

NOTICE OF REQUIREMENT FOR DESIGNATION OF LAND UNDER s168(2) OF THE RESOURCE MANAGEMENT ACT 1991

TO: Auckland Council

FROM: Auckland Transport

Auckland Transport (AT) (an Auckland Council Controlled Organisation) as a Requiring Authority under section 167 of the Resource Management Act 1991 (RMA) gives notice of requirement (NoR) for a designation in the Auckland Unitary Plan for a public work, being the construction, operation, and maintenance of Eastern Busway 2 on land between the intersection of Ti Rakau Drive/ SEART and Pakuranga Road/William Reeves Road, Pakuranga).

1 SUMMARY

Auckland Transport has sought resource consent and prepared a Notice of Requirement for the Eastern Busway Stage 2 (EB2). EB2 is located at Pakuranga Town Centre and encompasses works on Ti Rakau Drive, Pakuranga Road, Reeves Road, Cortina Place, Palm Avenue, Aylesbury Street, Pennell Place, and the South-Eastern Highway (SEART). EB2 forms part of the wider Eastern Busway Project (the Project), a multi-stage transport project being undertaken between Panmure and Botany to improve the transport networks across south-east Tāmaki Makaurau Auckland. EB2 will help address network congestion, provide improved transport choices, address network safety issues, and support the urban intensification of Tāmaki Makaurau Auckland.

These works will involve an extension of the existing Panmure to Pakuranga busway, with the construction of a new Pakuranga Bus Station. EB2 also involves the construction of the Reeves Road Flyover (RRF), as well as modifications to the on and off ramps of SEART. Lastly, local walking, cycling and stormwater infrastructure will be upgraded.

The purpose of the designation is for the construction, operation, and maintenance of an arterial transport corridor. The activities to be enabled by the designation include environmental mitigation, temporary construction areas, ancillary structures and other activities required for the Project.

The Project Objectives for EB2 are:

1. Provide a multi modal transport corridor that connects Pakuranga and Botany to the wider network and increases access to a choice of transport options
2. Provide transport infrastructure that integrates with existing land use and supports a quality, compact urban form
3. Provide transport infrastructure that improves linkages, journey time and reliability of the public transport network
4. Contribute to accessibility and place shaping by providing better transport connections between, within and to the town centre
5. Provide transport infrastructure that is safe for everyone
6. Safeguard future transport infrastructure required at (or in vicinity of) Botany Town Centre to support the development of a strategic public transport connection to Auckland Airport.



As an approved Requiring Authority under section 176 of the RMA via section 47(1) of the Local Government (Auckland Council) Act 2009, Auckland Transport may designate to construct, operate, and maintain a road and undertake ancillary activities.

2 THE SITE TO WHICH THE REQUIREMENT APPLIES IS AS FOLLOWS:

The affected sites that relate to this NoR are detailed in Table 1 and the record of titles are provided in Appendix 23 to the Assessment of Effects on the Environment (AEE). The land requirement plans for the Project are provided as Appendix 2 to the AEE.

Table 1: Sites affected by the NoR

Property Address	Legal Description	Type of Ownership	Area to be designated (m ²)
1/183, 185, 3/183, 4/183 Pakuranga Road	LOT 5-6 DP 40172, FLAT 1 DP 113712, FLAT 2 DP 205526, FLAT 3, CARPORT 3 and 5 DP192118, FLAT 4, CARPORT 4 DP 192118	Private	139
10 Aylesbury Street	LOT 1 DP 158869	Private	891
11 Reeves Road	LOT 19 DP 52255	Private	86
13R Reeves Road	LOT 22 DP 52255	Auckland Council	1675
140S Pakuranga Road	PT LOT 1 DP 37727, LOT 2 DP 37727, LOT1 DP 39094, PT LOT 12 DP 14882, LOT 67DP 138440, PT ALLT 281 PAROPAKURANGA	Private	294
167 Pakuranga Road	LOT 1 DP 53672	Private	434
1,2,3/169 Pakuranga Road	LOT 1 DP 47230, FLAT 1, 2 & 3 DP 70609	Private	1001
1,2,3/171 Pakuranga Road	LOT 2 DP 47230, FLAT 1, 2 & 3 DP 68355	Private	1002
1,2,4/173 and 173C Pakuranga Road	LOT 3 DP 47230 UNIT A, B, 1C, 1D, DP 86456, AU 1, 2, 3, 4 DP 86456	Auckland Council	1391
1R Dale Crescent	Section 33 SO 70581 and Part Lots 37-41 SO 70581	Auckland Council	2585
2 & 4 Seven Oaks Drive	Part Lot 31 & 32 DP 48712, SO 70581	Auckland Council	690
27R William Roberts Road	LOT 1 DP 51777 Allotment 322, 323, 324 Psh of Pakuranga LOT 101, 102 & 103 DP 52151	Auckland Council	4701
2R Ti Rakau Drive	LOT 12 DP 55286, LOT 3 DP 55286, LOT 2 DP 53672, LOT 4 DP 55286	Auckland Council	12345
7 Aylesbury Street	Unit A, B, C, D, E, F, G, H, I, J, K, L, M, N Lot 2 DP 158869	Private	226
96R Pakuranga Road (Bus Stop Reserve)	PT LOT 5 DP 52174	Auckland Council	1135



26 Ti Rakau Drive	LOT 1 DP 156314	Private	5775
2 William Roberts Road	LOT 1 DP 69718	Auckland Council	582
2A William Roberts Road	LOT 2 DP 69718	Auckland Council	566
3 William Roberts Road	LOT 4 DP 47230	Auckland Council	1156
5, 1/5, 2/5 William Roberts Road	LOT 2 DP 82843, LOT 2 DP 82843 FLAT 1 DP 89655 and FLAT 2 DP 89655	Auckland Council	930
7 William Roberts Road	LOT 1 DP 203448	Auckland Council	356
7A William Roberts Road	LOT 2 DP 205609	Auckland Council	364
7B William Roberts Road	LOT 3 DP 205609	Auckland Council	374
9 William Roberts Road	LOT 5 DP 47230	Auckland Council	943
11 William Roberts Road	PT LOT 6 DP 47230	Auckland Council	926
13 William Roberts Road	LOT 1 DP 60995, PT LOT 12 DP 47230	Auckland Council	1063
15, 1/15, 2/15 William Roberts Road	PT LOT 2 DP 60995, PT LOT 2 DP 60995, FLAT 1 DP 103942 and FLAT 2 DP 103942	Auckland Council	954
17 William Roberts Road	LOT 2 DP 103948	Auckland Council	1380
19 William Roberts Road	LOT 1 DP 103948	Auckland Council	1562
177 Pakuranga Road	LOT 2 DP 40172	Auckland Council	923
179 Pakuranga Road	LOT 3 DP 40172	Auckland Council	923
181 Pakuranga Road	LOT 4 DP 40172	Auckland Council	923
187 Pakuranga Road	LOT 1 DP 200020, 1/2 SH LOT 3 DP 200020	Auckland Council	429
187A Pakuranga Road	LOT 2 DP 200020, 1/2 SH LOT 3 DP 200020	Auckland Council	330
2 Cortina Place	LOT 17 DP 52255, LOT 18 DP 5225	Auckland Council	2494
5 Reeves Road	LOT 3 DP 52255	Auckland Council	994
19 Dale Crescent	PT LOT 36 DP 52096	Auckland Council	680
19A Dale Crescent	SEC 35 SO 52258	Auckland Council	64
21 Dale Crescent	LOT 35 DP 52096	Private	121



6 Seven Oaks Drive	PT LOT 30 DP 48712	Auckland Council	663
8, 1/8, 2/8 Seven Oaks Drive	LOT 29 DP 48712, LOT 29 DP 48712, FLAT 1 DP 106707 and FLAT 2 DP 161861	Auckland Council	878
10, 1/10, 10A Seven Oaks Drive	LOT 28 DP 48712, LOT 28 DP 48712, FLAT 1 DP 120510 and FLAT 2 DP 129251	Auckland Council	918
12 Seven Oaks Drive	LOT 27 DP 48712	Auckland Council	759
14 Seven Oaks Drive	LOT 26 DP 48712	Auckland Council	1191
16 Seven Oaks Drive	LOT 2 DP 192836	Auckland Council	1184
18 Seven Oaks Drive	LOT 24 DP 48712	Auckland Council	675
25, 1/25, 2/25 Ti Rakau Drive	LOT 24 DP 51939, PT LOT 32 DP 14882, LOT 24 DP 51939, FLAT 1 DP 60195, PT LOT 32 DP 14882 and FLAT 2 DP 60195	Auckland Council	726
27 Ti Rakau Drive	LOT 1 DP 206887	Auckland Council	631
27A Ti Rakau Drive	LOT 2 DP 206887	Auckland Council	438
12 Bolina Crescent	LOT 44 DP 48712	Auckland Council	675

Overall, the NoR will designate approximately 6.21 hectares (ha) of land, of which approximately 1 ha is privately held land and 5.21 ha is publicly held land (excluding roads).

3 THE NATURE OF THE PROPOSED WORKS IS:

The proposed public work forms part of the previous Auckland Manukau Eastern Transport Initiative (AMETI) programme which includes a dedicated busway and bus stations between Panmure, Pakuranga and Botany town centres. The dedicated busway will provide an efficient rapid transit network (RTN) service between the town centres, while local bus networks will continue to provide more direct local connections within the town centre areas. EB2 also includes new walking and cycling facilities, as well as modifications and improvements to the road network.

EB2 covers the section of the Eastern Busway between the intersection of Ti Rakau Drive/ SEART and Pakuranga Road/William Reeves Road, Pakuranga and involves the following specific works:

- Road widening of Ti Rakau Drive to provide for a new road layout, including dedicated bus lanes, walking, and cycling infrastructure and a new bus station at Pakuranga Town Centre
- The construction and operation of the Reeves Road flyover
- Modification of the South-Eastern Highway offramp onto Ti Rakau Drive
- Modifications to the intersections of Ti Rakau Drive with Reeves Road, Tiraumea Drive, Reeves Road, Palm Avenue and Aylesbury Street



- An extension of Cortina Place
- The creation of a cul-de-sac, with turning head, at the northern end of William Roberts Road
- Stormwater infrastructure
- Ecological mitigation
- Associated roading infrastructure and landscaping.

Refer to Section 4 of the AEE for further detail on the proposed works.

4 THE NATURE OF THE PROPOSED CONDITIONS THAT WOULD APPLY ARE:

The NoR provides for the designation of 6.21 ha of land for new transport infrastructure within Pakuranga Town Centre (excluding roads). A set of proposed conditions have been provided as Appendix 3 to the AEE. These conditions address the following matters:

- Communications and Engagement with stakeholders, affected parties and the general public
- Works on network utilities
- Construction management of noise, vegetation clearance, coastal works, vibration, traffic, contaminated land, and land disturbance
- Urban design and landscaping
- Ecological management.

It is also noted that regional resource consents are required for bulk earthworks and the disturbance of contaminated soil. These resource consents will be supported by conditions of consent as they relate to the potential adverse effects of construction related activities.

The detail provided by the NoR and associated resource consent application package alleviates the need for a separate outline plan process. As such, the Requiring Authority requests that the requirement of an outline plan is waived by Auckland Council.

5 THE EFFECTS THAT THE PROPOSED WORK WILL HAVE ON THE ENVIRONMENT, AND THE WAYS IN WHICH ANY ADVERSE EFFECTS WILL BE MITIGATED ARE:

The AEE Report contains a description of the existing and likely future environment (Section 6), an assessment of the effects on the environment from the Project (Section 9), and the proposed measures to avoid, remedy or mitigate the adverse effects of the Project (Section 24).

Positive Effects

The Project will generate a range of positive effects. The nature and degree of these positive effects are elaborated on in Section 9.3 of the AEE. In summary, EB2 will have significant positive effects on the environment associated with the resulting improved performance of the local and regional road network, increased capacity, and reliability of public transport, improved active transport infrastructure and improvements to road safety. In addition, the works will support urban intensification, reduce congestion, and support reductions in greenhouse gas emissions.



Adverse Effects

EB2 will have localised adverse environmental effects that are considered to be acceptable in extent. These include those resulting from the following:

- Construction noise and vibration
- Construction traffic
- The potential disturbance of contaminated soil
- Effects on open space
- Effects on terrestrial ecology
- Effects on coastal ecology
- Effects on historic heritage
- Effects on visual amenity, landscape values and character
- Social effects
- Operational noise
- Stormwater effects
- Cultural values effects.

The effects of the proposal will be addressed by a suite of proposed conditions (**Appendix 3** of the AEE) and management plans. These management plans are¹:

- A construction environmental management plan (CEMP)
- An erosion and sediment control plan (ESCP) and an associated chemical treatment management plan
- A construction traffic management plan (CTMP)
- A construction noise and vibration management plan (CNVMP)
- A lizard management plan (LMP)
- A habitat restoration plan (HRP)
- An urban design and landscape management plan (UDLP)
- A communication and consultation plan (CCP).

6 ALTERNATIVE SITES, ROUTES, AND METHODS HAVE BEEN CONSIDERED TO THE FOLLOWING EXTENT:

As part of the preparation of the NoR, consideration has been given to alternative routes and alternative methods available to meet the objectives of Auckland Transport (set out below). The detailed consideration is set out in Sections 2 and 5 of the AEE and documented within the Eastern Busway Options Assessment Report (**Appendix 20** of the AEE).

The preferred alignment for EB2 has been the result of a considered evaluation of a number of options undertaken by AT and the EBA over a number of project stages. Notably the AMETI Eastern Busway 2 (Pakuranga Town Centre) Scheme Assessment Update completed in May 2018 determined from 6 short listed options that the preferred alignment to meet the objectives of AT is a Busway along Ti Rakau Drive including the RRF for traffic and a bus station in Pakuranga Town Centre.

The Scheme Assessment Update was revisited in August 2018 as part of the Specimen Design phase of the project. The Specimen Design further developed the Ti Rakau Drive Busway with the RRF and a bus station at Pakuranga Town Centre, and assessed alternative bus services arrangements, different traffic lane configurations and a revised bus station configuration. The August 2018 Further Options Assessment

¹ Both the CTMP and EIMP will be provided for information purposes only given that they will be subject to their own independent approval processes with Auckland Transport and Transpower New Zealand respectively.



identified a preferred location for the bus station on the corner of Ti Rakau Drive and Reeves Road, centrally within the Pakuranga Town Centre area, and also identified bus lanes beneath the RRF.

Following the establishment of the Eastern Busway Alliance in 2020, the Specimen design was reviewed and retested. Alternative options were developed for the refinement of the RRF and the Pakuranga Bus Station. This alternatives assessment involved considering 21 alignment options and 6 bus station options against the project objectives and assessment criteria. The assessment was undertaken, with technical assessors providing an assessment of each option in relation to specific criteria. The criteria used was consistent with the criteria used in previous option assessments.

The assessment of alternatives has provided AT with information which has assisted it in identifying the preferred alignment and feasible design and construction options for the Eastern Busway 2. This is further discussed in Section 2 and Section 5 of the AEE which supports this NoR

7 THE PROPOSED WORK AND DESIGNATION ARE REASONABLY NECESSARY FOR ACHIEVING THE OBJECTIVES OF THE REQUIRING AUTHORITY BECAUSE:

The public work and alteration to the designation are reasonably necessary for achieving the objectives of the Requiring Authority. This is discussed in detail in sections 3, 5 and 11 of the AEE.

In summary, the public work and alteration to designation is reasonably necessary for achieving the following project objectives:

1. Provide a multi modal transport corridor that connects Pakuranga and Botany to the wider network and increases access to a choice of transport options
2. Provide transport infrastructure that integrates with existing land use and supports a quality, compact urban form
3. Provide transport infrastructure that improves linkages, journey time and reliability of the public transport network
4. Contribute to accessibility and place shaping by providing better transport connections between, within and to the town centre
5. Provide transport infrastructure that is safe for everyone
6. Safeguard future transport infrastructure required at (or in vicinity of) Botany Town Centre to support the development of a strategic public transport connection to Auckland Airport.

The designation and public work are necessary to achieve these objectives as the proposed infrastructure is not specifically provided for under the AUP(OP)'s zone-based controls or the specific provisions for infrastructure (Chapter E26). Establishing the designation will ensure that the corridor is protected for the ongoing construction, operation, and maintenance of regionally significant transport infrastructure and that this is not altered by changes to the AUP(OP) or limited by development on adjacent sites. In addition, it provides the flexibility required to undertake ongoing development in the proposed transport corridor in a manner which supports the project's objectives.

To summarise, the proposal contributes to the following benefits (as provided for by the Eastern Busway Project):

- Provides for improved connections and sustainable travel options for pedestrians, cyclists, motorists, bus, and train customers
- Providing for reliable 40-minute bus and train trips between Botany Town Centre and Britomart (saving 20-minutes)
- Providing for an increase in public transport trips from 3,700 to 18,000 per day by 2028



- Providing for an increase in public transport mode share from 7% to 25% by 2028
- Reduced carbon emissions by 9,292 kg per day by 2028
- 24,000 more people with access to a rapid transit bus station within 1 km from home
- 5 km of busway between Pakuranga and Botany fully separated from other traffic
- 5 new bus stations with quality facilities
- 12 km of safe and separated walking and cycling infrastructure
- RRF to reduce vehicle congestion around Pakuranga Town Centre
- Encourage and support development of a more sustainable urban form and improve urban amenity
- Accommodates electric buses, a key part of AT's low-emission vehicle fleet by 2040.

8 THE FOLLOWING RESOURCE CONSENTS ARE NEEDED FOR THE PROPOSED ACTIVITY AND HAVE BEEN APPLIED FOR:

EB2 will require resource consents for a number of activities to enable the proposed works. The resource consents have been sought in conjunction with the NoR. To summarise, the resource consents required for EB2 are:

- Resource consent for the disturbance of contaminated, or potentially contaminated land under the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011
- Resource consents for specified infrastructure works within natural wetlands and their riparian margins under the Resource Management (National Environmental Standards for Freshwater) Regulations 2020
- Resource consents for the following activities under the Auckland Unitary Plan (Operative in Part):
 - Bulk earthworks
 - Vegetation removal
 - Discharge of contaminants to land
 - Activities within and the occupation of the coastal marine area.

The overall activity status of EB2 is discretionary.

9 THE FOLLOWING CONSULTATION HAS BEEN UNDERTAKEN WITH PARTIES THAT ARE LIKELY TO BE AFFECTED:

Consultation and engagement has been undertaken and will continue with a range of stakeholders, including meetings with individual parties, presenting at formal meetings and informal information sharing. Auckland Transport has engaged with the following parties:

- Mana whenua
- Waka Kotahi NZ Transport Agency
- Transpower New Zealand Limited
- Watercare Services Limited
- Network Utilities



- Howick Local Board
- Local Members of Parliament
- Auckland Council's Planning Committee
- Auckland Council's Community Facilities
- Auckland Council's Regulatory Services Department
- Auckland Council's Healthy Waters Department
- Auckland Council's Plans and Places Department
- Landowners
- Business and community groups.

Auckland Transport has also undertaken engagement exercises with the wider community. This includes open days, social media posts and project updates on AT's own website.

Refer to Section 8 of the AEE for more detail.

10 EXTENDED LAPSE PERIOD PROPOSED:

Under section 184(1) of the RMA a designation lapses on the expiry of 5 years after the date on which it is included in the district plan unless it is given effect to, substantial progress or effort has been made to give effect to, or a different period is specified when incorporated into the plan. There is a need for long term route protection to protect the corridor from inappropriate development until such time as the transport corridor is required to support and facilitate the planned urban growth and funding is allocated. Therefore, pursuant to section 184(1)(c) of the RMA, AT proposes an extended lapse period of ten years for implementation of the proposed designation.

11 INFORMATION REQUIRED TO BE INCLUDED IN THIS NOTICE BY THE AUCKLAND UNITARY PLAN OR ANY REGULATION MADE UNDER THE RESOURCE MANAGEMENT ACT 1991:

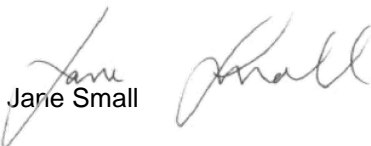
Auckland Transport attaches the following information required to be included in this notice by a plan or proposed plan, or any regulation made under the Resource Management Act 1991:

- Land requirement plans
- An assessment of effects on the environment
- Records of title
- Drawings of the proposed works
- Options assessment



- Technical assessments for ecology (coastal and terrestrial), noise and vibration (construction and operational), open space, air quality, visual and landscape values, arboriculture, stormwater, archaeology, integrated transport, ground contamination, erosion, and sediment control
- The following management plans:
 - A construction environmental management plan (CEMP)
 - An erosion and sediment control plan (ESCP)
 - A construction traffic management plan (CTMP)
 - A construction noise and vibration management plan (CNVMP)
 - A lizard management plan (LMP)
 - A tree protection management plan (TPMP)
 - A communication and consultation plan (CCP)

Signed on behalf of AT


Jane Small

Group Manager PMO, Strategic Programmes and Property pursuant to authority delegated by
Auckland Transport

Dated: 10 August 2022

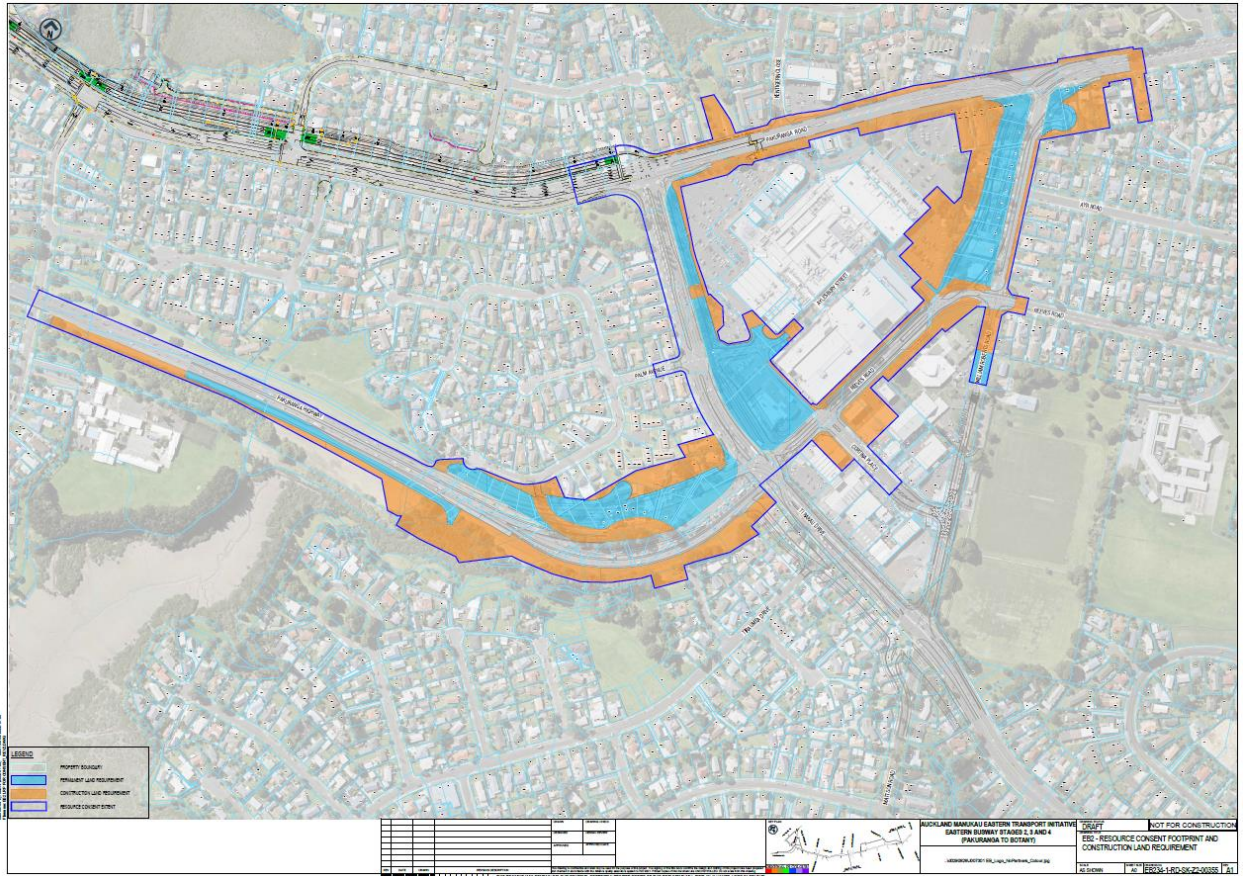
Attachment A – Designation Plans

Attachment B – Schedule of Directly Affected Property

Attachment C – Proposed Conditions for the Designation



Attachment A – Designation Plans





Attachment B – Schedule of Directly Affected Property

Property address	Legal Description	Type of Ownership	AUP(OP) Zoning
1/183, 185, 3/183, 4/183 Pakuranga Road	LOT 5-6 DP 40172, FLAT 1 DP 113712, FLAT 2 DP 205526, FLAT 3, CARPORT 3 and 5 DP192118, FLAT 4, CARPORT 4 DP 192118	Private	Residential – Terrace Housing and Apartment Buildings
10 Aylesbury Street	LOT 1 DP 158869	Private	Business – Town Centre
11 Reeves Road	LOT 19 DP 52255	Private	Business – Town Centre
13R Reeves Road	LOT 22 DP 52255	Public	Open Space – Community
140S Pakuranga Road	PT LOT 1 DP 37727, LOT 2 DP 37727, LOT1 DP 39094, PT LOT 12 DP 14882, LOT 67DP 138440, PT ALLT 281 PAROPAKURANGA	Private	Special Purpose Zone
167 Pakuranga Road	LOT 1 DP 53672	Private	Business – Town Centre Zone
1,2,3/169 Pakuranga Road	LOT 1 DP 47230, FLAT 1, 2 & 3 DP 70609	Private	Business – Town Centre
1,2,3/171 Pakuranga Road	LOT 2 DP 47230, FLAT 1, 2 & 3 DP 68355	Private	Business – Town Centre
1,2,4/173 and 173C Pakuranga Road	LOT 3 DP 47230 UNIT A, B, 1C, 1D, DP 86456, AU 1, 2, 3, 4 DP 86456	Public	Business – Town Centre
1R Dale Crescent	Section 33 SO 70581 and Part Lots 37-41 SO 70581	Public	Residential – Mixed Housing Urban
2 & 4 Seven Oaks Drive	Part Lot 31 & 32 DP 48712, SO 70581	Public	Residential – Mixed Housing Urban
27R William Roberts Road	LOT 1 DP 51777 Allotment 322, 323, 324 Psh of Pakuranga LOT 101, 102 & 103 DP 52151	Public	Open Space – Sport and Active Recreation
2R Ti Rakau Drive	LOT 12 DP 55286, LOT 3 DP 55286, LOT 2 DP 53672, LOT 4 DP 55286	Public	Business – Town Centre
7 Aylesbury Street	Unit A, B, C, D, E, F, G, H, I, J, K, L, M, N Lot 2 DP 158869	Private	Business – Town Centre

Property address	Legal Description	Type of Ownership	AUP(OP) Zoning
96R Pakuranga Road (Bus Stop Reserve)	PT LOT 5 DP 52174	Public	Open Space – Conservation
26 Ti Rakau Drive	LOT 1 DP 156314	Private	Business – Town Centre
2 William Roberts Road	LOT 1 DP 69718	Public	Business – Mixed Use
2A William Roberts Road	LOT 2 DP 69718	Public	Business – Mixed Use
3 William Roberts Road	LOT 4 DP 47230	Public	Business – Town Centre
1/5a, 2/5 William Roberts Road	LOT 2 DP 82843, LOT 2 DP 82843 FLAT 1 DP 89655 and FLAT 2 DP 89655	Public	Business – Town Centre
7 William Roberts Road	LOT 1 DP 203448	Public	Business – Town Centre
7A William Roberts Road	LOT 2 DP 205609	Public	Business – Town Centre
7B William Roberts Road	LOT 3 DP 205609	Public	Business – Town Centre
9 William Roberts Road	LOT 5 DP 47230	Public	Business – Town Centre
11 William Roberts Road	PT LOT 6 DP 47230	Public	Business – Town Centre
13 William Roberts Road	LOT 1 DP 60995, PT LOT 12 DP 47230	Public	Business – Town Centre
1/15, 2/15 William Roberts Road	PT LOT 2 DP 60995, PT LOT 2 DP 60995, FLAT 1 DP 103942 and FLAT 2 DP 103942	Public	Business – Town Centre
17 William Roberts Road	LOT 2 DP 103948	Public	Business – Town Centre
19 William Roberts Road	LOT 1 DP 103948	Public	Business – Town Centre
177 Pakuranga Road	LOT 2 DP 40172	Public	Business – Mixed Use
179 Pakuranga Road	LOT 3 DP 40172	Public	Business – Mixed Use
181 Pakuranga Road	LOT 4 DP 40172	Public	Business – Mixed Use
187 Pakuranga Road	LOT 1 DP 200020, 1/2 SH LOT 3 DP 200020	Public	Residential – Terrace Housing and Apartment Buildings
187A Pakuranga Road	LOT 2 DP 200020, 1/2 SH LOT 3 DP 200020	Public	Residential – Terrace Housing and Apartment Buildings
2 Cortina Place	LOT 17 DP 52255, LOT 18 DP 5225	Public	Business – Town Centre
5 Reeves Road	LOT 3 DP 52255	Public	Business – Town Centre

Property address	Legal Description	Type of Ownership	AUP(OP) Zoning
19 Dale Crescent	PT LOT 36 DP 52096	Public	Residential – Mixed Housing Urban
19A Dale Crescent	SEC 35 SO 52258	Public	Residential – Mixed Housing Urban
21 Dale Crescent	LOT 35 DP 52096	Private	Residential – Mixed Housing Urban
6 Seven Oaks Drive	PT LOT 30 DP 48712	Public	Residential – Mixed Housing Urban
1/8, 2/8 Seven Oaks Drive	LOT 29 DP 48712, LOT 29 DP 48712, FLAT 1 DP 106707 and FLAT 2 DP 161861	Public	Residential – Mixed Housing Urban
1/10, 10A Seven Oaks Drive	LOT 28 DP 48712, LOT 28 DP 48712, FLAT 1 DP 120510 and FLAT 2 DP 129251	Public	Residential – Mixed Housing Urban
12 Seven Oaks Drive	LOT 27 DP 48712	Public	Residential – Mixed Housing Urban
14 Seven Oaks Drive	LOT 26 DP 48712	Public	Residential – Mixed Housing Urban
16 Seven Oaks Drive	LOT 2 DP 192836	Public	Residential – Mixed Housing Urban
18 Seven Oaks Drive	LOT 24 DP 48712	Public	Residential – Mixed Housing Urban
1/25, 2/25 Ti Rakau Drive	LOT 24 DP 51939, PT LOT 32 DP 14882, LOT 24 DP 51939, FLAT 1 DP 60195, PT LOT 32 DP 14882 and FLAT 2 DP 60195	Public	Business – Mixed Use
27 Ti Rakau Drive	LOT 1 DP 206887	Public	Business – Mixed Use
27A Ti Rakau Drive	LOT 2 DP 206887	Public	Business – Mixed Use
12 Bolina Crescent	LOT 44 DP 48712	Public	Residential – Terrace Housing and Apartment Building Zone



Attachment C – Proposed Conditions for the Designation

DESIGNATION CONDITIONS – EB2

General Conditions

1. Except as modified by the conditions below, or by any outline plan, the scope and extent of the works within the designation are to be undertaken in general accordance with the information provided by the Requiring Authority in the Notice of Requirement and supporting documents as follows:

Table 1: Application Documents

Document Title	Author	Revision	Date

Table 2: Drawings

Drawing Title	Designer	Revision	Date

Table 3: Management Plans

Management Plans	Author	Revision	Date

2. In accordance with section 184(1)(c) of the Resource Management Act 1991 (the “RMA”), this designation will lapse if not given effect to within 10 years from the date on which it is included in the Auckland Unitary Plan (Operative in Part).
3. As soon as practicable, and no later than [X] months from the date the Eastern Busway Package EB2 becomes operational, the Requiring Authority must:
 - a) Identify any areas of the designation that are no longer necessary for the long-term development, operation, maintenance and mitigation effects of the Eastern Busway Project; and
 - b) Give notice to the Auckland Council in accordance with section 182 of the RMA for removal of those parts of the designation identified above

Site Access

4. Subject to compliance with the Requiring Authority's health and safety requirements and provision of reasonable notice, servants or agents of Council are permitted to have access to relevant parts of the construction site(s) at reasonable times for the purpose of carrying out inspections, surveys, investigations and/or to take samples.

PRE-CONSTRUCTION CONDITIONS

Mana Whenua Engagement

5. At least 10 working days prior to the commencement of construction, the Requiring Authority shall confirm and submit to Council a framework to ensure appropriate engagement with mana whenua during the construction of the Eastern Busway Project (Package EB2).
6. The framework shall include:
 - a) The methods for identifying and engaging with mana whenua
 - b) The process for involvement of mana whenua in reviewing and the implementation of the management and environmental management plans as they relate to:
 - i. Recognising and providing for the cultural values and interests of mana whenua;
 - ii. Implementing and applying tikanga;
 - iii. Managing and monitoring sediment quality; and
 - iv. Promoting ecology and biodiversity, including the use of native vegetation.
 - c) As a minimum the matters identified in (b) above shall be addressed in the preparation of the following management plans:
 - i. Construction Environmental Management Plan
 - ii. Urban Design and Landscape Plan
 - iii. Habitat Restoration Plan.

MANAGEMENT PLANS – CERTIFICATION AND REVIEW

Advice Note: *Conditions 7 to 11 below, apply to all Management Plans that require certification unless otherwise specified in these conditions or finalised through the Notice of Requirement process. Management Plans listed in Condition 1 are deemed certified.*

7. Unless listed in Condition 1 above or otherwise stated, all Management Plans required by conditions of this designation shall be submitted to Council for certification at least 10 working days prior to commencement of the related construction works (excluding enabling works, site clearance, site investigations, relocation of services and establishment of site entrances and temporary construction fencing). All works shall be carried out in accordance with the approved Management Plans. No related construction works shall commence until written approval or certification of all relevant Management Plans for those works have been received, unless otherwise approved in writing by the Council.
8. If the Requiring Authority does not receive a written response from Council within 10 working days of the Management Plan(s) being submitted for certification, the Management Plan(s) will be deemed to have certification and the Requiring Authority can commence the related construction works.

Advice Note: *The Council will acknowledge receipt of any Management Plan submitted for certification within 2 working days. The Council will confirm if any information required for certification is missing from any submitted Management Plan within 5 working days. Where no further information is required, the Council will provide certification to the Requiring Authority within 10 working days of submission of the Management Plan. If further information has been requested, the Council will provide confirmation of certification to the Requiring Authority within 5 working days of the requested information being provided.*

9. Any certified Management Plan may be amended, if necessary, to reflect any minor changes in design, construction materials, methods or management of effects to align with the conditions of designation. Any amendments are to be agreed by the Council in writing prior to implementation of any changes. Re-certification is not required in accordance with Conditions 7 if the Council confirms those amendments are within scope and any changes to the draft Management Plans are clearly identified.

10. Any amendments to a certified Management Plan that may result in a materially different outcome shall be submitted to the Council in accordance with Condition 7 to certify these amendments are consistent with the relevant designation condition(s) prior to implementation of any changes. Where a Management Plan was prepared in consultation with interested or affected parties, any material changes to that Plan shall be prepared in consultation with those same parties.
11. Management Plans may be submitted in parts or stages to address activities or to reflect the staged implementation of the Project. If submitted in part, Management Plans shall clearly show the linkage with the Management Plans for adjacent stages and interrelated activities.

STAKEHOLDER COMMUNICATION AND ENGAGEMENT

12. The Requiring Authority is required to implement and comply with the Communication and Consultation Plan (CCP) listed in Condition 1, unless otherwise amended by the process in Condition 9. The objective of the CCP is to set out a framework to ensure appropriate communication and consultation is undertaken with the community, stakeholders, affected parties and interest groups during construction of the Eastern Busway Project (Package EB2).
13. Any amendments to the CCP listed in Condition 1 that may result in a materially different outcome or to address unforeseen adverse effects arising from construction must comply with Condition 14 and 15.
14. The Requiring Authority shall submit the updated or revised CCP to Council for comment. The Requiring Authority shall consider any comments received from Council when finalising the CCP. If the Requiring Authority has not received any comments from Council within 10 working days of submitting the CCP, the Requiring Authority will consider Council has no comments.

Advice Note: *The CCP does not require certification from Council.*

15. The CCP shall set out how the Requiring Authority will for the Eastern Busway Project (Package EB2):
 - a) Inform the community and businesses of construction progress, future construction activities and constraints that could affect them;
 - b) Provide information on key project milestones;
 - c) Provide a process for responding to queries and complaints including, but not limited to:
 - i. Who is responsible for responding;
 - ii. How responses will be provided;
 - iii. The timeframes for responses to be provided; and
 - iv. How complaints will be reviewed and monitored to ensure mitigation is effective.

The CCP shall include:

- a) A communications framework that details the Requiring Authority's communication strategies, the accountabilities, frequency of communications and consultation, the range of communication and consultation tools to be used (including any modern and relevant communication methods, community noticeboard, local paper, newsletters or similar, advertising etc.) and any other relevant communication matters;
- b) Details of the Communication and Consultation Manager for the Eastern Busway project, including their contact details (phone, email, project website and postal address);
- c) Methods for identifying, communicating and engaging with people affected by the construction works for the project, including but not limited to:
 - i. All residential and business property owners and occupiers directly affected by construction works;
 - ii. All community and education facilities directly affected to construction works for the project, including methods to assist these facilities to consult with their customers/stakeholders;
 - iii. Key stakeholders (including the Council's Parks Department); and
 - iv. Network utility operators.
- d) Methods for communicating with and notifying directly affected parties in advance where practicable of:
 - i. proposed construction activities outside normal working hours (including night works); and

- ii. Temporary traffic management measures and permanent changes to road networks and layouts.
- b) Details of specific communications proposed for updating stakeholders including affected parties on construction timeframes; and
- c) A list of the stakeholders directly affected to be communicated with.

CONSTRUCTION ENVIRONMENTAL MANAGEMENT

16. The Requiring Authority is required to carry out all works in accordance with the Construction Environmental Management Plan (CEMP) listed in Condition 1, unless otherwise amended by the process in Condition 9. The objective of the CEMP is to set out an overarching framework and construction methods to be undertaken to avoid, remedy or mitigate any adverse effects associated with the construction of the Eastern Busway Project (Package EB2) so far as is reasonably practicable.
17. Any amendments to the CEMP listed in Condition 1 that may result in a materially different outcome or to address unforeseen adverse effects arising from construction must comply with Conditions 18 and 19.
18. The Requiring Authority must submit the updated or revised CEMP to Council for certification in accordance with Conditions 7 to 11 as soon as practicable following identification of the need for an update as a result of a material change. The purpose of the CEMP is to set out an overarching framework and construction methods to be undertaken to avoid, remedy or mitigate any adverse effects associated with the construction of Eastern Busway Project (Package EB2) so far as is reasonably practicable.
19. The CEMP shall include details of:
- a) An outline of the construction programme of the work, including construction hours, indicating linkages to the other subsidiary plans which address management of adverse effects during construction;
 - b) The document management system for administering the CEMP and compliance, including review and Requiring Authority / constructor / Council requirements;
 - c) Training requirements for employees, sub-contractors and visitors for cultural induction, construction procedures, environmental management and monitoring;
 - d) Roles and responsibilities for the implementation of the CEMP;
 - e) Environmental incident and emergency management procedures (including spills);
 - f) Environmental complaint management procedures;
 - g) Specific details of demolition and site clearance works to be undertaken;
 - h) The location of construction compounds and measures adopted to keep them secure;
 - i) Methods to provide for the safety of the general public;
 - j) Measures to be adopted to keep the construction areas in a tidy condition in terms of disposal / storage of rubbish and storage, unloading construction materials (including equipment). All storage of materials and equipment associated with the construction works must take place inside the designation boundaries; and
 - k) Site reinstatement measures upon completion of the activities including the removal of any temporary structures used during the construction period.

Advice note: *The CEMP may be prepared as a combined document that also addresses the matters required under the associated resource consents for the Eastern Busway Project (Package EB3R).*

TRANSPORT, ACCESS AND PARKING

20. The Requiring Authority is required to carry out all works in accordance with the Construction Traffic Management Plan (CTMP) listed in Condition 1, unless otherwise amended by the process in Condition 21. The objective of the CTMP is to identify the means to be used to avoid, remedy or mitigate the adverse effects of construction of the Eastern Busway Project (Package EB2) on transport, parking and property access, so far as it is reasonably practicable.
21. Any amendments to the CTMP listed in Condition 1 that may result in a materially different outcome or to address unforeseen adverse effects arising from construction must comply with Condition 22.

22. The Requiring Authority shall submit the updated or revised CTMP to Council for comment. The Requiring Authority shall consider any comments received from Council when finalising the CTMP. If the Requiring Authority has not received any comments from Council within 10 working days of submitting the CTMP, the Requiring Authority will consider Council has no comments.

Advice Note: The CTMP does not require certification from Council.

CONSTRUCTION NOISE AND VIBRATION MANAGEMENT

23. Construction noise shall be measured and assessed in accordance with New Zealand Standard NZS 6803:1999 'Acoustics - Construction Noise' (NZS6803:1999) and comply with the noise standards set out in the Tables 3 and 4 as far as practicable.

Table 3 Construction Noise Criteria – Residential Receivers (Irrespective of Zoning)

Time of week	Time Period	Maximum noise level (dBA) > 20 weeks	
		L _{eq}	L _{max}
Weekdays	0630 – 0730	55	75
	0730 – 1800	70	85
	1800 – 2000	65	80
	2000 - 0630	45	75
Saturdays	0630 – 0730	45	75
	0730 – 1800	70	85
	1800 – 2000	45	75
	2000 - 0630	45	75
Sundays and public holidays	0630 – 0730	45	75
	0730 – 1800	55	85
	1800 – 2000	45	75
	2000 - 0630	45	75

Table 4 Construction Noise Criteria - Commercial and Industrial Receivers

Time period	Maximum noise level L _{Aeq} dB > 20
07:30 – 18:00	70
18:00 – 07:30	75

24. Where compliance with the noise standards set out in Table 3 and Table 4 above is not practicable, and unless provided for in the Construction Noise Vibration Management Plan (CNVMP) as required by Condition 28, then the methodology in Condition 31 shall apply.

25. Construction vibration shall be measured in accordance with German Standard DIN 4150-3:1999 “Structural Vibration Part 3: Effects of vibration on structures”, and shall comply with the vibration standards set out in Table 5 as far as practicable:

Table 5 Construction Vibration Criteria

Vibration Level	Time	Category A	Category B
Occupied activities sensitive to noise	Night-time 2000h – 0700h	0.3mm/s ppv	2mm/s ppv
	Daytime 0700h – 2000h.	2mm/s ppv	5mm/s ppv
Other occupied buildings	All other times	2mm/s ppv	5mm/s ppv
All other buildings	Daytime 0630h – 2000h	Tables 1 and 3 of DIN4150-3:1999	

26. The Category A criteria may be exceeded if the works generating vibration take place for three days or less between the hours of 7am to 6pm, provided that the Category B criteria are complied with, and:
- All occupied buildings within 50m of the extent of the works generating vibration are advised in writing no less than three days prior to the vibration-generating works commencing; and
 - The written advice must include details of the location of the works, the duration of the works, a phone number for complaints and the name of the site manager.
27. Where compliance with the vibration standards set out in Table 5 above is not practicable, and unless otherwise provided for in the CNVMP as required by Condition 28, then the methodology in Condition 31 shall apply.
28. The Requiring Authority is required to implement and comply with the CNVMP listed in Condition 1, unless otherwise amended by the process in Conditions 9 to 10. The objective of the CNVMP is to provide a framework for the development and implementation of the Best Practicable Option (BPO) to avoid, remedy or mitigate the adverse effects on receivers of noise and vibration resulting during construction of the Eastern Busway Project (Package EB2).
29. Any amendments to the CNVMP listed in Condition 1 that may result in a materially different outcome or to address unforeseen adverse effects arising from construction must comply with Conditions 30 and 31.
30. The Requiring Authority must submit the updated or revised CNVMP to Council for certification in accordance with Conditions 7 to 11 as soon as practicable following identification of the need for an update as a result of a material change.
31. The purpose of the CNVMP is to set out a framework to avoid, remedy or mitigate the adverse effects on receivers of noise and vibration resulting during construction of the Eastern Busway Project (Package EB2). To achieve this objective, the CNVMP shall be prepared in accordance with Annex E2 of (NZS6803:1999) and shall as a minimum, address the following:
- Description of the works, machinery and equipment to be used;
 - Hours of operation, including times and days when construction activities would occur;
 - The construction noise and vibration standards;
 - Identification of receivers where noise and vibration standards apply;
 - Management and mitigation options, and identification of the Best Practicable Option;
 - Methods and frequency for monitoring and reporting on construction noise and vibration;
 - Procedures for communication as set out in the CCP with nearby residents and stakeholders, including:
 - Notification of proposed construction activities,
 - The period of construction activities; and
 - Management of noise and vibration complaints.
 - Contact details for the Communication and Consultation Manager;
 - Procedures for the regular training of the operators of construction equipment to minimise noise and vibration as well as expected construction site behaviours for all workers;

- j) Identification of areas where compliance with the noise (Condition 23) and/or vibration standards (Condition 25 Category A or Category B) will not be practicable.
 - k) Procedures for:
 - i. Communicating with affected receivers in accordance with the CCP, where measured or predicted noise or vibration from construction activities exceeds the noise criteria of Condition 23 or the vibration criteria of Condition 25; and
 - ii. Assessing, mitigating and monitoring vibration where measured or predicted vibration from construction activities exceeds the Category B vibration criteria of Condition 25, including the requirement to undertake building consent surveys before and after works to determine whether any damage has occurred as a result of construction vibration; and
 - iii. Requirements for review and update of the CNVMP.
32. Unless otherwise provided for in the CNVMP, a Schedule to the CNVMP (Schedule) shall be prepared in consultation with the owners and occupiers of sites subject to the Schedule, when:
- a) Construction noise is either predicted or measured to exceed the noise standards in Condition 23, except where the exceedance of the LAeq criteria is no greater than 5 decibels and does not exceed:
 - i. 0630 – 2000: 2 periods of up to 2 consecutive weeks in any 2 months; or
 - ii. 2000 - 0630: 1 period of up to 2 consecutive nights in any 10 days;
 - b) Construction vibration is either predicted or measured to exceed the Category B standard set out in Condition 25 at the receivers;
33. The objective of the Schedule is to set out the BPO for the management of noise and/or vibration effects of the construction activity beyond those measures set out in the CNVMP. The Schedule must include but not be limited to details such as:
- a) Construction activity and location plan, start and finish dates;
 - b) the nearest owners and occupiers of the sites to the construction activity;
 - c) the predicted noise and/or vibration level for all receivers where the levels are predicted or measured to exceed the applicable standards in Conditions 23 and/or 25
 - d) the proposed site-specific noise mitigation
 - e) the consultation and outcomes with owners and/or occupiers of properties identified in the Schedule; and
 - f) location, times, and types of monitoring.
34. The Schedule shall be submitted to the Council for certification at least 5 working days, except in unforeseen circumstances, in advance of construction works that are covered by the Schedule and shall form part of the CNVMP. If no response is provided from the Council, prior to the planned work date, the Schedule shall be deemed to be certified.

Building condition surveys [in the event environmental specialists identify building condition surveys are necessary]

35. Prior to construction, a building condition survey must be undertaken of any building or structure that has been identified and assessed as potentially affected by vibration damage arising from construction. The identification and assessment requirement must be determined by an independent and suitability qualified person appointed by the Requiring Authority, and based on the criteria below, unless the relevant industry criteria applied at the time or heightened building sensitivity or other inherent building vulnerability requires it. Factors which may be considered in determining whether a building condition survey must be undertaken include:
- a) Age of the building;
 - b) Construction types;
 - c) Foundation types;
 - d) General building condition;
 - e) Proximity to any excavation;
 - f) Whether the building is earthquake prone or where there is pre-existing damage; and
 - g) Whether any basements are present in the building.
36. Where it is determined by an independent and appropriately qualified person appointed by the Requiring Authority prior to construction that a building condition survey is required:

- a) The Requiring Authority must employ an appropriately qualified person to undertake the building condition surveys and that person is required to be identified in the CEMP;
- b) The Requiring Authority must contact owners of those buildings and structures where a building condition survey is to be undertaken to confirm the timing and methodology for undertaking a pre-construction condition assessment;
- c) Should written agreement from owners and occupiers to enter property and undertake a condition assessment not be obtained within three months from first contact, then the Requiring Authority is not required to undertake these assessments;
- d) Prior to the building condition survey, the Requiring Authority must determine whether the building is classified as a vibration sensitive structure;
- e) The Requiring Authority must provide the building condition survey report to the relevant property owner within 15 working days of the survey being undertaken, and additionally it must notify and provide Council with a copy of the completed survey report within 15 working days;
- f) The Requiring Authority must record all contact, correspondence and communication with owners and occupiers and this record is to be available on request for the Council; and
- g) The Requiring Authority must undertake a visual inspection when undertaking construction activities likely to generate high levels of vibration if requested by the building owner where a pre-construction condition assessment has been undertaken.

37. During construction:

- a) The Requiring Authority must implement procedures that will appropriately respond to the information received from any vibration monitors deployed by the acoustic specialist in accordance with the CNVMP. Where necessary this may include temporary cessation of works in close proximity to the relevant building until measures have been implemented to avoid further damage and/or compromising the structural integrity of the building; and
- b) Any damage to buildings and structures resulting from the works must be recorded and repaired by the Requiring Authority and costs associated with the repair will be met by the Requiring Authority. Such repairs, and/or works to repair damage, are limited to what is reasonably required to restore the general condition of the building as described in the building condition survey. Such repairs must be undertaken as soon as reasonably practicable and in consultation with the owner and occupiers of the building.

38. Following construction:

- a) Within three months of the commencement of operation of the Eastern Busway Project (Package EB2), the Requiring Authority must contact owners of those buildings and structures where a building condition survey was undertaken to confirm the need to undertake a post-construction condition assessment; and
- b) Where a post-construction building condition survey confirms that the building has deteriorated as a direct result of construction works relating to the project, the Requiring Authority must rectify the damage at its own cost. Such repairs, and/or works to repair damage, are limited to what is reasonably required to restore the general condition of the building as described in the building pre-condition survey.

Urban Design and Landscaping Mitigation

- 39.** At least 10 working days prior to the commencement of any construction activity the Requiring Authority shall submit an Urban Design and Landscape Plan (UDLP) to Council for certification in accordance with Conditions 7 to 11 above. The objective of the UDLP is to mitigate any landscape and visual effects of the Eastern Busway Project (Package EB2).

40. The UDLP shall include:

- a) Urban design details for works:
 - i. The Reeves Road Flyover;
 - ii. Pakuranga Bus Station;
 - iii. Ti Rakau Drive widening between Pakuranga Road and Reeves Road
- b) Landscape design details for works at:
 - i. Paul Place Reserve;
 - ii. Bus Stop Reserve;
 - iii. Within Ti Rakau Drive; and
 - iv. SEART.
- c) A maintenance plan and establishment requirements over a three-year period for landscaping and five years for specimen trees following planting.

- d) Lighting, signage and street furniture details for Eastern Busway Project (Package EB2);
- e) Measures to achieve a safe level of transition for cycling and walking modes, including providing advanced warning and signage to cyclists and pedestrians, and safe and convenient cycling transitions at the ends of the project;
- f) Design features and methods for cultural expression; and
- g) Design features associated with the management of stormwater, including both hard and soft landscaping.

41. The Requiring Authority is required to carry out all works out in accordance with the certified UDLP, unless otherwise amended by the process in Conditions 9 to 10.
42. At least 1 month prior to the final handover to the Council for future care and maintenance of landscaping on Council land and reserves, the Requiring Authority's representative is to arrange a site walkover with the Council to inspect the new planting areas, and to document any areas of plant health and maintenance that need to be rectified prior to handover.
43. The UDLP planting requirements must be implemented during the first planting season following the Eastern Busway Project (Package EB2) being operational. If the weather in that planting season is unsuitable for planting, as determined by the Council, the landscaping must instead be implemented at the first practicable opportunity thereafter. The next practicable opportunity must be agreed to by the Council.

Tree Works

44. The Requiring Authority is required to carry out all works in accordance with the Tree Protection and Management Plan (TPMP) listed in Condition 1, unless otherwise amended by the process in Conditions 7 to 11 above. The objective of the TPMP is to avoid, remedy or mitigate any adverse construction effects of Eastern Busway Project (Package EB2) on those trees to be retained, as far as reasonably practicable.
45. Any amendments to the TPMP listed in Condition 1 that may result in a materially different outcome or to address unforeseen adverse effects arising from construction must comply with Conditions 46 and 47.
46. The Requiring Authority must submit the updated or revised TPMP to Council for certification in accordance with Conditions 7 to 11 as soon as practicable following identification of the need for an update as a result of a material change. The purpose of the TPMP is to avoid, remedy or mitigate any adverse construction effects on those trees to be retained as part of the Eastern Busway Project (Package EB2), as far as reasonably practicable.
47. To achieve its objective, the TPMP is to include:
- a) Tree protection measures for trees to be retained;
 - b) Tree pruning measures;
 - c) Demarcation of temporary construction access and storage areas, outside the permeable dripline and / or rootzone areas of retained trees;
 - d) Use of protective barrier fencing;
Procedures for working within the dripline/rootzone of any retained tree, including appointment of a qualified Council approved arborist ("appointed arborist") to oversee directly all works within the dripline and rootzone of the trees located in the designated areas of work for the duration of the site works, until the route is considered completed, and including any reinstatement works that fall outside the area of the designation;
 - e) Specific bio-security removal restrictions that will apply to all elms (*Ulmus* sp.) and kauri (*Agathis australis*), to avoid the risk of spread of Dutch Elm Disease or kauri dieback, including vetting and approving the methodology and treatment of the Elm and kauri material by the Council's arboricultural specialist responsible for handling and treatment of all Elm/kauri material controlled under the Biosecurity Act, prior to any works taking place; and
 - f) Measures to provide for clear marking of all tree removals prior to implementation of each stage of the works, with verification of the removals by the Requiring Authority's arborist in consultation with the Council's arboricultural specialist.
48. If the design of the project is modified so that it becomes apparent that trees protected by the provisions of the AUP(OP) identified as being retained in the approved Tree Plans appended to the Arboricultural Effects Assessment in Condition 1 are required to be removed, then the removal of the trees is appropriate if:

- a) The design modification results in retention of a tree that was identified to be removed (i.e. no net loss of protected trees); or
- b) If the design modification will result in a net loss of protected trees, a suitable replacement specimen tree is provided in the project corridor (in addition to the proposed planting shown on the approved Tree Plans appended to the Arboricultural Effects Assessment in Condition 1).

Advice Note: *Protected trees refers to trees within the road reserve and Council reserves that more than 4m in height and/or more than 400mm in girth. It also includes any trees listed in Schedule 10 "Notable Trees" in the AUP(OP).*

HERITAGE

49. In the event that any unrecorded historic heritage sites are identified as a result of the Eastern Busway Project (Package EB2), then these sites must be recorded by the Requiring Authority for inclusion in the Council's Cultural Heritage Inventory. The Requiring Authority's historic heritage expert must prepare documentation suitable for inclusion in the Inventory and forward that information to the Manager: Heritage Unit, (heritageconsents@aucklandcouncil.govt.nz) within one calendar month of completion of work on the route.
50. Electronic copies of all historic heritage reports relating to historic heritage investigations of whatever form (i.e., evaluation, monitoring and excavation) in regard to the designation, are to be submitted by the Requiring Authority's project historic heritage expert to the Monitoring officer(s) within 12 months of completion of the Eastern Busway Project (Package EB2).

OPERATIONAL CONDITIONS

Operational Traffic Noise

51. Noise walls of 1.8m in height above ground level constructed from materials compliant with the mitigation requirements of New Zealand Standard NZS 6806:2010 - 'Acoustics – Road traffic noise -New and altered roads, as shown on the approved designation plans listed in Condition 1, shall be installed at 2 and 23B Dale Crescent, Pakuranga prior to Eastern Busway Project (Package EB2) being operational, so far is reasonably practicable.

Request for Information for EB2 NOR Package (Item 3) Plan Changes Assessment to the Auckland Unitary Plan Operative in Part 2016 (AUP(OP))

1. Introduction

The following assessment has been provided in response to Auckland Council's "request for further information" letter of 9 September 2022 regarding the Notice of Requirement and resource consent application for Eastern Busway 2 (EB2). In particular, the letter raised the following query:

*"On 18 August 2022 the Council notified a number of changes to the AUP. Please consider whether any of these require some changes to your assessment particularly in respect of the objectives and policies assessment. For example the zones referred to in the submitted assessment may have changed and new objectives and policies have been proposed, some of which will have immediate legal effect."*¹

This document addresses the plan changes and where relevant, also provides commentary of EB2's consistency with the provisions of these plan changes.

2. Plan Change Background and Context

Central Government introduced the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (RMA-EHS), which supports the Government's wider environmental objectives on intensification, urban development, housing supply and climate change. This legislation also introduced the Medium Density Residential Standards (MDRS), which councils, including Auckland Council, were required to give effect to.

The RMA-EHS requires Auckland Council (identified as a Tier 1 Council) to implement intensification policies in the NPS-UD, in particular to give effect to policies 3 and 5. Similarly, the RMA-EHS requires Auckland Council to incorporate the MDRS into relevant residential zones of the Auckland Unitary Plan (Operative in Part) (AUP(OP)).

Auckland Council initiated the following proposed plan changes to the Auckland Unitary Plan (Operative in Part) (AUP (OP)) which were notified on the 18 August 2022 and the period of submissions closed on the 29 September 2022:

¹ Query 3 of Auckland Council's letter.

- Plan Change 78 (PC78) - Intensification
- Plan Change 79 (PC79) - Amendments to the transport provisions
- Plan Change 80 (PC80) - Regional Policy Statement Well-Functioning Urban Environment, Resilience to the Effects of Climate Change and Qualifying Matters.

The decisions on the submissions of these plan changes have not yet been determined. A high-level summary of the implications of these plan changes to EB2 ('The Project') is outlined in tables 1 - 5, while resource consent triggers have been assessed in tables 6 – 7.

The proposed plan changes alter and/or add a number of objectives and policies that seek greater urban development and intensification, thereby addressing the statutory requirements of the RMA-EHS and MDRS. In addition, the direct application of MDRS density standards will also enable medium density housing.

3. Legal Status of Plan Changes

Section 86B provides clear guidance as to when the rules of a plan change are in legal effect. Those rules associated with the MDRS, including residential density standards have immediate legal effect from the notification date of PC78 (i.e. 18 August 2022). However, given that EB2 is not a residential project, those rules are not valid and not considered further by this assessment.

The policies and objectives of the plan changes are relevant to the assessment of the NOR and resource consent applications² under s104(1)³ and 171(1)⁴. Given this, an assessment of EB2 against these policies and objectives is provided within this document.

4. Changes to AUP(OP) Maps

Both PC78 and PC80 have introduced changes to the AUP(OP)'s planning maps, both in regard to zoning and hazard identification.

² It is noted that the redevelopment of any residual land, including proposals by Eke Panuku, will be subject to their own resource consent applications. The MDRS rules will be relevant at the time those applications are made to Auckland Council and/or other decision makers.

³ This is the statutory test in relation to EB2's resource consent application.

⁴ This is the statutory test in relation to EB2's Notice of Requirement.

PC78 Maps

With regard to zoning changes, Figure 1 (pre-plan change) and Figure 2 (post-plan change) show the zone changes. To summarise, the key changes to the zoning map is the deletion of the “Residential – Mixed Housing Suburban Zone” (MHS) and its replacement with the Residential – Mixed Housing Urban Zone” (MHU) or Residential – Terraced Housing and Apartment Building Zone” (THAB). These changes can be observed at properties on Seven Oak Drive, Mattson Road, Tiraumea Drive and north of Pakuranga Road. The majority of sites to be occupied by EB2 (either temporarily or permanently) do not have a residential zone and remain unaffected by PC78. The exception to this are several sites on Seven Oaks Drive that have been rezoned as THAB. It is also noted that the height variation control for Pakuranga Town centre remains unchanged (48.5m).

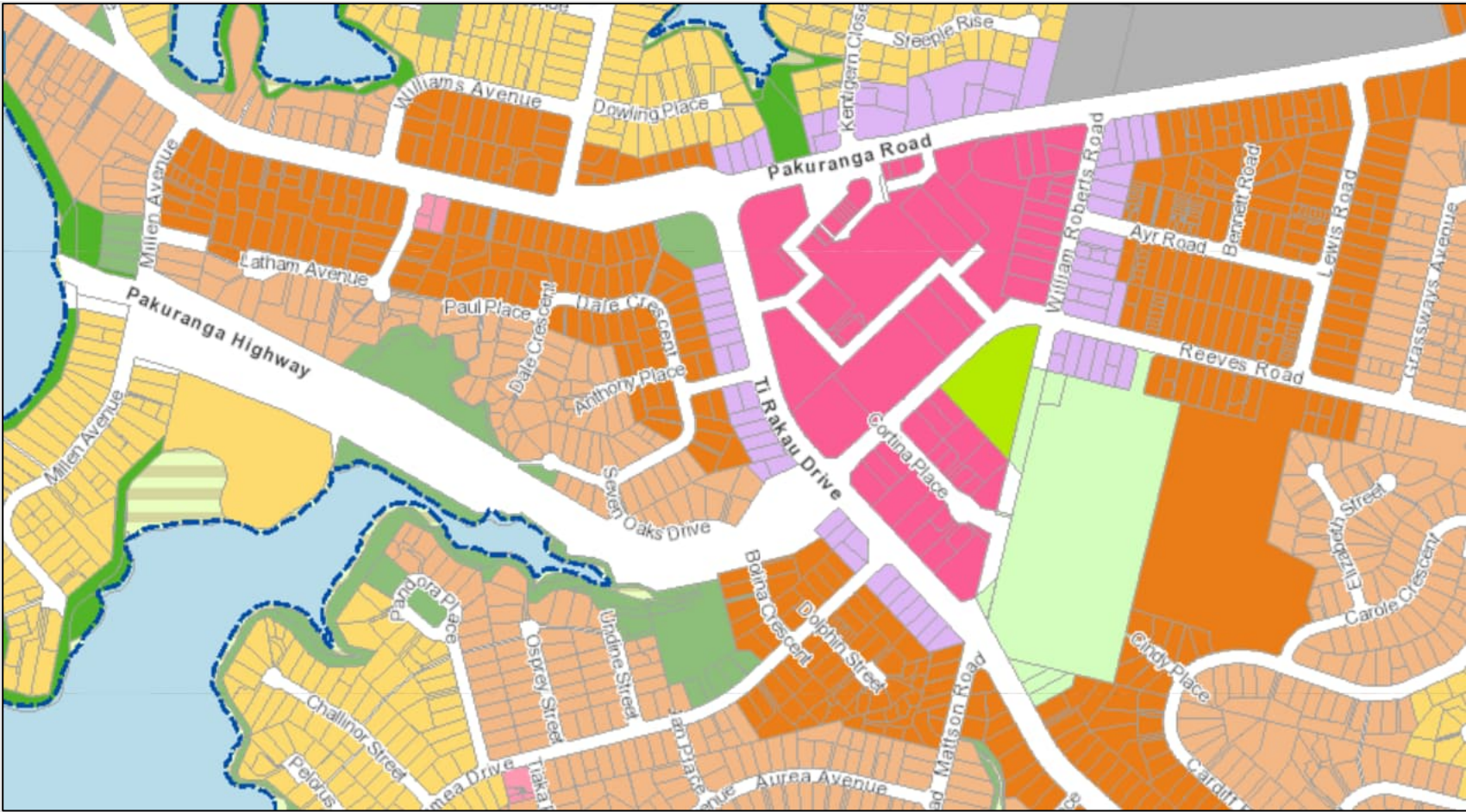


Figure 1: AUP (OP) Zoning planning map⁵

⁵ Auckland Unitary Plan Operative in part Planning Maps (15th November 2016). Update 16th August 2022 planning maps viewer

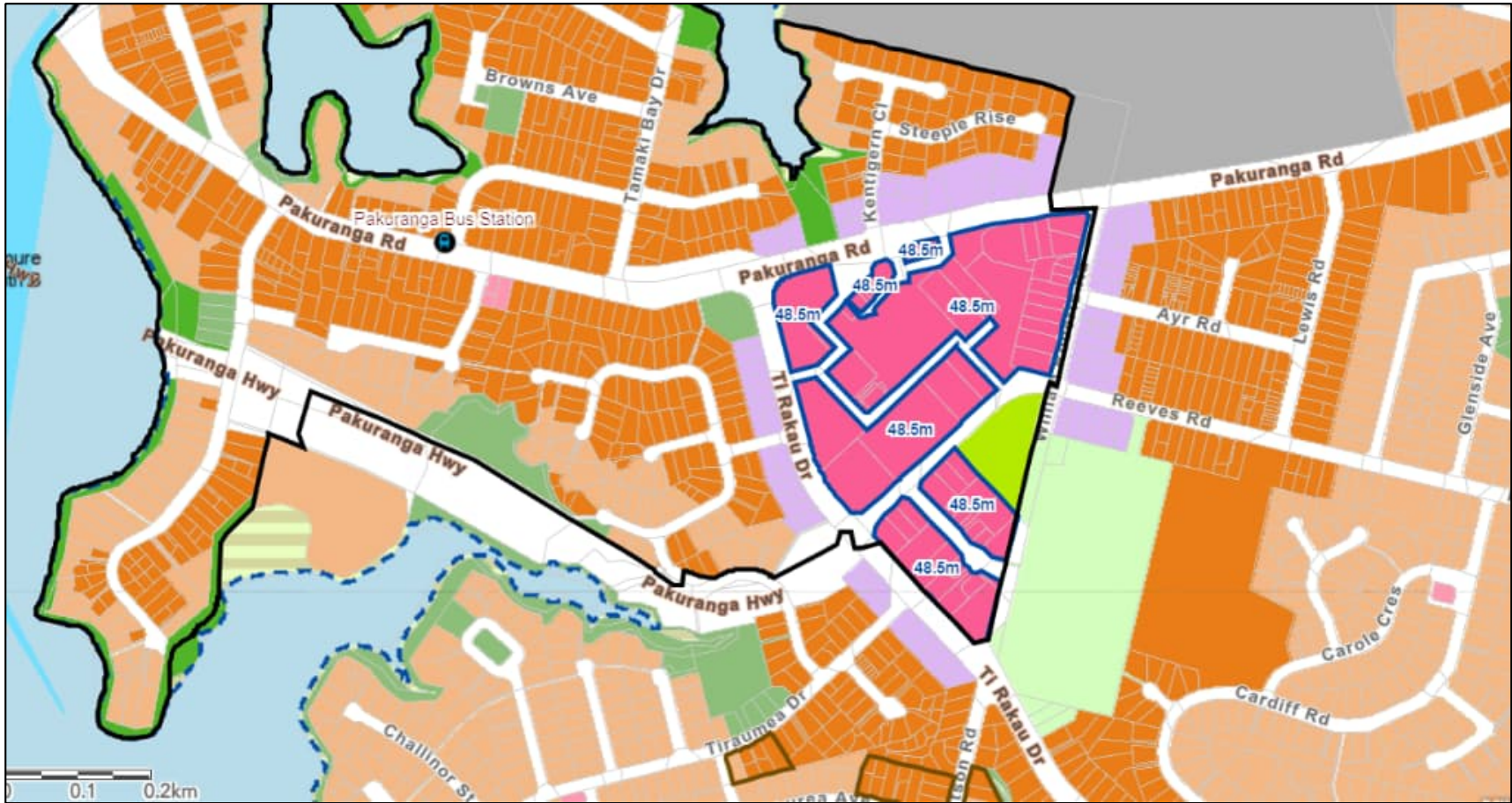


Figure 2: Proposed Zoning under PC78 Map Viewer⁶

⁶ Source: Auckland Council's Plan Change 78 map viewer, notified 18 August 2022

PC80 Maps

Figure 3 below shows the coastal hazards layer associated with PC80. While PC80 does not introduce any new rules, it highlights land within EB2, which could be subject to future coastal hazard risks (i.e. sea level rise).

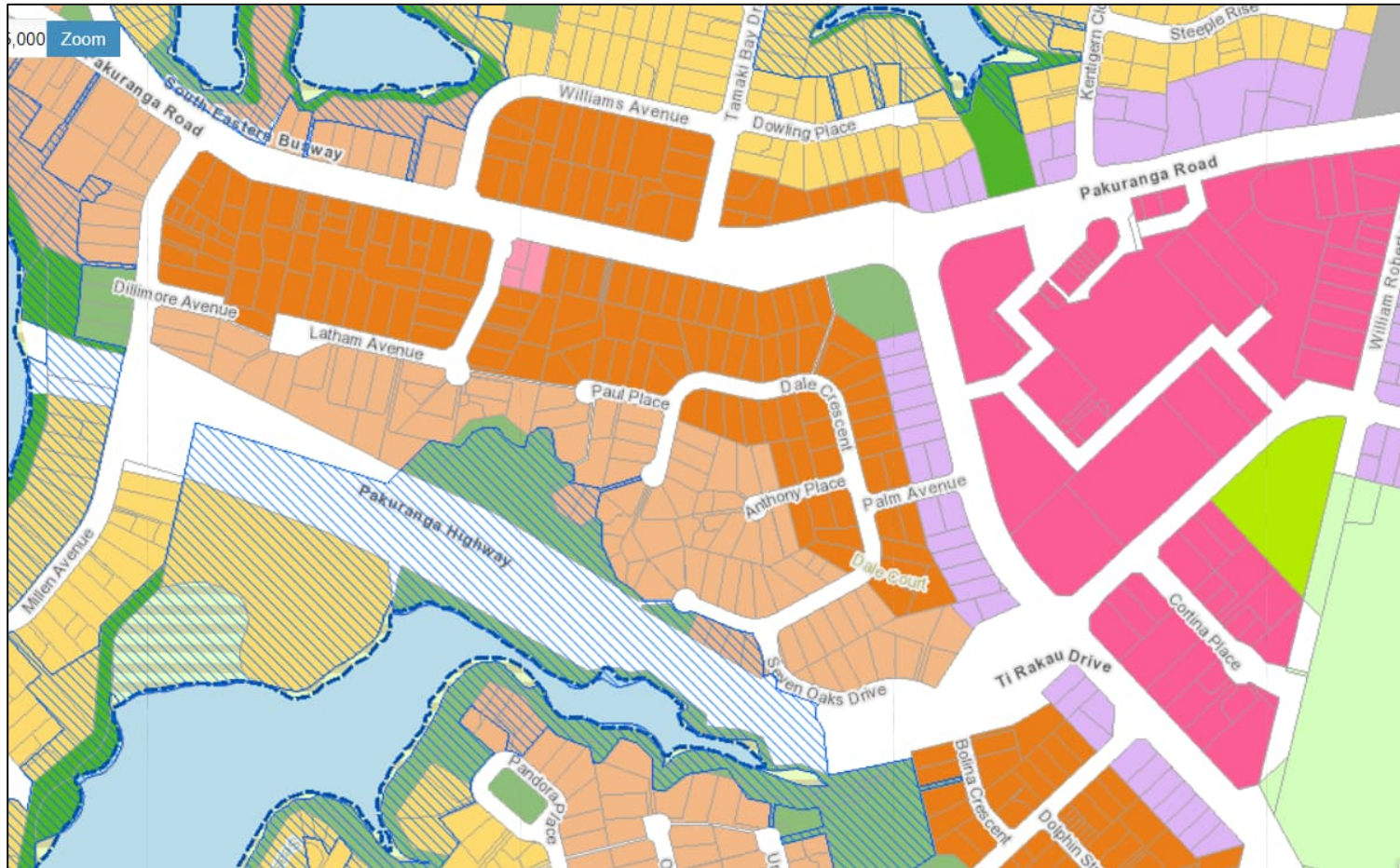


Figure 3: PC80 Future Coastal Hazards Map

5. Changes to AUP(OP) Objectives and Policies - RPS

As highlighted above, PC80 introduces amended objectives and policies to the RPS. Given this, the following tables (Tables 1 and 2) provide an assessment of EB2 against the relevant amended RPS provisions.

Table 1: Relevant Objectives and Policies Associated with PC80

Proposed Plan Change 80 ⁷	
Chapter Reference of the Regional Policy Statement	Comment on the proposed plan change and relevance to EB2
Chapter B2 Urban Growth and Form	Refer to Table 2 below for the proposed changes to the objectives and policies under PC80
Chapter B3 Infrastructure, Transport and Energy	PC80 does not propose any changes to the objectives and policies under Chapter B3. Therefore no further assessment is required.
Chapter B6 Mana Whenua	No changes are proposed to the objectives and policies under Chapter B3. Therefore no further assessment is required.
Chapter B7 Natural Resources	Refer to Table 2 below for the proposed changes to the objectives and policies under PC80
Chapter B8 Coastal Environment	Refer to Table 2 below for the proposed changes to the objectives and policies under PC80

⁷ Only those RPS changes relevant to EB2 are highlighted.

Chapter B10 Environmental Risk	Refer to Table 2 below for the proposed changes to the objectives and policies under PC80
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Table 2: Assessment of Objectives and Policies Associated with PC80

Note: Amendments proposed by the plan change are underlined for new text and ~~strike through~~ where existing text is proposed to be deleted.

Proposed Plan Change 80			
Reference	Amendments	Consistent (Y/N)	Comment
Objective B2.2.2.1 (1A)	<u>(1A) A well-functioning urban environment that enables all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.</u>	Y	EB2 is critical to delivering a quality compact urban form and will contribute to delivering a well-functioning urban environment ⁸ through the following; <ul style="list-style-type: none"> • Delivery of additional roading capacity • Improved public transport reliability and capacity • Rationalised traffic movements • Improved active transport infrastructure • Provision of greater transport choice and safer travel for all users

⁸ The NPS-UD refers to well-functioning urban environments as those being those that have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport.

Proposed Plan Change 80			
Reference	Amendments	Consistent (Y/N)	Comment
			<ul style="list-style-type: none"> • Promotion of effective, efficient transport that enables the movement of people, goods and services • Reduced transport related emissions • Improved connectivity and efficient movement of pedestrians and cyclists through cycle lanes, improved footpaths, and new connections around the town centre and surrounding parks. • Protection and enhancement of the limited ecological values present in the area. • A stormwater design that will improve the quality of the stormwater discharges. <p>Any adverse effects from construction and operation of EB2 are adequately avoided, remedied or mitigated.</p>
Objective B2.2.2.1 (1)	<p>(1) A quality compact urban form and <u>well-functioning urban environment</u> that enables all of the following...</p> <p>(g) reduced adverse environmental effects; <u>and</u></p>	Y	<p>See discussion relating to well-functioning urban environments above.</p> <p>EB2 has also been designed to be resilient to the effects of climate change, principally those effects associated with storm events. EB2's stormwater infrastructure has been designed to accommodate the stormwater flows projected by Auckland</p>

Proposed Plan Change 80			
Reference	Amendments	Consistent (Y/N)	Comment
	<u>(h) improves resilience to the effects of climate change.</u>		Council's Healthy Waters Department. This includes providing adequate stormwater pipe capacities and ensuring that erosion protection is constructed for the related stormwater outfalls. These design measures will ensure the local road network can continue to safely serve the community in the coming decades as climate change effects (likely) increase in severity.
Objective B2.2.1 (5)	(5) The development of land within the Rural Urban Boundary, towns, and rural and coastal towns and villages is: (a) integrated with the provision of appropriate infrastructure; <u>and</u> (b) <u>resilient to the effects of climate change.</u>	Y	EB2 represents a significant improvement for transport infrastructure within Pakuranga Town Centre and its surrounds. It will provide for dedicated public transport infrastructure and roading changes that allow the transport network to accommodate the anticipated intensification of southeast Auckland. Furthermore, EB2 has been designed to be resilient to the effects of climate change as detailed above.
Policy B2.2.2	(4) Promote urban growth and intensification within the urban area 2016 (as identified in Appendix 1A), enable urban growth and intensification within the Rural Urban Boundary, towns, and rural and coastal towns and villages, <u>in a way that contributes to a well-functioning urban</u>	Y	As identified in the option assessment process for EB2 and the wider Project, the high traffic volumes, poor location of bus stops, a lack of cycling infrastructure and severance issues were identified in the project area.

Proposed Plan Change 80

Reference	Amendments	Consistent (Y/N)	Comment
	<p><u>environment</u> and avoid urbanisation outside these areas</p>		<p>EB2 addresses these issues and improves the overall connectivity and urban realm of Pakuranga Town Centre through:</p> <ul style="list-style-type: none"> • Moving through traffic off surface roads and onto the Reeves Road Flyover • Providing improved pedestrian and cycling linkages between Pakuranga Town Centre and its surrounds • Improving traffic flows and reducing congestion by providing greater transport mode choices • Providing safe bus stop infrastructure, including a new bus station on Ti Rakau Drive. <p>Given these factors, these improvements will provide for a more inclusive and better functioning town centre, which will support the social, economic and cultural outcomes for the local community.</p>
Objective B2.3.1	<p>(1) A quality built environment <u>and well-functioning urban environment</u> where subdivision, use and development do all of the following...</p>	Y	<p>As identified above, EB2 supports the delivery of a well-functioning urban environment at Pakuranga Town, which will be achieved (in part) through the various urban design elements and accessibility</p>

Proposed Plan Change 80			
Reference	Amendments	Consistent (Y/N)	Comment
	(f) are resilient respond and adapt to the effects of climate change.		improvements, as detailed in the AEE and associated assessments. Furthermore, EB2 has been designed to address the effects of climate change.
Policy B2.3.2	(1) Manage the form and design of subdivision, use and development so that it <u>contributes to a well-functioning urban environment</u> and does all of the following... ...	Y	The existing and anticipated urban form of Pakuranga Town Centre has been considered as part of EB2's design process. This has included limiting the quantum of land outside the existing road corridors that is required to accommodate the proposed works. In particular, the Reeves Road Flyover has been positioned to avoid severing the Pakuranga town centre. In addition, urban design protocols, as detailed in the AEE and associated assessments, have been employed during EB2's development. This has resulted in several design interventions, including measures to activate the public realm in proximity to the Reeves Road Flyover. Other measures include extensive landscaping across EB2's footprint, as well as a requirement for an Urban Design and Landscape Plan as part of the Notice of Requirement's proposed conditions set.

Proposed Plan Change 80			
Reference	Amendments	Consistent (Y/N)	Comment
Objective B2.4.1	(1) Residential intensification supports a quality compact urban form and <u>contributes to a well-functioning urban environment</u> .	Y	<p>While EB2 does not involve the construction of new residential development, it has been designed to assist in the delivery of such developments within the surrounding area.</p> <p>This has been principally achieved through the provision of increased transport network capacity, incorporation of urban design protocols, connectivity improvements between the town centre and its surrounds sites, as well as avoiding the occupation of large areas of residentially zoned land.</p>
Objective B2.4.1	(2) Residential areas are attractive, healthy, <u>resilient to the effects of climate change</u> and safe with quality development that is in keeping with the planned built character of the area.	Y	Please refer to the comments above regarding EB2's approach to managing climate change effects.
Objective B2.5.1	(2) Commercial growth and activities are primarily focussed within a hierarchy of centres and identified growth corridors that supports a compact urban form <u>and contributes to a well-functioning urban environment</u> .	Y	EB2 has sought to avoid significant impacts on the viability of Pakuranga Town Centre. This has included minimising the Notice of Requirement's land take, such as avoiding the severance of the Pakuranga Plaza site thereby enabling that site to be available for redevelopment in accordance with its AUP(OP) zoning.

Proposed Plan Change 80			
Reference	Amendments	Consistent (Y/N)	Comment
			In addition, EB2 will improve the connectivity of Pakuranga Town Centre, both to its surrounds and other urban centres (e.g. Panmure). This connectivity is achieved through the busway and improved active transport infrastructure. This improved connectivity supports the social and economic functioning of Pakuranga Town Centre.
Policy B2.5.2	(2) Support the function, role and amenity of centres by encouraging commercial and residential activities within centres, ensuring development that locates within centres contributes to <u>a well-functioning urban environment</u>	Y	<p>As noted above, EB2 will improve the connectivity to and through Pakuranga Town Centre and avoids the loss of significant redevelopment opportunities within the area (i.e. resulting from land take). In particular, the new and upgraded active transport infrastructure will improve the safety of related transport modes within the town centre.</p> <p>Furthermore, the use of the Urban Design and Landscape Plan, as detailed in the previously lodged documents, will ensure that EB2 supports the amenity values of the town centre and provide for integration with adjoining land uses.</p>
Objective B2.7.1	(1) Recreational needs of people and communities are met through the provision of a range of quality open spaces and recreation facilities <u>which contribute to a well-functioning urban environment.</u>	Y	The recreational needs of people and communities will be met by this Project, principally through improved connectivity to local open space connection of open spaces, as well as the and the

Proposed Plan Change 80

Reference	Amendments	Consistent (Y/N)	Comment
			<p>provision of enhanced cycling and walking facilities to and through the area.</p> <p>EB2 will involve temporary construction activities and permanent works within public reserves to provide for the bus way, walking and cycling and a safe highway corridor. The proposed stormwater works including pipes and outfalls within public reserves are required so as to discharge stormwater to the nearest waterbody (being the Tāmaki River). Any disturbance to the reserves' recreational and amenity values from the stormwater works will be primarily temporary as the completed infrastructure will be largely located underground.</p> <p>Although a small area of Paul Place Reserve will be permanently occupied as part of the new SEART offramp, this is necessary to ensure a safe road corridor is provided. Furthermore, Paul Place Reserve has limited community facilities and amenity which results in limited passive recreation and therefore poorly used recreational spaces.</p> <p>Following construction, AT will remove any construction equipment and materials, as well as replant any affected grassed or vegetated areas. This will ensure that longer term amenity values</p>

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Reference	Amendments	Consistent (Y/N)	Comment
			<p>associated with open spaces (such as Paul Place Reserve, Pandora Place Esplanade Reserve and Tiraumea Reserve) are maintained and enhanced.</p> <p>New landscaping will occur across EB2 focusing on the use of native species which will provide a comprehensive and cohesive approach to open space landscaping. Planting will also occur within reserves to provide visual amenity and high quality open spaces.</p> <p>Further to this, EB2 will improve pedestrian linkages between the Town Centre core and surrounding reserves. The proposed stormwater outfalls are minimal in size and footprint and will not obstruct public access or enjoyment of the CMA.</p>
Policy B2.7.2	(1) Enable the development and use of a wide range of open spaces and recreation facilities to provide a variety of activities, experiences and functions and which <u>contribute to a well-functioning urban environment</u>	Y	As above
Policy B2.7.2	(11) <u>Require best practice resilience to the effects of climate change in open space and associated recreation and biodiversity</u>	Y	Currently, the presence of flood plains and OLFPs are primarily located within Pakuranga Town

Proposed Plan Change 80			
Reference	Amendments	Consistent (Y/N)	Comment
			<p>Centre which has the ability to endanger private property, public spaces and the road network.</p> <p>EB2 application includes a stormwater effects assessment which shows the Project is designed to the latest Healthy Waters (HW) standards and climate change model. That model includes consideration of the existing hydrological characteristics of the project area, including 1 in 100 ARI floodplains, overland flow paths and climate change projections. The stormwater design involves new infrastructure like outfalls, pipes and raingardens. This infrastructure has been designed to met projected climate change conditions. This ensures that the works are future-proofed and can accommodate projected flows.</p>
Policy B7.3.2	<p>(5) Manage subdivision, use, development, including discharges and activities in the beds of lakes, rivers, streams, and in wetlands, to do all of the following... (a) ...</p> <p><u>(aa) improve resilience to the effects of climate change..</u></p>	Y	<p>Two new stormwater outfalls are proposed within a coastal wetland beside SEART. These outfalls have been designed to address climate change effects through both culvert diameter and the provision of erosion protection.</p>
Policy B7.4.2	<p>(9) Manage stormwater by all of the following:</p>	Y	<p>Overall, the proposed stormwater attenuation works for EB2 will benefit the area and reduces the risk and safety to property as flood levels are</p>

Proposed Plan Change 80			
Reference	Amendments	Consistent (Y/N)	Comment
	<p>(a) requiring subdivision, use and development to... (ii)...</p> <p>(iii)<u>improve resilience to the effects of climate change...</u></p>		generally decreased across Pakuranga Town Centre. This includes Pakuranga Plaza, sites within Cortina Place and Ti Rakau Drive itself. Lastly, EB2 will improve the functionality of the road network as it will reduce the need for road closures during heavy rain events.
Objective B8.3.1	(7) In areas potentially affected by coastal hazards, <u>including sea level rise over at least 100 years</u> , subdivision, use and development avoid increasing the risk of social, environmental and economic harm.	Y	<p>EB2 includes a stormwater effects assessment which shows the Project is designed to the Healthy Waters (HW) standards and climate change model. This assessment considers the existing hydrological characteristics of the project area including 1 in 100 ARI floodplain and overland flow path and climate change. The stormwater design includes new infrastructure including outfalls, pipes and raingardens to ensure the projected climate change conditions are incorporated and the works are future-proofed and can accommodate projected flows. Further to this, the stormwater works for EB2 will address the existing flooding issues within Pakuranga Town Centre reducing the long-term risks to the local community and road users during storm events.</p> <p>Through the stormwater design, EB2 will provide adequate capacity for projected stormwater</p>

Proposed Plan Change 80			
Reference	Amendments	Consistent (Y/N)	Comment
			conditions and improvements associated with flooding and climate change.
Policy B8.4.2	<p>(1) Subdivision, use and development in the coastal environment must, where practicable, do all of the following...</p> <p>(d) take into account the likely impact of coastal processes and climate change, <u>including sea level rise over at least 100 years</u>, and be set back sufficiently to not compromise the ability of future generations to have access to and along the coast.</p>	Y	As above
Objective B10.2.1	(4) The effects of climate change on natural hazards, including effects on sea level rise, <u>over at least 100 years</u> and on the frequency and severity of storm events, is recognised and provided for.	Y	As above
Policy B10.2.2	(1) Identify areas potentially affected by natural hazards, giving priority to those at high risk of being affected, particularly in the coastal environment, <u>and including areas susceptible to coastal inundation and</u>	Y	As above

Proposed Plan Change 80			
Reference	Amendments	Consistent (Y/N)	Comment
	<u>erosion as a result of sea level rise over at least 100 years.</u>		
Policy B10.2.2	(4) Assess natural hazard risks... (b) across a range of probabilities of occurrence appropriate to the hazard, including, at least, a 100-year timeframe for evaluating flooding and coastal hazards, <u>including sea level rise in response to global warming.</u>	Y	As above, EB2 includes a stormwater effects assessment which includes stormwater improvements to address sea level rise and frequency of stormwater events, as well as climate change. EB2 has been designed to consider 1 in 100-year timeframe for evaluating flooding using the latest HW standards and climate change model. Therefore, the stormwater works will assist in addressing the existing flooding areas including sea level rise, reducing long term risks to the local community and road users during storm events.
Policy B10.2.2	(6) Adopt a precautionary approach to natural hazard risk assessment and management in circumstances where: (a) the effects of natural hazards and the extent to which climate change will exacerbate such effects are uncertain but may be significant, including the possibility of low-probability but high potential impact events, <u>and also sea level rise over at least 100 years;</u>	Y	As above

Proposed Plan Change 80			
Reference	Amendments	Consistent (Y/N)	Comment
Policy B10.2.2	(12) Minimise the risks from natural hazards to new infrastructure which functions as a lifeline utility by: (a) assessing the risks from a range of natural hazard events <u>including sea level rise</u> , and low probability but high potential impact events such as tsunamis, earthquake and volcanic eruptions...	Y	As above

6. Changes to AUP(OP) Objectives and Policies – PC78

As highlighted above, PC78 introduces amended objectives and policies to the AUP(OP). Given this, the following tables (Tables 3 and 4) provide an assessment of EB2 against the amended AUP(OP).

Table 3: Summary of objectives and policies relevant to EB2 under PC78

Proposed Plan Change PC78	
Chapter Reference	Comment on the proposed plan change and relevance to EB2
Chapter D26 National Grid Corridor Overlay	No changes are proposed to the objectives and policies under Chapter D26 National Grid Corridor Overlay. Therefore, no further assessment is required.
Chapter E30 Contaminated Land	No changes are proposed to the objectives and policies under Chapter E30 Contaminated Land Overlay. Therefore no further assessment is required.
Chapter E26 Infrastructure	No changes are proposed to the objectives and policies under Chapter E26 Infrastructure. Therefore no further assessment is required.
Chapter E25 Noise and Vibration	No changes are proposed to the objectives and policies under Chapter E25 Noise and Vibration. Therefore no further assessment is required.
Chapter E1 Water Quality and Integrated Management	No changes are proposed to the objectives and policies under Chapter E1 Water Quality and Integrated Management. Therefore no further assessment is required.
E11 Land Disturbance Regional	No changes are proposed to the objectives and policies under Chapter E11 Land Disturbance Regional. Therefore no further assessment is required.
E12 Land Disturbance District	No changes are proposed to the objectives and policies under Chapter E11 Land Disturbance District. Therefore no further assessment is required.
E14 Air Quality	No changes are proposed to the objectives and policies under Chapter E14 Air Quality. Therefore no further assessment is required.
E15 Vegetation Management and Biodiversity	No changes are proposed to the objectives and policies under Chapter E15 Vegetation Management and Biodiversity. Therefore no further assessment is required.

Proposed Plan Change PC78	
Chapter Reference	Comment on the proposed plan change and relevance to EB2
E21 Treaty Settlement Land	No changes are proposed to the objectives and policies under Chapter E21 Treaty Settlement Land. Therefore no further assessment is required.
Chapter E36 Natural Hazards	No changes are proposed to the objectives and policies under E36 Natural Hazards. Therefore no further assessment is required.

Table 4: Summary of objectives and policies relevant to EB2 under Proposed Plan Change 78 Intensification related to Zoning

Chapter Reference	Comment on the proposed plan change and relevance to EB2
Chapter H4 Residential Mixed Housing Suburban Zone	No changes are proposed to Chapter H4.2 Objectives and H4.3 Policies as this is not a relevant residential zone. No further assessment is required.
Chapter H5 Residential Mixed Housing Urban Zone and Chapter H6 Terraced Housing and Apartment Building Zone	<p>The changes proposed to Objectives H5.2 and Policies H5.3, and Objectives H6.2 and Policies H6.3 under PC78 relate to incorporating Medium Density Residential Standards (MDRS). Generally, these amendments relate to the inclusion of high intensification and development of new dwellings, and buildings and contribution to high quality-built environment outcomes. They also include requirements to be resilient to the effects of climate change, the provision of safe street environments for pedestrians and that intensification is avoided in areas with significant transport infrastructure constraints.</p> <p>EB2 supports the delivery of residential development sought by the above objectives and policies. This is due to the provision of improved transport connections, increased transport network capacity and a design which will be integrated with local amenity values.</p> <p>EB2 has been designed to integrate with the planned intensification of Pakuranga Town Centre, including the periphery of the town centre where residential zones are located.</p>

Chapter Reference	Comment on the proposed plan change and relevance to EB2
	This is a principally achieved by avoiding the majority of EB2 occupying residential zoned land, undertaking landscaping and requiring an Urban Design and Landscape Plan as part of the proposed condition set.
Chapter H10 Business Town Centre Zone	<p>The changes proposed to Objectives H10.2 and Policies H10.3, and Objectives H13.2 and Policies H13.3 under PC78 relates to the inclusion of new provisions relating to a well-functioning urban environment and building height enabling at least six storeys within walkable catchments. It is noted that the height control for Pakuranga Town Centre remains unchanged.</p> <p>EB2 has been designed to minimise its adverse effects on Pakuranga Town Centre. This includes avoiding the placement of the Reeves Road Flyover within the core of the town centre (i.e. the Pakuranga Plaza site) and a requirement for the Urban Design and Landscape Plan to detail how EB2 is to integrate with the town centre upon completion.</p> <p>Furthermore, EB2 makes a positive contribution to the viability and amenity values of Pakuranga Town Centre. This is principally through the removal of ground-level road traffic, improved active transport connectivity and increased transport network capacity.</p>
Chapter F2 Coastal-Drainage, reclamation and declamation	No changes are proposed to the objectives and policies under F2 Drainage, reclamation and declamation. Therefore no further assessment is required.
Chapter H7 Open Space Zones	No changes are proposed to the objectives and policies under H7 Open Space Zones. Therefore no further assessment is required.

7. Changes to AUP(OP) Objectives and Policies – PCC79

As highlighted above, PC79 introduces amended objectives and policies to the AUP(OP). Given this, the following tables (Table 5) provide an assessment of EB2 against the amended AUP(OP).

Table 5: Summary of objectives and policies relevant to EB2 under Proposed Plan Change 79 Transport

Proposed Plan Change 79 Transport Plan Change	
Chapter Reference	Comment on the proposed plan change and relevance to the project
Chapter E27 Transport	<p>The proposed changes to the objectives and policies under PC79 relate to the inclusion of accessible parking, electric vehicle supply equipment, secure and covered bicycle parking for residential development and pedestrian access between residential dwellings and public road.</p> <p>These matters are largely non-applicable to EB2, with the exception of providing safe access to residential dwellings. It is noted that EB2's design has been subject to a safety audit and is consistent with AT's roading/access standards. As such, EB2 is consistent with the changes in PC79.</p>
Chapter E24 Lighting	<p>PC79 proposes a new policy E24.3 <u>(1A) Provide for appropriate levels of artificial lighting for pedestrian safety, and to enable access and wayfinding</u></p> <p>Comment: The project includes lighting through the ULDP which will ensure pedestrian safety and to enable access and wayfinding. It will therefore give effect to this proposed policy.</p>

8. Review of Consent Triggers

The plan changes have been reviewed for any additional triggers for resource consent as detailed in Tables 6 and 7 below.

Table 6: Summary of Resource Consents Applied for EB2 and their relationship to Proposed Plan Changes

Resource consent applied for under AUP (OP) ⁹			
Rule	Description	Activity Status	Comment on the plan changes and relevance to the project
E26.3.3.1 (A77)	Vegetation alteration or removal that does not comply with Standards E26.3.5.1 to E26.3.5.4 <i>Comment: Approximately 1120m² of vegetation clearance is proposed around the riparian margins of two terrestrial wetlands (i.e. within 20 m) and the coastal areas of the Tāmaki River (i.e. within 25 m of MHWS).</i>	RDA	No change
E26.5.3.2 (A102)	Greater than 10,000m ² up to 50,000m ² where land has a slope less than 10 degrees outside the Sediment Control Protection Area ²⁶ other than for maintenance, repair, renewal, minor infrastructure upgrading. <i>Comment: The construction of EB2 will require 35,000m² across Pakuranga Town Centre</i>	Controlled	No Change
F2.19.4 (A50)	Mangrove removal, not otherwise provided for	Discretionary	No Change

⁹ Table 7-1 AUP (OP) consents required in the Eastern Busway 2 Assessment of Effects on the Environment prepared by Auckland Transport, dated 1.8.2022

Resource consent applied for under AUP (OP) ⁹			
Rule	Description	Activity Status	Comment on the plan changes and relevance to the project
	<i>Comment: The proposed works involve approximately 4262m² of mangrove clearance within the CMA. This clearance is required for the construction of two new stormwater outfalls and their associated permanent footprint.</i>		
F2.19.10 (A133)	Infrastructure coastal marine area structures not otherwise provided for <i>Comment: The proposed works include two new stormwater outfalls within the General Coastal Zone requiring a permanent occupation of the CMA of 1,375m².</i>	Discretionary	No Change
E30.4.1 (A6)	Discharges of contaminants into air, or into water, or onto or into land not meeting permitted activity Standards E30.6.1.1; E30.6.1.2; E30.6.1.3; E30.6.1.4; or E30.6.1.5. <i>Comment: Land disturbance will occur adjacent to contaminated sites (3 Reeves Road and 141 Pakuranga Road) and a detailed site investigation has not been undertaken. As such, a precautionary approach has been applied and resource consent is sought under this rule.</i>	RDA	No Change

Table 7: Summary of permitted activities for EB2 and their relationship to Proposed Plan Changes

Permitted Activities for EB2 under AUP (OP) ¹⁰		Comment on the plan changes
Rule	Description	
E26.2.3.2 (A67)	Construction, operation, use, maintenance and repair of road networks activities <i>Comment: All road network activities that form part of the proposal are permitted.</i>	No Change
E26.2.3.2 (A68)	Transportation of people, goods and services <i>Comment: All road network activities which enable transportation of people, goods and services on existing and unformed roads are permitted.</i>	No Change
E26.2.3.2 (A70)	Public Amenities <i>Comment: All road network activities which establish public amenities for the convenience and amenity of the public such as landscaping, planting, directional signage, shelters are permitted.</i>	No Change
E26.4.3. (A82)	Pest Plant Removal <i>Comment: As detailed in the Arboricultural Effects Assessment removal of pest plant trees less than 4m in height and less than 400mm in girth are permitted.</i>	No Change
E26.4.3 (A83)	Tree trimming or alteration <i>Comment: As detailed in the Arboricultural Effects Assessment, trimming and alteration of protected trees that comply with standard E26.4.5.1 are permitted.</i>	No Change
E26.4.3.1 (A87)	Works within the protected root zone that comply with Standard E26.4.5.2	No Change

¹⁰ Table 7-2 AUP (OP) Permitted Activities in the Eastern Busway 2 Assessment of Effects on the Environment dated 1.8.2022

Permitted Activities for EB2 under AUP (OP) ¹⁰		Comment on the plan changes
Rule	Description	
	<i>Comment: As detailed in the Arboricultural Effects Assessment, works within the protected root zone that comply with Standard E26.4.5.2 are permitted.</i>	
E26.4.3.1 (A91)	Tree alteration or removal of any tree less than 4m in height and/or less than 400mm in girth <i>Comment: As detailed in the Arboricultural Effects Assessment, tree alteration or removal of any trees less than 4 in height and or less than 400mm in girth are permitted.</i>	No Change
E26.5.3.1 (A94) and E26.5.3.2 (A100)	Earthworks for maintenance, repair, renewal, minor infrastructure upgrading and service connections <i>Comment: The earthwork trenching for underground utility service connections along EB2 are considered to be permitted in all zones the works sits within.</i>	No Change
E26.5.3.1 (A95)	Earthworks up to 2500m ² other than for maintenance, repair, renewal, minor infrastructure upgrading <i>Comment: The earthwork for trenching for minor infrastructure upgrading will be less than 2,500m² (1,200m²) and are considered to be permitted.</i>	No Change
E26.5.3.1 (A96)	Earthworks up to 2500m ³ other than for maintenance, repair, renewal, minor infrastructure upgrading <i>Comment: The earthwork for trenching for minor infrastructure upgrading will be less than 2,500m³ (5,87m³ cut and 800m³ fill) and are considered to be permitted.</i>	No Change

Permitted Activities for EB2 under AUP (OP) ¹⁰		Comment on the plan changes
Rule	Description	
E36.4.1 (A53)	<p>Construction, operation, maintenance, renewal and repair of road network activities within the legal road or road formation width in the coastal erosion hazard area; coastal storm inundation 1 per cent annual exceedance probability (AEP) area; coastal storm inundation 1 per cent AEP plus 1m sea level rise area; overland flow paths; land which may be subject to land instability.</p> <p><i>Comment: Construction and operation of road network activities within legal road within overland flow paths and on land which may be subject to land instability are considered permitted.</i></p>	No Change
E7.6.1.6 and E7.6.1.10	<p>Dewatering or groundwater level control associated with a stormwater diversion and diversion of groundwater caused by excavation.</p> <p><i>Comment: the stormwater excavations are a road network linear trenching activity, where no one part of the trench will be open for more than 10 days, this is considered permitted activity. The piling works will involve piles with an external diameter of greater than 1.5m, which will be drilled into rock head. However, these do not exceed 1 hectare in total area and do not impede the flow of groundwater over a length of more than 20 m. Therefore, these are also considered a permitted activity.</i></p>	No Change

Permitted Activities for EB2 under AUP (OP) ¹⁰		Comment on the plan changes
Rule	Description	
E8.4.1 (A1)	<p>Diversion of stormwater runoff from lawfully established impervious areas directed into an authorised stormwater network or a combined sewer network that complies with Standard E8.6.2.1</p> <p><i>Comment: Diversion of stormwater runoff from established impervious road areas will be directed into the authorised stormwater network within the Pakuranga catchment as a permitted activity.</i></p>	No Change
E25.4.1 (A1)	<p>Activities that comply with all the relevant permitted activity standards</p> <p><i>Comment: A noise and vibration assessment has been prepared which shows that the operational noise and vibration of the busway can be undertaken in accordance with the relevant standards and is considered to be permitted. Additionally, the proposed bentonite plant will be supported by the Project's CNVMP to meet compliance with the relevant noise standards and is authorised by the NoR therefore considered a permitted activity.</i></p>	No Change
E24.4.4 (A1)	<p>Activities that comply with all the relevant permitted activity standards</p> <p><i>Comment: The lighting associated with the busway will be in accordance with the permitted standards.</i></p>	No Change
E14.4.1 (A1)	<p>Activities meeting the permitted activity standards and not provided for by any other rule</p>	No Change

Permitted Activities for EB2 under AUP (OP) ¹⁰		Comment on the plan changes
Rule	Description	
	<p><i>Comment: The proposed bentonite plant will have covered containers, and the mixing, pumping, receipt, storage and handling of bentonite or polymer is contained and does not lead to any air discharge. Therefore, the establishment and use of the plant is considered a permitted activity.</i></p>	
E33.4.3.2 (A17)	<p>Discharge of contaminants from an existing or new industry or trade activity area listed as moderate risk in Table E33.4.3</p> <p><i>Comment: The proposed bentonite plant and petrol storage covers an area of less than 5,000m² and will be in use less than 12 months, supported by subsequent construction management plans and procedures over the duration of its use. The activity is therefore considered a permitted activity.</i></p>	No Change
E40.4.1 (A20)	<p>Temporary activities associated with building or construction, (including structures and buildings that are accessory activities), for the duration of the project, or up to 24 months, whichever is the lesser</p> <p><i>Comment: The proposed bentonite plant is associated with construction and will be in use for a 9-month period. The Site Office at 5 Reeves Road will be in place for the duration of the project and is provided for by the NoR. Therefore, the temporary activity is considered a permitted activity.</i></p>	No Change

Permitted Activities for EB2 under AUP (OP) ¹⁰		Comment on the plan changes
Rule	Description	
H10.4.1 (A1)	Activities not provided for <i>Comment: Establishing the proposed bentonite plant during construction is not provided for, however will be supported by subsequent construction management plans and is authorised by the NoR, therefore considered a permitted activity.</i>	No Change
D26.4.1 (A3)	Within the National Grid Yard (Compromised and Uncompromised) - Network Utilities (excluding buildings and structures for irrigation) and electricity generation that connect to the national grid <i>Comment: The network utilities and electricity generation which connects to the national grid is considered to be permitted.</i>	No Change
D26.4.1 (A13A)	Within the National Grid Yard (Uncompromised) any structures that do not meet the definition of Building in Chapter J <i>Comment: The RRF (as a bridge) is specifically excluded from the definition of "building"</i>	No Change
D26.4.1 (A19)	Land disturbance that complies with Standards D26.6.1.1(1)(a), D26.6.1.1(1)(b), D26.6.1.1(1)(c) and D26.6.1.1(1)(d) <i>Comment: Land disturbance undertaken as part of sealing or resealing of a road, footpath or driveway does not require to apply Standards D26.6.1.1(1)(a) – (d) and therefore is considered permitted.</i>	No Change

Permitted Activities for EB2 under AUP (OP) ¹⁰		Comment on the plan changes
Rule	Description	
D26.4.2 (A27)	<p>Within the National Grid Substation Corridor – Network Utilities and Electricity Generation that connects to the National Grid</p> <p><i>Comment: The network utilities and electricity generation which connects to the national grid is considered to be permitted.</i></p>	No Change
D26.4.2 (A28)	<p>Roading activities, and network utilities or electricity generation that connects to the National Grid that are above ground or comply with Standard D26.6.1.2(1), and electricity transmission infrastructure in a road carriageway</p> <p><i>Comment: All network utilities can comply with Standard D26.4.2 and are considered to be permitted.</i></p>	No Change

9. Conclusion

Overall, the proposed changes under PC78, PC79 and PC80 are more enabling. EB2 gives effect to the objectives and policies of these proposed plan changes given that EB2:

- Delivers additional roading capacity, improved public transport reliability and capacity that connects Pakuranga and Botany to the wider network
- Improves active transport infrastructure and facilities which will provide increased modal choice and reduced congestion
- Provides greater transport choice, transport links and safer travel for all users including the improved connectivity and efficient movement of pedestrians, cyclists and vehicles

- Provides improved road safety along the existing corridor through simplifying intersections and provision of extra crossings, new cycle lanes and footpaths, and new connections between the town centre and surrounding reserves
- Provides transport infrastructure that improves connections and linkages with existing land uses that supports a quality and compact urban form
- Provides stormwater attenuation including new pipework and outfalls which recognises the existing flooding issues, as well as meets Healthy Waters standards and modelling climate change conditions
- Contributes to the amenity values and efficient functioning of the Pakuranga Town Centre
- Improves the ability of both pedestrians and cyclists to move more easily through the area
- Helps reduce transport related greenhouse gas emissions.

Notably, no additional consent triggers have been identified.