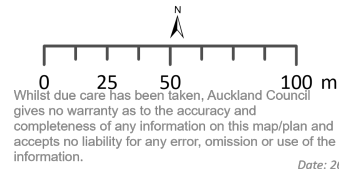
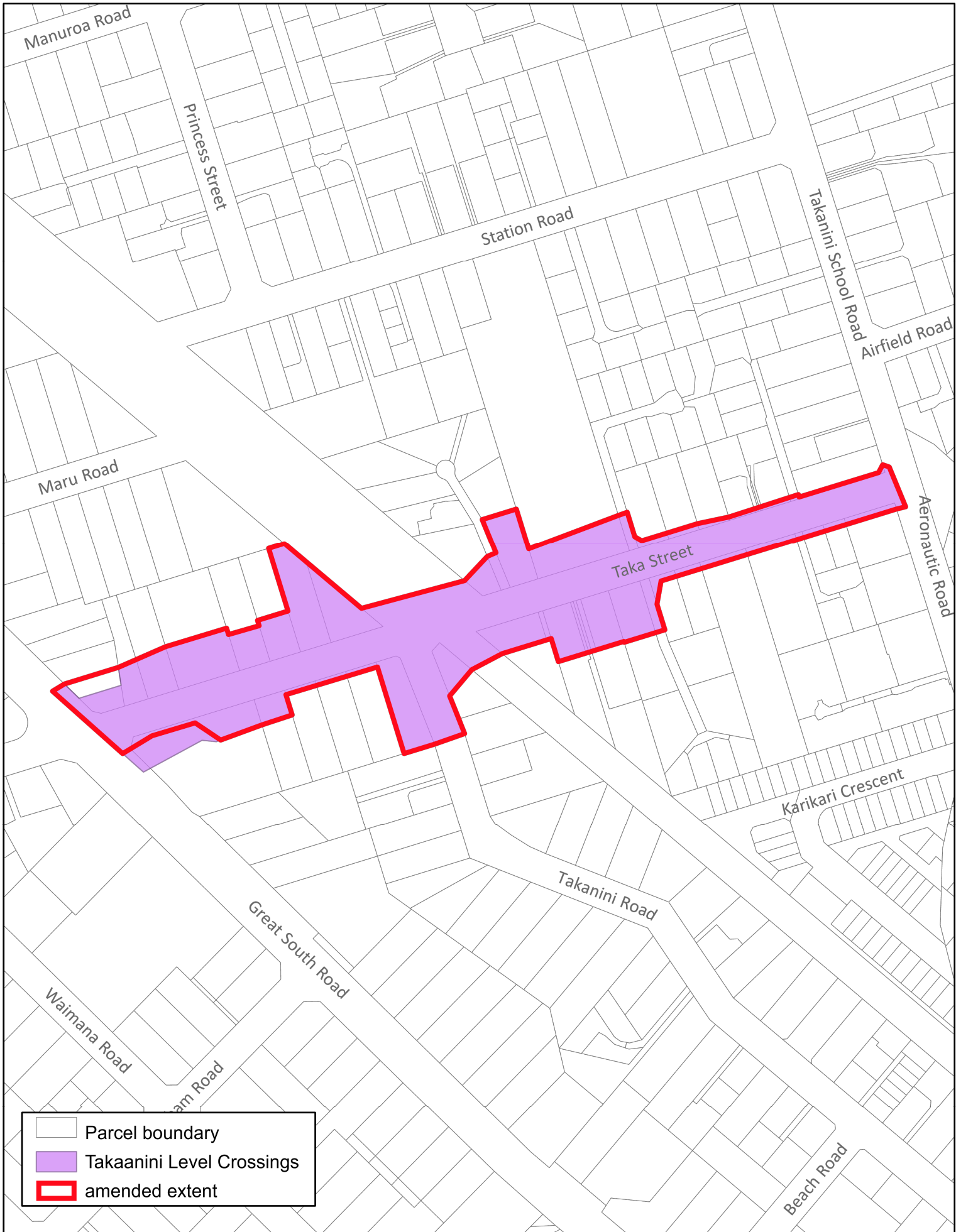


Auckland Unitary Plan GIS Viewer

Updated 28 February 2024

Before and After



Whilst due care has been taken, Auckland Council gives no warranty as to the accuracy and completeness of any information on this map/plan and accepts no liability for any error, omission or use of the information.
Date: 26/02/2024

Taka Street - NoR 1



Plans and Places

**Te Tupu Ngātahi Supporting Growth
Minor Alteration Letter
30 January 2024**

30 January 2024

Te Tupu Ngātahi
Supporting Growth
PO Box 105218
Auckland 1143

Joy LaNauze and Cheryl Cleary
Auckland Council
135 Albert Street
Auckland
Private Bag 92300, Auckland 1142

Issued via email

Dear Joy and Cheryl

Re: Consultation undertaken for minor alterations in designation extents – Takaanini Level Crossings NoR 1, and South Frequent Transit Network NoR 4

I am writing in response to your respective letters dated 15 December 2023 regarding the above-named subject matter.

Context

As you are aware, we wrote to each of you on behalf of the requiring authority Auckland Transport (AT) on 9 November 2023 identifying minor changes in the designation extent for Takaanini Level Crossings NoR 1 (TLC NoR 1), and South Frequent Transit Network NoR 4 (South FTN NoR 4). These letters¹ were provided on the basis of advice from the Council on 7 November 2023, which noted that changes to the lodged extent of the NoRs for the purposes of public notification would not be possible due to logistical constraints. In lieu of changes to the NoR extents to be publicly notified, AT requested that the letters be published as part of the s92 response, thereby forming part of the public record so that the most recent recommended changes to the design and designation extent would be in the public domain at the point of public notification. Public notification then took place on 16 November 2023, and included the boundary adjustment letters on the Council website.

In your letters dated 15 December 2023 and accompanying email correspondence, you requested further details on the extent and nature of engagement with the owners of the land affected by the proposed changes in the NoR extents on the basis that Council needs to be satisfied that the affected owners are aware of the changes, and cannot claim any procedural unfairness. Accordingly, this letter:

- Recaps the changes to the NoR extents identified in my 9 November 2023 letters;
- Provides a summary of the engagement that has taken place with each of the six affected property owners. Note that written records corroborating all engagement activities are contained in the OneDrive folder provided, and are footnoted in this letter where relevant. An index of the material contained in the OneDrive folder and footnoted is provided at the end of this letter.

¹ See Attachments 1 and 2 in the OneDrive folder.

In AT's view, the combination of direct engagement (documented in this letter below) and public notification of the 9 November 2023 letters via Auckland Council's website demonstrate that affected parties have been clearly informed of the proposed changes to the NoR extents. Accordingly, none of the affected parties have been prejudiced by the proposed changes in the NoR extents, and none can claim procedural unfairness. We therefore consider that further public notification of the NoRs is unwarranted and unnecessary, and that the proposed refinements to the NoR extents can be addressed through the hearings process.

Recap of proposed changes to the NoR extents

Table 1 summarises the proposed changes to the NoR extents as identified in the 9 November 2023 letters. The rationale for the changes is contained in the letters and is not repeated here.

Table 1 – Summary of proposed changes to NoR extents identified in 9 November 2023 letters

NoR	Affected Property	Owner	Approx land to be designated as at lodgement (13/10/23)	Approx land to be designated under revised design (as at 9/11/23).	Change
TLC NoR 1	162 Great South Road	[REDACTED]	303m ²	665m ²	+362m ²
	166-168 Great South Road	[REDACTED]	1,453m ²	755m ²	-698m ²
South FTN NoR 4	296 Porchester Road	[REDACTED]	5,494m ²	1,851m ²	-3,643m ²
	354 Porchester Road	[REDACTED]	5,702m ²	4,690m ²	-1,012m ²
	51 Popes Road	[REDACTED]	5,295m ²	6,473m ²	+1,178m ²
	52 Popes Road	[REDACTED]	8,818m ²	8,557m ²	-261m ²

The table shows that the proposed NoR changes resulted in a proposed larger designation extent on two properties, and a smaller designation extent proposed on four properties.

Evidence of affected party engagement

162 Great South Road (TLC NoR 1)

Written communication via letters

- A letter² was sent to the property owner ([REDACTED]) on 21 March 2023. This letter identified that the property was potentially affected by a designation, provided an indicative extent of affected property based on a concept design, and identified the likely timeframes for the lodgement of NoRs.
- A letter³ was sent to the property owner on 13 October 2023, which confirmed the lodgement of an NoR affecting the property.

² See Attachment 3 in the OneDrive folder.

³ See Attachment 4 in the OneDrive folder.

- A letter⁴ was sent to the property owner on 15 November 2023 via email, which explained that the proposed extent of designation on the property had changed (specifically whether it had increased or decreased), and that the forthcoming notification letter and information from Council on 16 November 2023 was therefore effectively out-of-date.

Meetings and other communications

- The project team was unable to establish contact with the owners of 162 Great South Road initially after sending letters in March and October. An email address was obtained after speaking with the site occupiers (a car dealership). First contact⁵ with the representative of the owner was made on 13 October 2023.
- Subsequent phone calls with the owner's representative took place on 9 November and 13 November⁶, and proposed changes to the designation were discussed. The owner was invited to discuss the proposal further in person or via video conference. The project team reiterated that the revised boundary effectively superseded the forthcoming notification letter and information from Council on 16 November, which could not be updated due to logistical constraints.
- Further email⁷ correspondence continued with the landowner in December 2023, during which they noted that a resource consent application for a new car dealership on the site had been submitted. The consent application has not been approved at the time of writing.
- A meeting⁸ was held on 22 January 2024 to further discuss the proposal with the owner and the owner's legal counsel.

Submission

- [REDACTED] has submitted on the NoR.

166 Great South Road (TLC NoR 1)

Written communication via letters

- A letter⁹ was sent to the property owner ([REDACTED]) on 21 March 2023. This letter identified that the property was potentially affected by a designation, provided an indicative extent of affected property based on a concept design, and identified the likely timeframes for the lodgement of NoRs.
- A letter¹⁰ was sent to the property owner on 13 October 2023, which confirmed the lodgement of an NoR affecting the property.
- A letter¹¹ was sent to the property owner via email on 15 November 2023, which explained that the proposed extent of designation on the property had changed, and that the forthcoming notification letter and information from Council on 16 November 2023 was therefore effectively out-of-date.

⁴ See Attachments 5 and 6 in the OneDrive folder.

⁵ See Attachment 7 in the OneDrive folder.

⁶ See Attachments 6 and 8 in the OneDrive folder.

⁷ See Attachment 9 in the OneDrive folder.

⁸ See Attachment 35 in the OneDrive folder.

⁹ See Attachment 10 in the OneDrive folder.

¹⁰ See Attachment 11 in the OneDrive folder.

¹¹ See Attachments 12 and 13 in the OneDrive folder.

Meetings and other communications¹²

- A meeting was held with [REDACTED] representatives on 28 September 2023. During this meeting, the [REDACTED] representatives identified a range of concerns relating to effects on site access, underground fuel storage tanks/associated hazardous area extents, tanker delivery requirements, pricing totem signage, the car wash facility on site, and parking. Following this meeting, site plans were provided by the [REDACTED] representatives.
- Further meetings were held with [REDACTED] representatives on 25 October 2023 and 2 November 2023 to discuss potential revisions to the design/designation extent to address the issues raised by [REDACTED]
- A meeting was held on 15 November 2023 during which the project team confirmed it intended to change the extent of the NoR as it applied to 166 Great South Road in response to concerns raised, and that the extent required was smaller compared with the lodged NoR extent. The project team reiterated that this boundary effectively superseded the forthcoming notification letter and information to be sent by Auckland Council on 16 November, which could not be updated due to logistical constraints.
- Efforts to further optimise the concept design within the revised NoR boundaries are ongoing.

Submission

- [REDACTED] has submitted on the NoR.

296 Porchester Road (South FTN NoR 4)

Written communication via letters

- A letter¹³ was sent to the property owner ([REDACTED]) on 10 August 2023. This letter identified that the property was potentially affected by a designation, provided an indicative extent of affected property based on a concept design, and identified the likely timeframes for the lodgement of NoRs.
- A letter¹⁴ was sent to the property owner on 13 October 2023, which confirmed the lodgement of an NoR affecting the property.
- A letter¹⁵ was sent to the property owner on 15 November 2023 via email following the meeting on 15 November, which explained that the proposed extent of designation on the property had changed, and that the forthcoming notification letter and information from Council on 16 November 2023 was therefore effectively out-of-date.

Meetings and other communications¹⁶

- The project team met with a representative of the owners ([REDACTED]) on 1 September 2023. The [REDACTED] representative stated that it opposed the westward kink on Porchester Road shown in the then-proposed design due to the impacts on the 296 Porchester Road property.
- A meeting was held with [REDACTED] representatives on 26 October 2023 (along with representatives of the owners of 354 Porchester Road), during which similar concerns were

¹² See Attachment 14 in the OneDrive folder.

¹³ See Attachment 15 in the OneDrive folder.

¹⁴ See Attachment 16 in the OneDrive folder.

¹⁵ See Attachments 17 and 18 in the OneDrive folder.

¹⁶ See Attachment 19 in the OneDrive folder.

raised. Following the meeting, ██████ representatives shared further information regarding existing and consented development of its site on 27 October 2023.

- A meeting was held with ██████ representatives on 15 November 2023 (along with representatives of the owners of 354 Porchester Road). During this meeting, the project team confirmed it intended to change the extent of the NoR as it applied to 296 Porchester Road in response to concerns raised, and that the extent required was smaller compared with the lodged NoR extent (see Table 1). The project team reiterated that this boundary effectively superseded the forthcoming notification letter and information from Auckland Council on 16 November, which could not be updated due to logistical constraints.

Submission

- ██████ have submitted on the NoR.

354 Porchester Road (South FTN NoR 4)

Written communication via letters

- A letter¹⁷ was sent to the property owner (██████) on 10 August 2023. This letter identified that the property was potentially affected by a designation, provided an indicative extent of affected property based on a concept design, and identified the likely timeframes for the lodgement of NoRs.
- A letter¹⁸ was sent to the property owner on 13 October 2023, which confirmed the lodgement of an NoR affecting the property.
- A letter¹⁹ was sent to the property owner on 15 November 2023 via email, which explained that the proposed extent of designation on the property had changed, and that the forthcoming notification letter and information from Council on 16 November 2023 was therefore effectively out-of-date.

Meetings and other communications²⁰

- The project team met with ██████ representatives on 30 August 2023. ██████ stated that it opposed the westward kink on Porchester Road shown in the then-proposed design due to the impacts on the 354 Porchester Road property.
- A meeting was held with ██████ representatives on 26 October 2023 (along with representatives of the owners of 296 Porchester Road), during which similar concerns were raised. Following the meeting, ██████ representatives shared further information regarding existing and consented development of its site on 30 October 2023.
- A meeting was held with ██████ representatives on 15 November 2023 (along with representatives of the owners of 296 Porchester Road). During this meeting, the project team confirmed it intended to change the extent of the NoR as it applied to 354 Porchester Road in response to concerns raised, and that the extent required was smaller compared with the lodged NoR extent. The project team reiterated that this boundary effectively superseded the forthcoming notification letter and information on 16 November from Council, which could not be updated due to logistical constraints.

¹⁷ See Attachment 20 in the OneDrive folder.

¹⁸ See Attachment 21 in the OneDrive folder.

¹⁹ See Attachments 22 and 23 in the OneDrive folder.

²⁰ See Attachment 24 in the OneDrive folder.

Submission

- [REDACTED] has submitted on the NoR and have acknowledged conversations with the project team in their submission.

51 Popes Road (South FTN NoR 4)

Letters

- A letter²¹ was sent to the property owner on 10 August 2023. This letter identified that the property was potentially affected by a designation, provided an indicative extent of affected property based on a concept design, and identified the likely timeframes for the lodgement of NoRs.
- A letter²² was sent to the property owner on 13 October 2023, which confirmed the lodgement of an NoR affecting the property.
- A letter²³ was sent to the property owner on 15 November 2023 via email, which explained that the proposed extent of designation on the property had changed, and that the forthcoming notification letter and information from Council on 16 November 2023 was therefore effectively out-of-date.

Meetings and other communications²⁴

- The project team was unable to establish contact with the owners of 162 Great South Road initially after sending letters in March and October. AT managed to contact a representative of the owners by phone on 8 November 2023 to discuss the project. The representative is the partner of one of the owners, and is named on the PO Box address as the recipient for the property. This is consistent with information in the Council's GIS database.
- During the 8 November phone call, the owner's representative confirmed that they had closed the PO Box a year prior – accordingly, they had not received the above letters about the project.
- An email address was provided, and all previous correspondence was sent to this email address on 8 November. The owner's representative stated on the phone that they wished to digest the information, and would be in contact if they had further questions.
- The project team offered a meeting to discuss the proposal in more detail on four occasions between 8-15 November 2023, but this offer was not taken up.
- The project team followed up with a phone call during the week commencing 18 December 2023.
- The team noted that the property was up for sale during the week commencing 18 December 2023. An email was sent to the agent and a phone call was held with the agent on 22 December 2023 to discuss the proposal²⁵.
- A meeting was held with the owner's representative on 22 January 2024 to further discuss the proposal²⁶.

²¹ See Attachment 25 in the OneDrive folder.

²² See Attachment 26 in the OneDrive folder.

²³ See Attachments 27 and 28 in the OneDrive folder.

²⁴ See Attachment 28 in the OneDrive folder.

²⁵ See Attachment 29 in the OneDrive folder.

²⁶ See Attachment 34 in the OneDrive folder.

Submission

- The owners of 51 Popes Road have not submitted on the NoR.

52 Popes Road (South FTN NoR 4)

Written communication via letters

- A letter²⁷ was sent to the property owner on 10 August 2023. This letter identified that the property was potentially affected by a designation, provided an indicative extent of affected property based on a concept design, and identified the likely timeframes for the lodgement of NoRs.
- A letter²⁸ was sent to the property owner on 13 October 2023, which confirmed the lodgement of an NoR affecting the property.
- A letter²⁹ was sent to the property owner on 15 November 2023 via email, which explained that the proposed extent of designation on the property had changed, and that the forthcoming notification letter and information from Council on 16 November 2023 was therefore effectively out-of-date.

Meetings and other communications³⁰

- The project team met with the owners of 52 Popes Road on 2 November 2023 at the property. In general, the owners were supportive of the project, but had some concerns regarding the designation extent and proximity of boundaries to the existing dwelling on site. The project team explained that the stormwater channel design was being re-examined, and that changes to the proposed designation could result. The owners also confirmed that they had received previous letter correspondence summarised above.

Submission

- The owners of 52 Popes Road have submitted on the NoR and have acknowledged conversations with the project team in their submission.

Summary of affected party engagement

Overall, we consider that the engagement and communication details outlined in this letter, demonstrate that all parties directly affected by the proposed boundary changes:

- Were contacted directly and advised of the proposed NoR extent changes prior to public notification;
- Have had ongoing contact with the Project team; and
- Have had an opportunity to submit on the Project and in most cases, have done so.

Given the above, we reiterate our view that the combination of direct engagement and public notification of the 9 November 2023 boundary alteration letters demonstrate that all affected parties, as well as the public more generally, have been clearly informed of the proposed changes to the NoR extents within the time necessary to participate in the recent submission process; and that further

²⁷ See Attachment 30 in the OneDrive folder.

²⁸ See Attachment 31 in the OneDrive folder.

²⁹ See Attachments 32 and 33 in the OneDrive folder.

³⁰ See Attachment 33 in the OneDrive folder.

public notification of the NoRs is therefore unwarranted and unnecessary. We further reiterate that the proposed refinements to the NoR extents can be addressed through the hearings process.

We trust this letter assists in resolving the matters raised in your 15 December 2023 letters. Please advise if you should require any further clarification.

Yours sincerely



Liam Winter

Planning Lead – Takaanini Projects

Index of attachments referred to in footnotes (refer to OneDrive folder for full records)

No.	Attachment
1	Letter to Auckland Council – Minor alteration to notified extent of South FTN NoR 4; dated 9/11/23.
2	Letter to Auckland Council – Minor alteration to notified extent of TLC NoR 1; dated 9/11/23.
3	Letter to ██████████ dated 21/3/23.
4	Letter to ██████████ dated 13/10/23.
5	Letter to ██████████ dated 14/11/23.
6	Email correspondence between Te Tupu Ngātahi and ██████████ representatives following phone discussion; dated 15/11/23 (including 14/11/23 letter attached).
7	Email correspondence between Te Tupu Ngātahi and ██████████ representatives; dated 13/10/23.
8	Notes from phone correspondence between Te Tupu Ngātahi and ██████████ representatives; dated 9/11/23.
9	Email correspondence between Te Tupu Ngātahi and ██████████ representatives; dated 20/12/23.
10	Letter to ██████████ dated 21/3/23.
11	Letter to ██████████ dated 13/10/23.
12	Letter to ██████████ dated 14/11/23.
13	Email correspondence between Te Tupu Ngātahi and ██████████ representatives following meeting; dated 15/11/23 (including 14/11/23 letter attached).
14	Records of communications (including emails, phonecalls, meetings, and letter drops) between Te Tupu Ngātahi and ██████████ between 12/8/22 and 12/12/23.
15	Letter to ██████████ & Others; dated 10/8/23.
16	Letter to ██████████ & Others; dated 13/10/23.
17	Letter to ██████████ & Others; dated 14/11/23.
18	Email correspondence between Te Tupu Ngātahi and ██████████ representative following meeting (including 14/11/23 letter attached).
19	Records of communications (including emails, phonecalls, meetings, and letter drops) between Te Tupu Ngātahi and ██████████ representatives between 17/8/23 and 27/10/23.
20	Letter to ██████████ dated 10/8/23.
21	Letter to ██████████ dated 13/10/23.
22	Letter to ██████████ dated 14/11/23.
23	Email correspondence between Te Tupu Ngātahi and ██████████ representatives following meeting (including 14/11/23 letter attached).
24	Records of communications (including emails, phonecalls, meetings, and letter drops) between Te Tupu Ngātahi and ██████████ between 10/8/23 and 15/11/23.
25	Letter to ██████████; dated 10/8/23.
26	Letter to ██████████; dated 13/10/23.

No.	Attachment
27	Letter to [REDACTED]; dated 14/11/23.
28	Email correspondence between Te Tupu Ngātahi and 51 Popes Road representative (including 14/11/23 letter attached); dated between 8/11/23 and 14/11/23.
29	Email correspondence between Te Tupu Ngātahi and [REDACTED]; dated between 21/12/23 and 22/12/23.
30	Letter to [REDACTED]; dated 10/8/23.
31	Letter to [REDACTED]; dated 13/10/23.
32	Letter to [REDACTED]; dated 14/11/23.
33	Email correspondence between Te Tupu Ngātahi and [REDACTED] (including 14/11/23 letter attached); dated 15/11/23.
34	Record of meeting with 51 Popes Road representative; dated 22/1/24.
35	Record of meeting with [REDACTED] representatives; dated 22/1/24.

Te Tupu Ngātahi Supporting Growth

Minor Alteration Letter

9 November 2023

9 November 2023

Te Tupu Ngātahi
Supporting Growth
PO Box 105218
Auckland 1143

Joy LaNauze
Auckland Council
135 Albert Street
Auckland
Private Bag 92300, Auckland 1142

Issued via email:

Dear Joy

MINOR ALTERATION TO NOTIFIED EXTENT OF AUCKLAND TRANSPORT'S NOTICE OF REQUIREMENT – TAKAANINI LEVEL CROSSINGS NOR 1 – TAKA STREET PROJECT AREA (WEST)

Overview and request

As you are aware, the Takaanini Level Crossings (TLC) Notices of Requirement (NoRs) were lodged on 13 October 2023, and are scheduled to be publicly notified on 16 November. We are grateful to the Council processing team for its assistance with that process to date.

Since lodgement, the project team has continued to engage with affected parties. In some instances, new information has necessitated further work on the proposed design and localised refinements to designation boundaries in response to the matters raised by those parties.

We understand it is not possible at this late stage to make changes to notification information due to logistical constraints. However, to ensure that affected landowners and interested parties are kept up to date on all recent project developments and designation extents, Auckland Transport has requested that we provide this letter update as part of the section 92 response.

Auckland Transport respectfully requests that this letter is provided along with responses to the section 92 requests in the relevant notification information and/or online. This will ensure that the affected landowners are provided with accurate information showing the proposed property impact of NoR 1 as it relates to their property. We note that we have been in contact with affected landowners directly, but also wanted to formally provide this communication as part of the section 92 responses so that it forms part of the record for processing purposes.

We would be happy to discuss these boundary refinements with the Council processing team in due course.

Proposed change to NoR 1 – Taka Street project area

The western end of the Taka Street project area includes provision for a stormwater dry detention pond, access lanes along either side of the existing Taka Street alignment, and active mode upgrades. The lodged designation extent includes the following land requirements on the immediately adjoining properties for these works.

Table 1 – Land requirements for western end of Taka Street project area

Address	Title No.	Legal Description	Approx. land to be designated (m ²) – as lodged
162 Great South Road	NA31B/458	Part Lot 4 DP 19534	303
166-168 Great South Road	NA89D/604	Lot 1 DP 150630	1,453

Following lodgement, additional engagement has been undertaken with affected parties. New information identified through this engagement has necessitated a revision to the proposed design, and a consequent change in the proposed designation boundary. The resultant change in NoR extent is summarised in Table 2, and is shown in Figure 1.

Table 2 – Change in land requirements for Popes / Porchester intersection resulting from proposed designation change

Address	Approx. land to be designated (m ²) – as lodged	Approx. land to be designated (m ²) – as proposed under revised design	Change (m ²)
162 Great South Road	303	665	362
166-168 Great South Road	1,453	755	-698

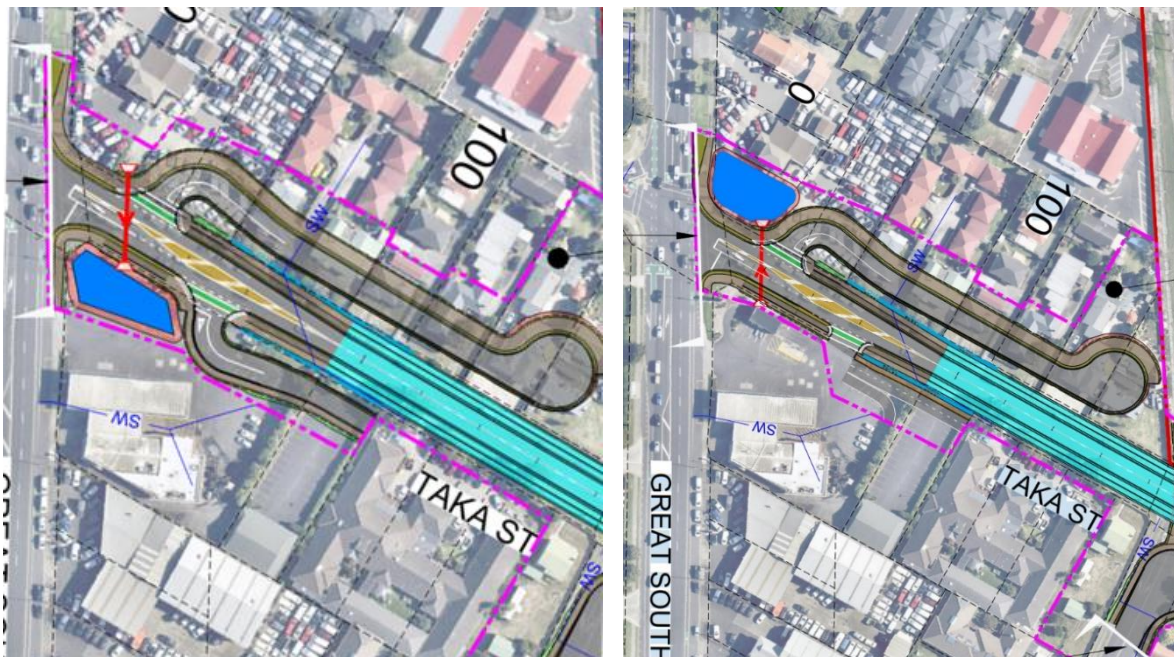


Figure 1 – Comparison between design/designation as lodged (left) and as currently proposed (right)

Rationale

The full rationale for the proposed change and implications for the assessment of environmental effects will be addressed in evidence moving forward. However, by way of summary, the changes aim to reduce impacts on essential operational elements of the Z Energy petrol station at 166-168 Great South Road predominantly being the need to avoid conflict between the proposed works and presence of underground fuel storage tanks on the Z Energy site, which includes set back areas for hazardous storage purposes.

For this reason, it was determined that the stormwater dry detention pond needed to be moved off the Z Energy site to avoid underground fuel storage tanks and associated areas of contamination. As a result, the revised design reduces the impact on 166-168 Great South Road; and a small additional extent of designation is now required at 162 Great South Road to accommodate a revised dry detention pond location (see Figure 1 and Table 2).

Additionally, minor refinements have been made to the access lane configuration on the southern side of Taka Street to further optimise the layout of the Z Energy site and to set back the access lane from the storage tanks onsite. These refinements do not necessitate further changes for adjoining sites to the east.

We trust this letter is of assistance in understanding likely changes to the design and designation following notification.

Kind regards



Liam Winter
Planning Lead