

**Name of submitter:** Heritage New Zealand Pouhere Taonga

1. **This is a submission on an application from New Zealand Transport Agency for a designation:**
  - For a public work, being the construction, operation and maintenance of a new state highway and associated activities between Warkworth and north of Te Hana.
2. **The specific parts of the application that this Heritage New Zealand submission relates to are:**
  - The entire proposal and its effects on historic heritage and Māori cultural values.
3. **Heritage New Zealand submission is:**
  - Heritage New Zealand supports the proposal with amendments.
4. **The reasons for Heritage New Zealand's position are as follows:**
  - Heritage New Zealand Pouhere Taonga (formerly New Zealand Historic Places Trust) is an autonomous Crown Entity with statutory responsibility under the Heritage New Zealand Pouhere Taonga Act 2014 (HNZPTA) for the identification, protection, preservation and conservation of New Zealand's historical and cultural heritage. Heritage New Zealand is New Zealand's lead agency for heritage protection.
  - Heritage New Zealand considers that minor amendments to the Proposed Draft Designation Conditions (as detailed in Appendix A), should be made to ensure clarity between archaeological matters addressed pursuant to the Heritage New Zealand Pouhere Taonga Act (2014) (HNZPTA), and historic heritage matters that are addressed pursuant to the Resource Management Act (1991) (RMA), to ensure successful implementation and compliance with the requirements of the respective regulatory instruments.
  - With regard to the Historic Heritage Assessment, dated July 2019, which accompanies the notice, additional research has recently been completed in relation to the Warkworth WWII Camps<sup>1</sup>, which should be taken into consideration in an update of the assessment, along with newly recorded archaeological sites within the Designation extent such as R09/2247 (Findspot for several wooden artefacts including kō, teka and post with adze marks).
  - It is also acknowledged that provision is made for these matters to be addressed via the proposed designation conditions (providing for identification, assessment, documentation

<sup>1</sup> HNZPT Warkworth WWII Camps Heritage Inventory Reports, [bedwards@heritage.org.nz](mailto:bedwards@heritage.org.nz), (09) 407-0471.

and recording of potential heritage places and archaeological sites to inform detailed design; as well as the identification of specific areas to be investigated, monitored and recorded), to ensure the proposed Heritage Outcomes are achieved during enabling works and in relation to the main Project Works.

- Additionally, Heritage New Zealand considers broader mitigation of adverse effects on both pre and post 1900 historic heritage should be provided to enable increased public awareness and amenity of the historic heritage of the area, including via:
  - interpretation of the heritage sites and landscapes that the designation is traversing that will be lost and/or altered by the project works, (including via incorporation into detailed design);
  - donation (as appropriate) of found items, artefacts, machinery, and materials, to a relevant and appropriately resourced and affiliated local museum to ensure such items can be appropriately cared for and displayed in a meaningful way; and
  - collation and publication of heritage stories pertaining to the route, including the WWII camps in particular, in conjunction with investigations being carried out as part of the Puhoi to Warkworth section of the Ara Tuhono.
- Heritage New Zealand supports conditions that allow for mana whenua to exercise kaitiaki over the area.

**5. Heritage New Zealand seeks the following decision:**

- That the Notice of Requirement application be granted subject to amendments to the designation conditions as detailed in Appendix A attached.

**6. Heritage New Zealand wishes to be heard in support of our submission.**

7. If others make a similar submission, Heritage New Zealand will consider presenting a joint case with them at the hearing.

Yours sincerely



Sherry Reynolds  
Director Northern Region

Contact Details:

Susan Andrews

Planner Mid-Northern Area

Northern Region HNPT

Email: [PlannerMN@heritage.org.nz](mailto:PlannerMN@heritage.org.nz)

[SAndrews@heritage.org.nz](mailto:SAndrews@heritage.org.nz)

## APPENDIX A – DESIGNATION CONDITIONS AMMENDMENTS SOUGHT

### Heritage and Archaeology

78. The Requiring Authority shall design and implement the Project Works to achieve the following Heritage Outcomes:
- a. Avoid adverse effects on heritage and archaeological sites as far as practicable;
  - b. Where avoidance of adverse effects is not practicable, minimise adverse effects on heritage and archaeological sites as far as practicable;
  - c. Record all pre-1900 heritage and archaeological sites within the Designation; and
  - d. Record all post-1900 heritage sites within the Designation.

#### *Heritage and Archaeology Management Plan*

79. The Requiring Authority shall prepare a Heritage and Archaeology Management Plan (HAMP) prior to the start of Project Works, in consultation with HNZPT, Auckland Council and Mana Whenua. The purpose of the HAMP is to identify methods to be adopted to achieve the Heritage Outcomes.
80. The HAMP shall be consistent with the requirements of any Archaeological Authority granted by HNZPT for the Project and where there is any inconsistency the [terms-conditions](#) of the Authority shall prevail.
81. The HAMP shall be prepared by a Suitably Qualified and Experienced Person and shall identify:
- a. Methods for the identification and assessment of potential heritage places and archaeological sites within the Designation to inform detailed design;
  - b. Known heritage places and archaeological sites and potential archaeological sites within the Designation;
  - c. Any pre-1900 archaeological sites [or areas of archaeological potential](#) for which an Archaeological Authority under the HNZPTA will be sought or has been granted;
  - d. Any post-1900 heritage sites within the Designation to be documented and recorded;
  - e. Roles, responsibilities and contact details of Project personnel, Mana Whenua representatives, and relevant agencies involved with heritage and archaeological matters including surveys, monitoring of Project Works, Accidental Discovery Protocols, and monitoring of conditions;
  - f. Specific areas to be investigated, monitored and recorded to the extent these are directly affected by Project Works;
  - g. The proposed methodology for investigating and recording post-1900 heritage sites (including buildings) that need to be demolished or relocated, including details of their condition, measures to mitigate any adverse effects and timeframe for



implementing the preferred methodology, in accordance with the HNZPT guideline AGS-1A: Investigation and Recording of Buildings and Standing Structures (~~4 July 2014~~November 2018), or any subsequent version, and in relation to built heritage taking into account the International Council on Monuments and Sites New Zealand Charter 2010;

- h. Methods to acknowledge cultural values identified through condition 16(f) where archaeological sites also involve Ngā Taonga Tuku Iho (treasures handed down by our ancestors) and where feasible and practicable to do so;
- i. Methods for protecting or minimising adverse effects on heritage and archaeological sites within the Designation during Project Works as far as practicable, (for example fencing around heritage and archaeological sites to protect them from damage during construction); ~~and~~
- j. Other than where an archaeological authority is in place, Ttraining requirements for contractors and subcontractors on heritage and archaeological sites within the Designation, legal requirements relating to accidental discoveries, and implementing the Accidental Discovery Protocol. The training shall be undertaken under the guidance of a Suitably Qualified and Experienced Person and Mana Whenua representatives (to the extent the training relates to cultural values identified under condition 16(f)) and shall include a pre-construction briefing to contractors; and
- k. Measures to mitigate adverse effects on historic heritage (both pre and post 1990) that enable increased public awareness and amenity of the historic heritage of the area, including interpretation, donation of found items (as appropriate), and publication of heritage stories.

#### ***Accidental discovery during construction***

- 82. Prior to the start of Project Works, the Requiring Authority shall prepare an Accidental Discovery Protocol for any accidental archaeological discoveries which occur during Project Works that are not subject to an archaeological authority.
- 83. The Accidental Discovery Protocol shall be consistent with the NZ Transport Agency Minimum Standard P45 Accidental Archaeological Discovery Specification, or any subsequent version.
- 84. The Accidental Discovery Protocol shall be prepared in collaboration with Mana Whenua and consultation with HNZPT and modified as necessary to reflect the site-specific Project detail. Collaboration and consultation shall be undertaken with best endeavours by all parties and concluded within 30 Days.
- 85. The Accidental Discovery Protocol shall be implemented throughout the Project Works except in circumstances where an Archaeological Authority has been granted by HNZPT for the Project in which case the ~~accidental discovery~~ requirements of the Archaeological Authority shall prevail.

**Mana Whenua**

***Cultural Indicators Report***

15a. The Requiring Authority shall be responsible for the cost of preparing the Cultural Indicators Report.

***Cultural Artworks Plan***

19a. The Requiring Authority shall be responsible for the cost of preparing the Cultural Artworks Plan.

***Cultural Monitoring Plan (Construction)***

20a. The Requiring Authority shall be responsible for collaboration costs incurred by Mana Whenua in relation to preparation of the Cultural Monitoring Plan.

22a. The Requiring Authority shall be responsible for collaboration costs incurred by Mana Whenua in relation to preparation of an Enabling Works Cultural Monitoring Plan.

## **SUBMISSION BY NATIONAL ROAD CARRIERS (INC) TO WARKWORTH TO WELLSFORD PROJECT**

### **WARKWORTH TO WELLSFORD PROJECT: Notice of requirement and resource consent applications**

**Submission to:** Auckland Council  
Email: [akhaveyoursay@aucklandcouncil.govt.nz](mailto:akhaveyoursay@aucklandcouncil.govt.nz)

**Copy to:** Waka Kotahi - New Zealand Transport Agency  
Attention: Cath Hepplethwaite  
Email: [warkworth-wellsford@nzta.govt.nz](mailto:warkworth-wellsford@nzta.govt.nz)

**Submission by:** National Road Carriers (Inc)

**Address for service:** National Road Carriers  
PO Box 12 100  
Penrose  
Auckland  
For: Paula Rogers, Executive Officer  
(Phone: 09 636 2957)  
(Email: [paula.rogers@natroad.co.nz](mailto:paula.rogers@natroad.co.nz))

**Date:** 25 June 2020

## **INTRODUCTION**

**National Road Carriers (NRC)** welcomes the opportunity to submit on the Waka Kotahi New Zealand Transport Agency (NZTA) application to construct, operate and maintain a new \$1.7-to-\$2.1 billion state highway from Warkworth to north of Te Hana (the Project).

**NRC confirms that it wishes to be heard in support of this submission.**

## **BACKGROUND**

**National Road Carriers Association (NRC)** is New Zealand's progressive nationwide organisation representing road transport companies. It represents 1800 members, who collectively operate 16,000 trucks throughout New Zealand. NRC supports its members with legal, financial, employment relations, health & safety, workplace relations, business and environmental advice. It advocates on behalf of members and works with Central and Local Government on road transport infrastructure and regulations. NRC is a member of the Road Transport Forum.

The NRC is dedicated to working for and with members to achieve continual improvement in all aspects of the industry including safety, recruitment and retention of staff, compliance, profitability and professionalism.

## **SCOPE**

NRC notes that the key components of the Project include a new state highway, offline from the existing SH1, three interchanges (Warkworth, Wellford & Te Hana), twin bore tunnels (under Kraack Road in the Dome Valley area, a viaduct (or twin structures) over the existing SH1 and the Hoteo River, changes to local roads, plus various land and water use consents.



The scope of our submission is at a high level and focused mainly on ensuring the efficiency and safety of the proposed road-related structures that will make up the new Warkworth - Wellsford section of SH, with particular attention to areas of interest to the freight transport sector in Auckland and Northland, including:

- Strong support for the application
- Future proofing the route alignment and structures to allow for (freight) traffic growth
- Key outcomes for freight in using the highway

NRC also submit on the related Puhoi to Warkworth tolling proposal, and speed review and other changes proposed for the existing SH1 sections between Puhoi and Wellsford.

## **CONTEXT – ROLE OF FREIGHT IN NORTHLAND**

The SH1 corridor has an important inter-regional freight function, providing freight access between Auckland and Whangarei. An average of just under 10% of vehicles (of some 14,000 vpd) travelling on SH1 between Puhoi and Whangarei are heavy container vehicles (HCVs), with the figure being higher, at 12%, between Warkworth and Wellsford. This proportion of freight traffic is similar to that seen on Auckland's SH1 Southern Motorway between Manukau and the SH2 interchange<sup>1</sup>.

The 2014 National Freight Demands Study (NFDS) forecasts that freight movements in the corridor are likely to grow by 68% by 2042. In terms of freight tonnage, the mode share in 2012 between Auckland and Northland were 3% by rail, 21% by coastal shipping and 76% by road.

Not all Northland freight is destined for, or produced in, Auckland, and the NFDS concludes that truck movements are likely to grow significantly in the future. Additional investment in rail could provide the opportunity for some transfer of long-haul freight from road to rail, but this is likely to increase short-haul road freight within Northland between the rail-road transfer point and the customers destination.

While the majority of freight transported on Northland's roads is from primary resource industries and supporting secondary manufacturing industries, an important growing segment of the freight task in Northland relates to distribution of goods to retail and wholesale sector outlets serving Northland's consumer and tourism sectors. The majority of this freight (and tourism) traffic will be along SH1 between Auckland and Whangarei (Marsden and the Far North).

Road freight to-and-from and within Northland has the advantage of being door-to-door and able to offer just-in-time services and therefore is generally more efficient than other modes (rail, coastal shipping and air) in terms of time and cost.

With regard to the Upper North Island Logistics Study promoting the relocation of Ports of Auckland services to Northport, NRC notes that this proposes that 70% of containers would be moved to Auckland by rail, leaving the balance of cargo (some 30% of containers, General cargo and imported vehicles) to be moved by road freight.

With or without this transformational shift occurring, NRC strongly submits that the projected increase in road freight will be the corner stone for supporting Northland's economic growth and development for the foreseeable future. Auckland is a key lifeline for Northland. Secure and reliable road freight (and tourism) transport connections to Auckland and beyond are critical for economic success.

Improvements to SH1 between Northland and Auckland are crucial for securing Northland's future prosperity in an economic exchange that goes both ways. Freight brings vital goods into Northland and delivers Northland products to the large Auckland market.

<sup>1</sup> See HCV volumes taken from NZTA's Traffic Monitoring System database.

For many of the about 300 heavy freight vehicles who travel the route daily, the critical issue is delay caused by congestion or an accident in the Project area resulting in them missing a just-in-time delivery deadline at Auckland Airport or Ports of Auckland at great cost to them.

The overwhelming majority of the freight (and tourism) traffic using SH1 from Puhoi currently does not have Warkworth or Wellsford as its ultimate destination, and nor does this traffic originate from those townships.

Accordingly, in considering NZTAs application for a new section of highway between Warkworth and Wellsford we strongly encourage the Inquiry to keep top of mind the critical function of road freight in helping to secure Northland's future prosperity and the important role road freight will play in the use of the route when it is completed.

## **SUBMISSION**

That is, taking the points above in to account, NRC submits that the Warkworth - Wellsford section needs to be designed and built as part of a modern highway between Auckland and Whangarei.

Rather than the Project viewed simply as improving SH1 between Warkworth and Wellsford, NRC **strongly recommends** it be regarded as a stage in the construction, operation and maintenance of a motorway standard State Highway (SH1) between Auckland and Whangarei/ Marsden within 10-years or sooner.

Other key 'motorway corridor' standards considerations include, the new section needs to be:

- Future proofed with passing lanes to separate freight and general traffic as much as possible in terms of safety and efficiency, and also reliability and cost effectiveness. We note the indicative design has four lanes (two in each direction) as well as a northbound crawler lane on the southern side of Kraack Hill, which will minimise delay caused by slower vehicles and improve accessibility for freight.
- Built to ensure it can take 50T as well as over-dimension and over-weight vehicles (OD-OW).
- Of a standard that includes wide shoulders, pull over pits for breakdowns and other stoppages, and an effluent facility.
- Rest areas with toilets, including a women's toilet – recognising the increased number of women driving heavy freight vehicles.
- Designed to ensure the cambers and gradients of the three interchanges are of the highest industry specifications for the modern heavy trucks and multi-unit truck-trailer combinations to undertake safely.

### **Proposed twin bore tunnels**

The tunnels under Kraack Rd is proposed as offering the most practical engineering solution which also minimises the environmental effects at this location and is anticipated to save 3-4 years of construction. But at what cost to road freight, especially OD-OW vehicles?

NRC seeks an assurance that the tunnels will be designed and built to safely take heavy trucks and multi-unit truck-trailer combinations in combination with other traffic.

### **Local road and current SH1 safety improvements**

We also seek clarification on the proposed route for OD-OW vehicles, especially given the proposed safety improvements to the existing Dome Valley section of SH1, including the addition of flexible centre barriers.

NRC strongly supports the Dome Valley Safety Improvements, but requests the needs of heavy freight vehicles be considered.

### **Traffic Management during construction – communication with NRC requested**

A traffic management plan is proposed to redirect traffic affected by construction, especially where the project connects the existing network at the three interchanges (Warkworth, Wellsford and Te Hana). The project documents recommend rolling closures be undertaken at night.

The NRC strongly request to be advised early of road closures. A considerable number of freight vehicles travel at night, and will need to be advised of a road closure well ahead.

### **Tolling proposal**

NRC is open to the idea of tolls on new roads, providing a toll-free alternative option is available nearby which is the case on the Puhoi to Warkworth section.

We strongly request that toll revenue be ring-fenced for spending on the Auckland-Whangarei corridor, either to help bring forward the corridor's motorway-standard completion or for maintenance.

However, we note that there will be separate tolls for each section of 'new' motorway. This will add cost and bureaucracy for businesses. Having three or four toll payments on the Auckland to Whangarei route in an environment in which both Road User Charges (RUCs) and Fuel Excise Duty (FED) are increased yearly will undermine the tolls benefit – i.e. to accelerate the start of an important motorway construction project.

In an environment in which electric vehicles numbers are increasing and more than 50% of the cost petrol is a tax, NRC recommends that a review of road funding tools be undertaken with a view to a fairer, less complex and bureaucratic road charging system be designed.

### **Concluding Comments**

Our suggestions and recommendations to the SH1 Warkworth to Wellsford Inquiry are put forward in the positive spirit of continuous improvement to the Northland's freight transport infrastructure and services. We look forward to their inclusion in the finalised notice of requirement and resource consent conditions for the new highway.

Paula Rogers  
Executive Officer

## SUBMISSION ON THE WARKWOTH TO WELLSFORD NOTICE OF REQUIREMENT AND REGIONAL RESOURCE CONSENT APPLICATIONS

### Introduction

1. Waste Management NZ Ltd ("**WMNZ**") welcomes the opportunity to submit on the New Zealand Transport Agency's ("**NZTA**") Notice of Requirement ("**NOR**") and associated regional resource consent applications for a new four lane state highway between Warkworth and Wellsford ("**WWTW Proposal**" or "**Proposal**").
2. WMNZ has acquired land in the Wayby Valley area, adjacent to and within the WWTW Proposal for the purposes of developing a municipal solid waste landfill and buffer zone, which will be known as the Auckland Regional Landfill. WMNZ will own, construct and operate the landfill. Through the acquisition, WMNZ has secured a large area, comprising approximately 1020 ha to provide for both the landfill and a substantial buffer from surrounding land-uses. The landfill footprint itself will occupy approximately 60 ha of WMNZ's landholdings.
3. In March 2020, WMNZ's applications for resource consents and a private plan change application to enable the construction and operation of the new regional landfill for Auckland (collectively, "**Landfill Application**"), were notified.
4. WMNZ has a number of landholdings that fall within the NOR outline for the WWTW Proposal. These are shown as property identification numbers 100, 101, 105, 107, 109 and 110 and in total comprise 4.71 ha.<sup>1</sup>
5. In summary, WMNZ supports the WWTW Proposal. This is because the Proposal will provide increased route resilience for traffic, particularly heavy vehicles, from Warkworth to Wellsford, by providing an alternative road to the existing State Highway 1, and the Proposal will increase the accessibility to and through the North Auckland region, including for our waste haulage operations.
6. While supporting the Proposal, given WMNZ's significant landholding to the east of the Hōteō Viaduct section of the Proposal there are a number of matters that WMNZ seeks recognition of. This is to ensure that both WMNZ and NZTA can manage their projects, which are both crucial to Auckland's infrastructure going forward, in a cohesive and efficient manner.

### Effects of the WWTW Proposal

#### *Ecological mitigation*

7. In drawing EM-013, the border of the NOR east of the Hōteō Viaduct is right on the edge of the Waiteraire stream. This stream runs through part of WMNZ's land. The extent to which the NOR will cover the stream and riparian margin is not clear from the NOR outline. WMNZ is proposing a large package of ecological mitigation for its Landfill Application. It intends to utilise the riparian margin of the Waiteraire stream for ecological mitigation and stream bank enhancement, as an important component of this.

<sup>1</sup> See Proposed Designation maps, sheets 9 and 10 of 17.

8. Assuming that the NOR outline coincides with the streambank, WMNZ requests a condition of the Proposal, or a separate agreement, that will enable WMNZ to undertake planting and improvement works along the border of the designation. This should enable WMNZ to undertake riparian planting on its landholdings up to 10m in width from the edge of the Waiteraire stream, with both parties keeping the other informed about works / planting in that area.

*Construction effects and timelines*

9. There are 34 constructed storm water treatment wetlands proposed for the WWTW Proposal. The indicative locations for these ponds indicates that there will be one occupying a part of WMNZ's property labelled 101.<sup>2</sup> These landholdings have been strategically purchased and earmarked by WMNZ to ensure sufficient space for temporary construction activities to enable the Landfill Application, if granted, to be built without delay, in particular the nearby roundabout, bridge and access road. Construction in a timely manner is crucial to ensure that the landfill is operational in time for when the existing Redvale Landfill reaches capacity, so that Auckland's demand for waste disposal can be adequately met.
10. WMNZ seeks that NZTA keeps it informed regarding construction timeframes in relation to the stormwater ponds and for the WWTW Proposal more broadly. Both the Landfill Application and the WWTW Proposal, if granted, will involve extensive construction work. WMNZ understands that both projects can be accommodated, as the indicative timeline for the construction of the Landfill Application, will occur between 2022 and 2026, whereas project construction commencement for the WWTW Proposal is indicatively 2030.<sup>3</sup> WMNZ would welcome the opportunity to enter into a memorandum of understanding with NZTA regarding construction timeframes so that both parties can ensure their respective projects can be completed, and continue to be operated once commissioned, as efficiently as possible.

*Flooding*

11. Condition 99 of the Proposal sets out:<sup>4</sup>

The consent holder shall ensure that the design of the Project does not result in an increase in the 100 year ARI flooding levels greater than 100mm vertically outside the Designation.

12. WMNZ supports this condition limiting the impacts on flooding levels. WMNZ is committed to providing extensive native vegetation and riparian planting along the Hōteio River. This condition ensures that WMNZ's plantings, retained pastoral land and other infrastructure (for example the proposed bin exchange area to service the proposed landfill, and other land in WMNZ's buffer zone including the Springhill airfield) will not be adversely affected by the small localised increase in flood levels. The result being that WMNZ can continue to use its land in a meaningful and productive way.

<sup>2</sup> Ecology Report (Part 2), page 162 at 5.4.3, see also "stormwater treatment wetlands- indicative locations"

<sup>3</sup> See Landfill Application Assessment of Environmental Effects at page 68, Figure 6.1; See WWTW AEE at page 98.

<sup>4</sup> See Condition 99 of proposed resource consent conditions.

*Existing access off State Highway to farmland and residences*

13. WMNZ is the owner of the Springhill Farm (1232 State Highway 1) and 1232A State Highway 1.<sup>5</sup> Currently the only access to the Springhill Farm, and to adjacent titles 1232A State Highway 1 and 393449, is through the entrance shown in and around identifiers 101, 104, 105 and 106 on the designation maps. WMNZ seeks to ensure that there is continued access to these properties from State Highway 1 throughout construction of the Hōteio Viaduct, and once the Proposal is completed.

*Proposed public car park and walking access*

14. As NZTA is aware, WMNZ has made a number of commitments including to the Walking Access Commission, Department of Conservation and Overseas Investment Office regarding the provision of a public car park and pedestrian access on its landholdings that fall within the NOR to walking tracks on its properties.<sup>6</sup> As such, WMNZ seeks to work collaboratively with NZTA on the works to occur within this area.

15. WMNZ looks forward to working with NZTA on the matters above and wishes to be heard in support of this submission.

**WASTE MANAGEMENT NZ LTD:**

**Ian Kennedy**  
General Manager – Operational and Technical Services

**Date:** 29 June 2020

**Address for Service:** Kate Mackintosh  
318 East Tamaki Road  
East Tamaki  
**AUCKLAND 2013**

**Telephone:** 09 527 1300

**Email:** kmackintosh@wastemanagement.co.nz

<sup>5</sup> Legal references 393450 and 233954 respectively.

<sup>6</sup> Regarding landholdings 101, 105 and 106.