

Key issues report for the NZTA Northern Corridor Improvements Proposal

Prepared under section 149G of the Resource Management Act 1991

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Report by: Auckland Council (Local Authority)
Prepared for: Environmental Protection Authority (EPA)

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Executive summary

Key issue	Brief comment
The extent to which the Project provides positive effects and avoids, remedies or mitigates temporary or permanent effects	The cascading National Policy Statements, National Environmental Standards, and Regional and District matters contained in the Auckland Unitary Plan (operative in part) provide a range of matters which must be considered.
Review by a specialist with specific expertise in a matter.	Throughout this report, we have identified areas outside of our area of expertise where we have recommended a peer review of specific parts of the application documentation be undertaken.
A key planning issue is the extent to which the conditions volunteered correspond effectively with the effects and mitigation recommended in the AEE and technical reports.	Providing a full evaluation of the conditions volunteered (refer AEE, Appendix A) is not a function of this report; the decision makers may want to request a section 42a report to provide this evaluation
Additional information would assist in determining the extent of effects likely as a result of the project	The range of information which we consider would be useful for further assessment is outlined in this report.
The increase in impervious surfaces and proposed stormwater management	The avoidance, remedy and mitigation of the effects of runoff from earthworks and operative stormwater discharge, is required by the Hauraki Gulf Marine Park Act 2000, NZCPS, NPS-FM and the AUP.
The extent to which the Project contributes transport infrastructure consistent with respect to the future form of urban growth in Auckland	The National Policy Statement on Urban Development Capacity 2016 requires development capacity to be enabled and the AUP requires transport infrastructure to be compatible with the approach to infrastructure in Auckland.
The loss of reserve land, associated recreational facilities and the natural values of open space areas	The extent to which the effects can be adequately avoided, mitigated or remedied, or mitigated (specifically at Rosedale Park South and Constellation Park).
The extent to which the Project contributes transport infrastructure compatible with Mana Whenua Values	The degree to which the Project has integrated Mana Whenua values, mātauranga and tikanga in the management of freshwater and coastal resources, and, in the development of innovative solutions to remedy the long-term adverse effects on historical, cultural and

Key issue	Brief comment
	spiritual values from discharges to freshwater and coastal water.
The risks to people, property, infrastructure and the environment from natural hazards and proposed management and mitigation offered by the applicant	The Project includes activities such as earthworks, changing natural and built stormwater systems, vegetation clearance and new or modified structures are specifically highlighted as matters for which the effects should be avoided or mitigated so the risks of natural hazards are not increased.
The degree of vegetation removal and area of extensive replanting and the extent of effects and replanting of the SEA areas.	The AUP directs that indigenous biodiversity is to be protected, restored and enhanced where development is occurring.
The extent to which ancillary infrastructure (stormwater treatment devices and discharge structures) will displace recreational use and effect amenity and natural values of reserves.	Further to this, is the unresolved preference issue regarding the location of stormwater treatment ponds at either Rook Reserve or Bluebird Reserve (but not both). An additional issue associated with this matter is whether inclusion of both parks within the designation is necessary to meet the Project objectives.
The extent to which the Project and conditions provide for appropriate urban design, landscape and amenity.	The surrounding urban environment varies in appearance and features - including significant areas of open space and open surface water.

Glossary of Abbreviations	
Assessment of Environmental Effects	AEE
Auckland Council	the Council
Auckland Unitary Plan Operative in Part (Updated 14 December 2016)	AUP
Construction Air Quality (Dust) Management Plan	CAQMP
Contaminated Site Management Plan	CSMP
Desktop Study Investigation	DSI
National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health	NESSoil
New Zealand Transport Agency (the applicant and requiring authority)	NZTA
Notice of Requirement	NOR
Regional Policy Statement	RPS
Rosedale Waste Water Treatment Ponds	RWWTP
Significant ecological areas	SEA
The Northern Corridor Improvements Project	the Project

Introduction

Context and overview

1. This report identifies the key planning issues as it relates to the Northern Corridor Improvements Project (the Project) within the jurisdiction of Auckland Council (the Council). This report has been prepared by Christopher Turbott, Principal Planner, Plans & Places and Erin Whooley, Senior Planner, Projects, Practice & Resolutions, acting as Council Officers under delegated authority for and on behalf of the Council.
2. In preparing this report the application documents (or parts thereof) listed in Appendix 1 have been reviewed. These documents contain background information about the Project. We adopt the description of the proposed works, unless otherwise commented on in this report.

Scope of report

3. This report has been commissioned by the EPA in accordance with section 149G(3) of the Resource Management Act 1991 (RMA).
4. The focus of this report is on the key planning issues in relation to the matters concerning the Project that includes:
 - a. any relevant provisions of a national policy statement, a New Zealand coastal policy statement, a regional policy statement (RPS) or proposed RPS, and a plan or proposed plan; and
 - b. a statement on whether all required resource consents in relation to the Project to which the matter relates have been applied for; and
 - c. if applicable, the activity status of all proposed activities in relation to the matter.
5. This report relates to the matters within the jurisdiction of the Council only.
6. This focus of this report is on the relevant RMA planning instruments listed in Appendix 2.
7. This report does not provide an assessment or evaluation of the merits of the Project. Nor does it contain any recommendation on whether or not the Project should be approved or declined.
8. Consequently, where we have identified a key issue below, we have not provided a merits or evaluative assessment of whether the Project adequately addresses each issue. Therefore the function of key issues identified by this report is to note matters for evaluation in subsequent statutory steps.

9. In identifying key issues we have followed the statutory hierarchy of national policy statements, regional policy statements(RPS), regional plans and district plans. In some cases, a particular issue reoccurs at different statutory levels. For example effects on water quality are addressed at all the above statutory levels except the district plan level. Where this occurs we have included cross references to the subheadings for different levels and in some cases we have also focussed discussion of issues at one level.
10. We have also identified some matters where we don't think there is a key issue, for completeness. However, should relevant new information become available, then these matters should be reviewed.

Separation of roles

11. The commentary in this report, including any views or opinions of the authors, relate to the Council's statutory role to report on the key issues in relation to the matters.
12. To avoid doubt, the Council (including council controlled organisations) may choose to make a formal submission on the Project, which may or may not advocate for a particular decision.
13. To maintain appropriate separation the authors of this report have not participated in any Council submission on the Project.

Key issues

National Policy Statements

14. Section 171(1) of the RMA requires the decision maker to:
 - ...consider the effects on the environment of allowing the requirement, having particular regard to—*
 - any relevant provisions of—*
 - (i) a national policy statement:*
 - (ii) a New Zealand coastal policy statement...*
15. Section 104(1)(b) requires the decision maker to:
 - ...have regard to...*
 - (b) any relevant provisions of...*
 - (iii) a national policy statement:*
 - (iv) a New Zealand coastal policy statement...*
16. The relevant national policy statements and the New Zealand Coastal Policy Statement are addressed below.

Hauraki Gulf Marine Park Act 2000

17. This Act is a national policy statement and applies to plan preparation and consenting (refer section 9 of this Act). Geographically it applies to the Hauraki Gulf, its islands and catchments. Catchment is defined to mean *any area of land where the surface water drains into the Hauraki Gulf*. This includes the catchment within which the Project works are located.
18. The key issue is the extent to which the Project works address the matters set out in sections 7 and 8 of this Act. Section 7 recognises the national significance of the Hauraki Gulf, its islands and catchments, while section 8 outlines the objectives of the management of the Hauraki Gulf, its islands and catchments. The objectives are intended to protect, maintain and where appropriate enhance the life-supporting capacity of the environment of the Gulf and its islands.
19. The avoidance, remedy and mitigation of the effects of runoff from earthworks and operative stormwater discharge, on the life-supporting capacity of coastal water being of relevance in this context. These matters are addressed in sections 9.13, 9.14, 10, 12.3.2 of the AEE, draft conditions in Appendix A, and the supporting technical documents: Assessment of Construction Water Management and Assessment of Surface Water Quality Effects.

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20. Refer also to the following RPS subheadings: Freshwater systems, freshwater and coastal water and Land – contaminated. Refer also to the following regional plan subheadings: Lakes, rivers and streams water quality and quantity, Earthworks and Contaminated land and landfills.

National Policy Statement on Electricity Transmission 2008

21. This national policy statement requires recognition of the national benefits of electricity transmission, management of the effects of transmission, managing the effects of others activities on the transmission network, mapping of the network in plans and long-term planning for the transmission infrastructure. It applies to the transmission assets of Transpower New Zealand.
22. Policy 10 of this national policy statement is relevant:
- In achieving the purpose of the Act, decision-makers must to the extent reasonably possible manage activities to avoid reverse sensitivity effects on the electricity transmission network and to ensure that operation, maintenance, upgrading, and development of the electricity transmission network is not compromised.*
23. Transpower has assets within the area of the project works. These include 220KV power cables, an associated designation and an easement. The AEE addresses these assets, the effects on them and the mitigation of those effects in sections 4.2.9, 5.8.4, 7.7.2, 8.4.1, 8.7.12, 11.3, and 11.11. We refer also to 4.10.7 of the Design and Constructability Report. The AEE specifies that the relocation of these cables is to be avoided and proposes that the road will be bridged over the cables. Section 11.32 provides an assessment of the Project works with respect to this national policy statement. It is not entirely clear from the Project documentation whether Transpower supports the proposed mitigation.
24. The key issue is the extent to which the Project works are consistent with Policy 10 of this national policy statement.

National Policy Statement for Freshwater Management 2014

25. The National Policy Statement on Freshwater Management (NPS-FM) sets out objectives and policies that direct councils to manage water in an integrated and sustainable way, while providing for economic growth within set water quantity and quality limits. It is particularly relevant to the regional resource consents being sought for groundwater take and diversion (water permit), discharges to land (discharge permit), discharges to water (discharge permit), and the discharge of contaminants to water (discharge permit).
26. The applicant has identified that the NPS-FM has relevance to this Project and has assessed the project against objectives A1, A2, B1 and Part D.

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27. The applicant has stated that taking and diverting of groundwater effects will be temporary 'and the discharge of this water will recharge these water resources with a minimal effect on water quantity'.
 28. The relevant NPS-FM objectives and policies share common themes with the Auckland Unitary Plan (AUP). The key theme relates to maintaining or improving the overall quality of freshwater in the region (specifically, refer to AUP chapters E1 to E3).
 29. The applicant has summarised that 'any potential adverse effects can be appropriately mitigated to a less than minor effect, following sediment control and ground stabilisation, fish recovery and relocation, and riparian planting.'
 30. We note however that no conditions have been volunteered relating to riparian planting, the methodology, management nor monitoring of the groundwater take and diversion, discharges to land and water (discharge permit), and discharge of contaminants to water.
 31. A key issue is the extent to which the Project (including proposed conditions) satisfies the relevant NPS-FM. Consistent with the comments made above, we consider that an expert in water matters should review the material to determine the extent of effects, and that conditions are required to cover the outstanding matters.
 32. Refer also to the RPS subheading Freshwater systems, freshwater and coastal water, and to the regional plan subheading Lakes, rivers and streams water quality and quantity.

National Policy Statement on Urban Development Capacity 2016

33. This national policy statement directs resource management decision making towards the provision of adequate urban development capacity for the future. It primarily relates to council monitoring and plan provision for development capacity but also cross links to adequate infrastructure provision for development in the definition of "development capacity" and in policies PA1, PA2, PB3, PD2 and PD4. The definition of development capacity is:

Development capacity means in relation to housing and business land, the capacity of land intended for urban development based on:
 - a) the zoning, objectives, policies, rules and overlays that apply to the land, in the relevant proposed and operative regional policy statements, regional plans and district plans; and
 - b) the provision of adequate development infrastructure to support the development of the land.
34. The AUP provides for additional zone development capacity in north and west Auckland. The capacity is provided for as a combination of greenfields operative urban zoned land, Future Urban Zoned land and additional development capacity in existing developed

urban areas. This growth potential is referred to in section 2.4.6 of the AEE. The national policy statement itself is not referenced in the AEE. Technical Report 14 provides information on future estimated growth in demand for transport capacity. Some existing residential and business land zoned land will be taken for the Project works. However, the amount of land and associated capacity taken is relatively small.

35. A key issue is the extent which the transport infrastructure to be provided by the Project will assist in giving effect to this national policy statement by enabling development capacity as defined in the national policy statement.

New Zealand Coastal Policy Statement 2010

36. This national policy statement is not considered to be applicable as the works are not within the coastal environment. Therefore there are no issues of relevance to this national policy statement.

National Environmental Standards

37. A National Environmental Standard (National Standard) prescribes technical standards, methods or requirements, relating to certain environmental matters. They have the force of regulations and are to be applied nationally. The rules of both district and regional plans must enforce, at a minimum, the same standard and may (if the National Standard permits), impose stricter standards. The National Standards relevant to the proposal are:

- The National Environmental Standards for Air Quality (2004)
- The National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health (2012).

National Environmental Standards for Air Quality

38. No consents have been applied for under the National Environmental Standards for Air Quality as the operational pollutant concentrations from the Project will be below the relevant standards. Therefore there are no issues of relevance to this national environmental standard.

National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health

39. The National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NESSoil) provides a mix of permitted activities and resource consent requirements for certain activities on land affected or potentially affected by contaminants in soil. The applicant seeks consent under the NESSoil as a discretionary activity from the disturbance of soil and the change in land use.

40. The applicant has stated that ‘a precautionary approach has been taken to the potential existence of contamination’ and that the draft CSMP ‘will ensure that all potential risks will be appropriately managed’. Given the technical nature of this matter, we consider that an expert in soil contamination matters should review the material to determine the extent of effects, and that conditions are required to cover the outstanding matters.

Regional Policy Statement

Auckland Unitary Plan Operative in Part 14 December 2016 – Chapter B Regional Policy Statement

41. The Regional Policy Statement (RPS) identifies the regionally significant issues for the management of the region’s natural and physical resources. It sets out what the council is seeking to achieve (objectives) and the way those objectives are to be achieved (policies and methods) to address those issues.
42. Section 171(1) of the RMA requires the decision maker to:
- ...consider the effects on the environment of allowing the requirement, having particular regard to—*
- any relevant provisions of...*
- (iii) a regional policy statement or proposed regional policy statement...*
43. Section 104(1)(b) requires the decision maker to:
- ...have regard to...*
- (b) any relevant provisions of...*
- (v) a regional policy statement or proposed regional policy statement...*
44. The regional policy statement (RPS) for Auckland forms part of the Auckland Unitary Plan Operative in part (14 December 2016)(AUP). Most of the RPS is operative but parts of it remain subject to appeal at the time of writing (noted below where applicable). The provisions are divided into core issues of which the following are relevant:
- B2 - Tāhuhu whakaruruhau ā-taone - Urban growth and form
 - B3 - Ngā pūnaha hanganga, kawekawe me ngā pūngao - Infrastructure, transport and energy
 - B6 - Mana Whenua
 - B7 Toitū te whenua, toitū te taiao - Natural resources
 - B10 Ngā tūpono ki te taiao - Environmental risk
45. The RPS is addressed in section 11.7 of the AEE. The following parts of this RPS are considered relevant by the applicant and are set out in Table D5 of Appendix D to the AEE.

B2.2 Urban growth and form to the extent that infrastructure supports growth with particular although not exclusive reference to

- objectives: Urban growth and form (B2.2.1)
- policies: Urban Growth and Form B2.2.2(4)
(Note that this policy is subject to Appeal as of January 2017)

B2.7 Open space and recreation facilities

- objectives: B2.7.1(1) and (2)
- policies: B2.7.2(7)

B3.2 Infrastructure

- objectives in B3.2.1
- policies B3.2.2(1), B3.2.2(2), B3.2.2(3), B3.2.2(6), and B3.2.2(8)

B3.3 Transport

- objective B3.3.1(1)
- policies B3.3.2(1), (2), (4) and (7)

B6.3 Recognising Mana Whenua values

- objectives B6.3.1(1) to (3)
- policies B6.3.2(3), (4) and (6)

B7.2 Indigenous biodiversity

- objectives B7.2.1 (1) and (2)

B7.3 Freshwater systems

- objectives B7.3.1(1) – (3)
- policies B7.3.2(1), (4), (5) and (6)

B7.4 Coastal water, freshwater and geothermal water

- objectives B7.4.1(2), (4) and (6)
- policies B7.4.2(1), (7), (8), (9)

B7.5 Air

- objective B7.5.1(2)
- policies B7.5.2(1) – (7)

Note policy B7.5.2(7) is subject to Appeal as of January 2017.

B10.2 Natural hazards and climate change

- objective B10.2.1(5) and (6)
- policies B10.2.2(5), (7) and (12)

B10.4 Land – contaminated

- objective B10.5.1(1)
- policy B10.4.2(3)

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46. The applicant has assessed the Project with respect to these RPS provisions in section 11.7.1 of the AEE. Some of these themes are also addressed in later analysis of subordinate regional plan provisions in section 11.7.2, and subordinated district plan provisions in section 11.7.3.
47. Within the RPS sections identified above, we consider the following RPS provisions to be relevant, in addition to those expressly listed in the AEE:
- policies B2.7.2 (1) to (6)
 - policy B3.2.2(7)
 - policy B3.3.2(3), (5)(a) and (7)
 - policy B6.3.2(2)
 - policy B7.2.2(5)
 - policy B7.4.2(6)
 - objectives B7.5.1 (1), (3), and (4)
Note objective B7.5.1(4) is subject to Appeal as of January 2017.
 - objectives B10.2.1(1) – (3)
48. We have identified the following RPS key issue themes in the subheadings below.

Urban form and growth

49. The key issue is the extent to which the Project contributes infrastructure consistent with respect to the future form of urban growth in Auckland promoted by the relevant objectives and policies in B2.2 Urban form and growth. Some relevant features of the transport infrastructure to be enabled by the Project are:
- it uses existing corridors with some expansion of those corridors;
 - it is multimodal, i.e. provides for increased capacity in all the land transport options of road, public transport, cycle and walking, although road capacity will still be a dominant feature;
 - it maintains connectivity with the local road network although there are some localised changes to that connectivity;
 - it provides for increased capacity to service intensification of existing urban areas surrounding the project and also future urban growth areas to the north and west; and
 - some additional land is to be taken that would otherwise have been available for other uses such as residential, business and recreational uses.
50. Refer also to the *infrastructure* and *transport* themes below.

Open space and recreation facilities

51. The key issues are: the extent to which the effects of the loss of reserve land and associated recreational facilities can adequately avoided, mitigated or remedied, and other effects on the natural values of open space areas are also avoided, remedies and

mitigated. The shared used paths along SH1 and SH18 are indicated as enhancing public access across the Project area by connecting various open spaces and urban environments. The extent of this positive effect needs to be considered in the overall context of adverse effects on open space and the overall effect of the Project generally. These matters are addressed further under the district plan level subheading *Open space zones*.

52. Separate agreements and resource consents, outside of the Project, are sought concurrently to relocate the North Harbour Hockey stadium, and consequently, relocate the BMX and Rosedale Pony Clubs. This matter is addressed further under the subheading *Other works and consents required that are necessary for the Project but are not part of this application*.

Infrastructure

53. The key issue is the extent to which the Project contributes transport infrastructure compatible with the approach to infrastructure in Auckland promoted by the relevant objectives and policies in B3.2 Infrastructure. In summary, consideration should address whether:
- the infrastructure is effective, efficient and resilient (in this context, completion of the Western Ring Route is a relevant matter among others);
 - the benefits of infrastructure are identified and recognised;
 - infrastructure upgrading is enabled while the managing the effects of that infrastructure on the environment so that they are avoided, remedied or mitigated (effects addressed in other key issue sections below);
 - infrastructure is protected from reverse sensitivity effects (refer also to the *Operational noise and vibration subheading*);
 - the effects of natural hazards are addressed (refer also to the *Natural hazards subheading* below).
54. The applicant has listed the network utilities and service infrastructure which are located in the Project area and some of which will need to be protected and/or relocated for the Project, in sections 4.2.9-11 of the AEE. A draft condition NU1 addresses effects on network utilities.

Transport

55. The key issue is the extent to which the Project contributes transport infrastructure compatible with respect to the approach to transport in Auckland promoted by the relevant objectives and policies in B3.3 Transport. The objectives and policies focus on the provision of effective, efficient and safe integrated transport system. Specifically, transport infrastructure is to be designed, located and managed to integrate with

adjacent land uses and provide effective pedestrian and cycle connections. The objectives and policies expect adverse effects, associated with the construction or operation of transport infrastructure, on the environment and community health and safety to be avoided, remedied or mitigated.

56. Separate consents, outside of this project, are sought concurrently to establish Spencer Road bridge, a pedestrian bridge, which will link into the Project. This matter is addressed further under the subheading *Other works and consents required that are necessary for the Project but are not part of this application*.

Mana Whenua

57. The key issue is the extent to which the Project contributes transport infrastructure compatible with Mana Whenua values. Of relevance is that developments are to integrate Mana Whenua values, mātauranga and tikanga in the management of freshwater and coastal resources, and, in the development of innovative solutions to remedy the long-term adverse effects on historical, cultural and spiritual values from discharges to freshwater and coastal water. The assessment provided by the applicant outlines the iwi values which have been taken into account. Draft conditions require an opportunity for tangata whenua partnership in preparation of the Urban Design and Landscape Plans. Refer also to the subheadings *Mana Whenua overlays (identified sites)* and *Mana Whenua (Maori land and treaty settlement land)*.

Indigenous biodiversity

58. The key issue is the extent to which there are any effects on significant ecological areas (SEA) identified in the plan and the extent to which they have been avoided. Indigenous biodiversity is to be protected, restored and enhanced where development is occurring. The project designation and works traverse three SEAs at the RWWTP (two SEAs) and at Alexandra Stream (refer figure 16), including vegetation removal to accommodate proposed new stormwater outfalls and rip-rap aprons.
59. This issue is addressed in more detail under the regional plan subheading *Indigenous biosecurity - SEA* below.

Freshwater systems, freshwater and coastal water

60. The key issue is that the adverse effects of changes in land use on freshwater are avoided, remedied or mitigated. There will be an increase in impervious surfaces area, from which stormwater will be discharged, as a result of the project. Surface water is to be diverted during the operation of the Project to discharge into the proposed stormwater wetlands and freshwater bodies via conveyance and treatment swales. The nature and treatment of stormwater discharge during the construction phase is unclear.

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61. This stormwater and freshwater issue is addressed in more detail under the relevant regional plan subheadings *Lakes, rivers and streams water quality and quantity* and *Earthworks*.

Air

62. The key issue is that the discharge of contaminants to air is managed to protect human health, property and the environment whilst enabling infrastructure with reduced ambient air quality amenity in appropriate locations. The applicant does not anticipate exceedance of the relevant air quality standards; they expect a slight net benefit for regional air quality as compared to the air quality if the Project were not built, as a result of reduced vehicle emissions from vehicles flowing through the project area. Any dust effects during construction, will be managed in accordance with the requirements of the proposed Construction Air Quality Management Plan (CAQMP).
63. Air issues are addressed in more detail under the relevant regional plan subheading *Air Quality* below.

Natural hazards

64. The key issue is the extent to which the risks to people, property, infrastructure and the environment from natural hazards are not created or increased. Activities such as earthworks, changing natural and built drainage systems, vegetation clearance and new or modified structures are specifically highlighted as matters for which the effects should be avoided or mitigated so the risks of natural hazards are not increased. As the Project includes all of these activities, consideration is required as to the risks and proposed management and mitigation offered by the applicant. Refer also to the regional plan subheading *Lakes, rivers and streams water quality and quantity*.

Land – contaminated

65. The key issue is protected of human health and the quality of air, land and water resources by the identification, management and remediation of land that is contaminated. There are twelve sites identified to be potentially contaminated in close proximity to the proposed works. The relevant policies require land that is contaminated to be mitigated or remediates where either the level of contamination renders the land unsuitable for its existing or proposed use, or the discharge of contaminants from the land is generating or is likely to generate significant adverse effects on the environment. This issue is addressed in more detail in the relevant regional plan section below under the subheading *Contaminated land and landfills*.

Auckland Council Regional Policy Statement 31 August 2008

66. Section 11.8 of the AEE notes RPS objectives and policies subject to appeal at the time of lodgement. These are Objective B2.5.1.1 and Policy B2.2.4. It also addresses relevant provisions of the Auckland Council Regional Policy Statement 31 August 2008 that remain of relevance as a result of the appeals. At the time of writing of this report these provisions remain subject to appeal. However they may have been resolved by the time of the hearing and an update can be provided on request by the Council.

Auckland Unitary Plan Operative in Part 14 December 2016 (regional plan components)

67. The Auckland Unitary Plan Operative in Part, 14 December 2016 contains the regional plan provisions for Auckland. Most of the regional plan provisions are operative but parts remain subject to appeal at the time of writing (noted below where applicable). These provisions have been grouped according to general themes below

Indigenous biosecurity - SEA

68. This theme addresses the effects of the Project works within SEA. It includes regional plan objectives, policy and rules on SEA. Note that there are no district plan provisions on SEA.
69. The objectives and policies for the Significant Ecological Areas Overlay are located in: D9 Significant Ecological Areas Overlay (Note that the Significant Ecological Areas Overlay polices D9.3.1, D9.3.2 and D9.3.6 are subject to appeal).
70. The SEAs affected by the Project are SEA_T_8634 and SEA_T_8635 at the RWWTP and SEA_T_8084 at Alexandra Stream (refer figure 16). As discussed below, a key matter is that replanting is proposed as a mitigation measure. A peer review of the proposed effects on the SEA by an expert could be requested by the Board of Inquiry.

General vegetation alteration

71. This theme addresses the effects of general vegetation alteration as set out in the regional plan Auckland-wide provisions. This includes for example, the effects of vegetation clearance on land, freshwater systems and biodiversity not within SEA. This includes regional plan rules on vegetation but does not include district plan rules on trees which are addressed in the district plan subsection of this report below
72. The objectives and policies for vegetation management are located in: D9 Significant Ecological Areas Overlay; D10 Outstanding Natural Features Overlay and Outstanding Natural Landscapes Overlay; D11 Outstanding Natural Character and High Natural Character Overlay; and E15 Vegetation management and biodiversity (note that policies E15.3.2, E15.3.4 and E15.3.7 are subject to appeal).

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73. The application provides a description of the vegetation to be removed; the applicant concludes the vegetation is of low value. A peer review of this part of the application documentation by an ecologist could be requested by the Board.
74. The key vegetation alteration issue is the degree of vegetation removal and that the AEE states extensive replanting (over 30ha with an additional 5.9ha of planting and street trees) is proposed to mitigate the effects of vegetation removal, however, it is unclear whether the area of the Project will contain this mitigation, or whether this mitigation will be off-set at other sites. The plans provided do not evidence the nature, species and density of mitigation planting. The visual coherence of the final landscape requires consideration.

Lakes, rivers and streams water quality and quantity

75. This theme focuses on maintaining the natural values of water as set out in the regional plan Auckland-wide provisions. Of specific relevance of the project to these provisions is reclamation of a stormwater drainage channel; the stormwater discharge will be diverted into a new pipe and discharged into the stormwater network in a different location. We note that proposed methods of stormwater management, detention and treatment and opportunities to improve water quality within existing streams with the affected catchments are listed as key matters of concern to Mana Whenua.
76. The objectives and policies for water quantity are located in: E1 Water quality and integrated management; E2 Water quantity, allocation and use; and E3 Lakes, rivers, streams and wetlands.
77. Flooding is covered by several AUP chapters. The AEE states ““Within the Oteha Valley and Lucas Creek catchments there are approximately nine locations that will experience an increase in peak flood levels of between 10mm to 80mm in the 10 year ARI. A number of these properties include the open channel itself within their property boundary and do not have a building floor which is at risk of flooding.” Table 40, which the AEE states will list these properties, is missing from the application documentation. We suggest the Board may want to have full information relating to these sites and the anticipated degree of flooding effect.
78. A peer review of the proposed stormwater methods by an expert could be requested by the Board of Inquiry.

Earthworks

79. This theme addresses the effects of land disturbance (regional and district) as set out in the regional plan Auckland-wide provisions. This includes for example, the effects of land disturbance including sediment laden runoff and the impacts on the quality of water. This includes regional plan rules on land disturbance but does not include district plan

rules on land disturbance which are addressed in the district plan subsection of this report below.

80. The objectives and policies for vegetation management are located in: E11. Land disturbance – Regional. The objectives and policies predominantly focus on how the effects of land disturbance are managed.
81. Given the large scale of the earthworks proposed, a peer review of this part of the application documentation by an earthworks specialist with expertise in erosion and earthworks management could be requested by the Board of Inquiry.

Contaminated Land and Landfills

82. Chapter E13 addresses cleanfills, managed fills and landfills which are specifically relevant to the Rosedale Closed Landfill. Chapter E30 addresses contaminant discharges that are not covered by the NES(Soil), including direct discharges from soil disturbance, passive discharges over longer time periods, legacy discharges and the assessment of risk from on-going discharges.
83. Closed landfills are to be managed to contain of contaminants; given the technical nature of this topic, a peer review of this part of the application documentation by a land contamination specialist could be requested by the Board of Inquiry.
84. A draft CSMP has been prepared to provide a detailed methodology for the management of contaminated land and the proposed measures to be undertaken to ensure risks to human health and the environment are minimised. The AEE states that preparation of a DSI is underway and the results will be used to classify the material present on site and develop site specific remedial action plans. Depending on the outcomes of this assessment, this may be a key issue and the Board may want to consider assessment of matters arising from the Desktop Study Investigation (DSI) and integrate these into the CSMP.

Air Quality

85. Chapter E14 addresses air quality. The objectives and policies focus on protecting human health, property and the environment from adverse effects from the discharge of contaminants to air, and maintaining or improving air quality. The AEE states that there is a high risk of dust being generated through land disturbance activities associated with the Project. As discussed above in the RPS Air section, any dust effects during construction, will be managed in accordance with the requirements of the proposed CAQMP. The applicant expects a slight net benefit for regional air quality as compared to the air quality if the Project were not built, and therefore is anticipated to achieve the objectives and policies.

Auckland Council Regional Plan: Air Land and Water

86. Section 11.9 of the AEE notes AUP regional plan objectives and policies subject to appeal at the time of lodgement. These are policies D9.3.1, D9.3.2, D9.3.6, E15.3.2, E15.3.4 and E15.3.7. At the time of writing of this report these provisions remain subject to appeal. However, they may have been resolved by the time of the hearing and an update can be provided on request by the Council.

District plan

87. The district plan for Auckland forms part of the Auckland Unitary Plan Operative in Part 14 December 2016. Most of the district provisions are operative but parts remain subject to appeal at the time of writing.
88. The district plan contains different types of planning provisions being zones, precincts, overlays, designations and precincts. Zones address land uses such as residential, business open space and others; and are shown the maps. Precincts provide for localised variation of zone and some other plan provisions, and are also shown in the maps. District plan overlays provide for other types of district plan controls such as the Airport Approach Surface Overlay that are geographically related more to activities than zones. Other Auckland – wide district plan provides address matters such as noise that apply generally. Designations provide for the operations of requiring authorities. A summary of these provisions as they apply to the project is provided below.

Existing NZTA designations

89. As set out in the Notice of Requirement Forms and the AEE (section 1.3), notices have lodged to alter four existing NZTA designations which are referenced in the AUP as designations 6750, 6751 6756 and 6758. The notice of requirement plans also overly designation 6753 which is not being altered but may be withdrawn at a later date. The boundaries of these designations can be viewed on the AUP viewer, and figure 3 in the AEE provides a colour diagram to differentiate the individual designations. The text of the designations is not viewable within the main AUP online but the requiring authorities decisions on the rollover of these designations can be viewed at:
<http://www.aucklandcouncil.govt.nz/EN/planspoliciesprojects/plansstrategies/unitaryplan/Documents/radecisions/radecisionnewzealandtransportagency.pdf>
90. The statements of purposes for designations 6750, 6751, 6756 and 6753 vary but all essentially provide for state highways being State Highway 1 and State Highway 18. Designation 6758 provides for the Constellation Station which is part of the Northern Busway. All these designations have been given effect to.

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91. These existing designations are being replaced in part by notices for six designations as summarised in Table 1 in the AEE. This includes a separate notice of requirement for the busway and a separate notice of requirement for the shared use path.

Other existing designations and notices of requirement from other requiring authorities

92. There are a number of designations and notices of requirement that the NZTA notices of requirement intersect with. Most of these are summarised in Table 2 of section 3.6 of the AEE. This includes designations from Auckland Council, Auckland Transport, Watercare Services Ltd and Vector Ltd.
93. Table 2 of the AEE refers to the earlier designation or north shore local roading network designation, the existed in the earlier Auckland Council District Plan Operative North Shore Section 2002. Our understanding is that this designation was not included in the Auckland Unitary Plan Operative in Part 2016, and therefore has ceased to have effect.
94. Table 2 also includes notices of requirement from Auckland Transport and Watercare Services Ltd. At the time of writing, the plans for the notice of requirements from: Watercare for the North Harbour 2 Watermain and Auckland Transport for the local roading network are not shown in the AUP viewer.
95. Details of the Watercare notice of requirement can be viewed at: <http://www.aucklandcouncil.govt.nz/EN/planspoliciesprojects/plansstrategies/DistrictRegionalPlans/waitakerecitysdistrictplan/planchanges/Pages/pa52nor.aspx> A recommendation from Independent Hearing Commissioners on the North Harbour 2 Watermain is expected to be released in early 2017.
96. Details of the Auckland Transport notice of requirement can be found at: <http://www.aucklandcouncil.govt.nz/EN/planspoliciesprojects/plansstrategies/unitaryplan/Pages/lodgednor.aspx>
97. The NZTA notices of requirement also overly the existing Transpower designation 8519 for electricity transmission from 410 Albany Highway to State Highway 1. This designation is not expressly listed in Table 2 of the AEE but is addressed substantively in a variety of other sections of the AEE.
98. The Minister of Defence also has an airspace designation 4311 Defence purposes – protection of approach and departure paths (Whenuapai Airbase) that extends generally over this part of Auckland. This designation applies at significant altitude in this area and it is unlikely that there is any interaction between the Project works and designation, but this should be confirmed after the close of submissions.
99. From a planning issue perspective, the designations and notices of requirement of other requiring authorities all provide for infrastructure of one form or another that is important to the social and economic well-being of the community. Some also provide

infrastructure that is important in terms of avoiding, remedying or mitigating effects on the quality, safety or life-supporting capacity of the environment. The designations and notices of requirement of requiring authorities are “first in time”, in relation to the NZTA notices of requirement and therefore have priority under section 176(1)(b). However reliance on section 176(b) to resolve conflicts arising from effects between infrastructure will not necessarily result the integrated outcome anticipated by the Act or the planning documents. Therefore it is appropriate to consider the effects of the Project works on other infrastructure. The AEE addresses this issue in various sections, and at the time of lodgement may have been a matter still in progress, which may be further informed by submissions or evidence. Aspects of this issue are also addressed further below.

Zones and precincts

100. The district plan zones which underlie the notices of requirement are briefly outline in section 4.2.2 of the AEE and are outline below. There are no underlying precincts.

H22 Strategic Transport Corridor Zone

101. The Strategic Transport Corridor Zone applies to all land held for the State Highway 1 and State Highway 18 motorway corridors including the existing busway. It does not correspond exactly to the extent of the existing NZTA designations because of relative differences in the designation process history and the land acquisition process history. This zone includes objectives, policies and rules that in general:
 - provide for and enable transport infrastructure
 - enable other uses in the zone that do not undermine its use for transport
 - requires management of the effects of noise from transport.
102. While designations override district plan provisions, the provisions of the Strategic Transport Corridor Zone are about transport and are relevant to the consideration of the notices of requirement. Therefore the key issue is the extent to which the Project works are compatible with the approach to transportation set out in this zone. Refer also to the discussion of the permitted baseline further below.

Residential zones

103. The notices of requirement overlie a relatively small area of residentially zoned land to the north of State Highway 1 opposite Albany centre. These areas are zoned Residential – Mixed Housing Suburban, and Residential – Mixed Housing Urban.
104. The notices of requirement also adjoin residential areas:
 - north of State Highway 1 opposite Albany Centre,
 - both north and south of State Highway 1 immediately south of the State Highway 1 and State Highway 18 intersection, and

- south of State Highway 18.

These areas are zoned Residential – Mixed Housing Suburban, Residential – Mixed Housing Urban and Residential – Terrace Housing and Apartment Building Zone.

105. The objectives policies and rules for the residential zones are set out in the AUP at sections:
- H4 Residential – Mixed Housing Suburban Zone
 - H5 Residential – Mixed Housing Urban Zone
 - H6 Residential – Terrace Housing and Apartment Buildings Zone.
106. Broadly, the objectives, policies and rules:
- enable residential development,
 - control the density, form and amenity of that residential development, and
 - limit the effects of non-residential activities.
107. Where the notices of requirement overlie existing residential zones the objectives and policies relating to residential activity are not as a relevant a consideration because the objectives of the notices of requirement are to provide for an entirely different activity. The effects of loss of residential activity is not a planning issue where the effect is on the owners as this is a compensation issue dealt with under the provisions of the Public Works Act. However, the effects of loss of access to residential land to the wider community may be a planning issue if it is significant.
108. Where the residential zones adjoin the notices of requirement, these zone provisions guide consideration of effects from the Project works on the expected amenity of these areas. This key issue is addressed further below in the sections relating to noise, traffic effects, urban design and landscape and others.

Business Zones

109. The notices of requirement overlie small areas of business zoned land near Greville Road, Rosedale Road, Rosedale Wastewater Treatment Plant, Paul Mathews Road and William Pickering Drive. These zones are: Business – Business Park Zone, Business – General Business Zone and Business Light Industry Zone.
110. The objectives policies and rules for the business zones are set out in the AUP at sections:
- H14 Business – General Business Zone
 - H15 Business – Business Park Zone
 - H17 Business – Light Industry Zone.
111. The effects of loss of business activity is not a key issue where the effect is on the business owners as this is a compensation issue dealt with under the provisions of the

Public Works Act. However, the effects of loss of access to business services by the wider community may be a key issue if it is significant.

112. Where the business zones adjoin the notices of requirement, these provisions guide consideration of effects from the Project works on the expected amenity of these areas, both during construction and in operation. This planning issue is addressed further below in the sections relating to noise, traffic effects, urban design and landscape and others.

Open Space Zones

113. The notices of requirement overlie a number of different open space zones for specific reserves. These open space zones are shown in the table below.

Zone	Location
Open Space – Sport and Active Recreation Zone	South-east corner of SH1 and Greville Road interchange North west corner of SH1 and SH18 interchange and extending along SH18
Open Space – Informal Recreation Zone	South-west corner of SH1 and Greville Road (Tawa Drive) interchange Between SH1 and Arrenway Drive North side of WSL Pond 2 North of SH1 near Holder Place South-east corner of SH 18 and Caribbean Drive intersection Between Rook Place and SH18 Between Bluebird Crescent and SH18
Open Space Conservation Zone	Between Rook Place and SH18 Between Saturn Place and SH18

114. The AUP provisions for these three zones are set out in section H7 Open Space zones. There are general objectives and policies for all open space zones. In general terms these focus on providing for a range of recreational needs while avoiding, remedying or mitigating effects. There are additional objectives and policies for each zone which are summarised as follows.

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115. The Open Space – Conservation Zone objectives and policies focus on protecting the ecological, Mana Whenua, landscape and historic values of the reserves while allowing use and development that complements those values.
 116. The Open Space – Informal Recreation Zone objectives and policies focus on maintaining an open character and other values while enabling informal recreation as a predominant use.
 117. The Open Space – Sport and Active Recreation Zone objectives and policies focus on providing for sport and active recreation while avoiding, remedying or mitigating effects.
 118. Regard should be had to the relevant open space zone objectives and policies, and the relevant RPS objective and policies in B2.7 Open space and recreation facilities; in considering the effects of the Project on open space and recreation.
 119. The AEE addresses open space matters at 3.13.4, 4.2.1, 4.2.2, 7.5.2, 7.7.5, 8.7.2, 8.7.2.3, 9.8.1.1, 9.8.1.2, 9.9 11.7.1, 11.7.3.2, 12.3.3.2. Table 4 of the AEE provides a summary of the reserves affected and their classification under the Reserves Act 1977. Section 9.9 provides an overview of effects, with mitigations outlined at 9.9.2. There is no supporting technical assessment of effects on recreational activity or effects on the values of reserves. There are no draft conditions relating expressly to effects on open space and recreation.
 120. The key issues for open space depend on the type of effect of the Project and are outlined below.
 121. One key issue is the displacement or loss of recreational amenity on open space land which will be taken for the Project works that occupy the space. This issue is most apparent at Rosedale Park South and Constellation Park (both located west of SH18). In this location, significant areas of open space land held for both future and current active recreation is required in the notice principally for the new ramp connections between SH1 and SH18 and new connections to the local road network.
 122. NZTA is proposing a mitigation package that includes relocation of the active sports facilities and other activities. At the time of lodgement no specific agreement had been reached but we understand that this matter is being advanced. The form that this will be presented in is not clear but it may be in the form of a “side agreement.” The key issue associated with this is whether there is an agreed mitigation package that adequately mitigates these effects and that decision makers have sufficient confidence that it will be implementable. Consideration will need to be given as to whether conditions are appropriate in this context. Separate resource consents are likely to be required as noted under the heading *Other works and consents required that are necessary for the Project but are not part of this application.*

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123. In other locations, ancillary infrastructure such as stormwater treatment devices and discharge structures is to be located in reserves. The key issue is the extent to which this infrastructure will displace recreational use and effect amenity and natural values.
124. Section 7.7.5.1 of the AEE indicates an unresolved preference issue regarding the location of stormwater treatment ponds at either Rook Reserve or Bluebird Reserve, but not both. Hence both options were included in the notices of requirement at the time of lodgement to preserve options, though inclusion of both is not reasonable necessary to give effect to the Project. The key issue associated with this matter is whether inclusion of both parks within the designation is necessary to meet the Project objectives.

Natural resources overlays

125. Chapter D Overlays – Natural Heritage has a variety of provisions relating to:
- outstanding natural features and landscapes
 - outstanding and high natural character
 - Waitakere Ranges Heritage Area
 - volcanic viewshafts and height sensitive areas
 - ridgeline protection
 - local public views.
126. None of these features or values occur within or near the area of the Project works. Therefore no issues arise. This also applies to any corresponding rules in Chapter E – Auckland – wide and corresponding information in Chapter L Schedules and Chapter M Appendices.

Built heritage and character overlays

127. Chapter D Overlays – Built Heritage and Character has provisions relating to:
- historic heritage
 - special character areas
 - Auckland War Memorial Museum Viewshaft
 - Dilworth Terrace Houses Viewshaft.
128. None of these features or values occur within or near the area of the Project works. Therefore no issues arise. This also applies to any corresponding rules in Chapter E – Auckland – wide and corresponding information in Chapter L Schedules.

Mana Whenua overlays (identified sites)

129. Chapter D Overlays – Mana Whenua contains provisions relating to the Sites and Places of Significance to Mana Whenua Overlay. There are no sites and places of significance to Mana Whenua recorded in this overlay within the Project works area or nearby.

Therefore there are no planning issues specifically associated with this overlay. Other cultural issues are addressed further above under the subheading *Mana Whenua*.

130. There is an appeal seeking reinsertion of the Sites and Places of Value to Mana Overlay, which had been deleted in the Council's decisions. This appeal had not been resolved at the time of writing. A review of this overlay, as it existed in the Proposed Auckland Unitary Plan 2013, indicates that it did contain any sites or places recorded within the area of the Project or nearby. Thus there are unlikely to be planning issues associated with the potential for inclusion of this overlay in the plan; it is however recommended that this is confirmed during the hearing. We also note that the potential for discovery of unrecorded sites is addressed through draft accidental discovery conditions.

Built environment overlays

131. Chapter D Overlays – Built environment contains provisions relating to the Identified Growth Corridor Overlay. There are no identified growth corridors within or near the Project works. Therefore there are no planning issues related to this overlay.

Infrastructure overlays

132. Chapter D Overlays – Infrastructure contains provisions relating to the Airport Approach Surface Overlay, Aircraft Noise Overlay, City Noise Overlay and Quarry Buffer Area Overlay. None of these overlays apply within the Project works area or nearby. Therefore there are no planning issues specific to these overlays. Other infrastructure issues are addressed at: National Policy Statement on Electricity Transmission 2008, National Policy Statement on Urban Development Capacity 2016, RPS subheadings *urban form and growth, infrastructure, and transport*, and in the district plan subheadings *urban design, landscape and amenity, transport, infrastructure*.

Auckland – wide district plan provisions

Mana Whenua (Maori land and treaty settlement land)

133. Section E Auckland – wide – Mana Whenua of the AUP contains provisions relating to Maori land and treaty settlement land. It is not clear from the information in the AEE or reference to the AUP whether in of the land within the Project works area is subject to AUP provisions for Maori land and treaty settlement land. It is unlikely that this is the case but this should be confirmed.

Artworks

134. Section E22 Artworks of the AUP contains objectives and policies that encourage artworks subject to management of effects. The rules for artworks are contained in the

relevant zones. While the notices of requirement override these provisions, the objectives and policies have a degree of relevance to the extent that the Project works incorporate art. Those parts of the Urban Design and Landscape Framework that address the finished appearance of walls and bridges have some relevance in this context. However, this is not considered a key issue in itself and can be subsumed into the key issue of urban design and landscape heading below.

Signs

135. Section E23 Signs of the AUP contains provisions relating to signs. However signs are mainly regulated through the Signage Bylaw 2015 and the provisions of E23 and are not relevant to the consideration of the notices of requirement.

Lighting

136. Section E24 Lighting of the AUP contains provisions relating to the effects of artificial lighting from the Project. Broadly, the objectives and policies provide for artificial outdoor lighting to provide safety and security while controlling the effects of lighting on adjacent sites, road user safety and night sky viewing. Lighting category classification tables are also provided.
137. While the notices of requirement override these provisions, the objectives and policies provide guidance on the expected amenity of adjoining zones with respect to the effects of artificial lighting. The AEE addresses the artificial lighting proposed in the Project at sections 3.11.5.3, 5.6.4, 5.6.6, 9.3.1.2, 9.8.12 and 11.7.3.3. Reference is made to AS/NZS 1158 or equivalent. AUP policy E24.3.2 is also referred to. There are no draft conditions related to lighting. The key issue is the extent to which the effects of light spill onto adjoining zones have been avoided, mitigated or remedied, while maintaining safe operation of the transport infrastructure.

Noise

138. Section E25 Noise and vibration of the AUP contains provisions relating to noise and vibration generally. Policy relating to construction noise and vibration sit with provisions relating more generally to noise including operational noise in the one AUP section. Rules require compliance with general and zone specific standards. While the notices of requirement override these provisions, they provide guidance on the expected amenity of adjoining zones with respect to the effects of noise and vibration.
139. The Project will result in noise emissions at two distinct phases. Firstly construction activities will emit noise and vibration. Secondly, the operation of the transport infrastructure after completion will result in noise emissions from vehicles. These are two distinct key issues and are addressed under separate headings below.

Construction noise and vibration

140. Objectives E25.2(1)-(4), policies E25.2(2), (5), (7) and (10) of the AUP are relevant. In addition, general stand E25.6.1(3) requires the use of NZS6803: 1999 Acoustics – Construction noise. Standard E25.6.27 sets construction noise levels in all zones except the Business – City Centre Zone and the Business – Metropolitan Centre Zone. Standard E25.6.29. Construction noise levels for work within the road, is also relevant. As are standards E25.6.30 Vibration and possibly E25.6.31 Noise levels for blasting.
141. The AEE addresses construction noise and vibration at sections 9.4, 9.6, 10.4, 11.7.3.4, 11.11, 12.3.1.1, 12.3.3.3, 13 and references Technical Assessment 3. Sections 9.4 of the AEE and sections 6 and 7 of Technical Assessment 3 specifically address the effects of construction noise and vibration. Standard NZS6803:1999 Acoustics – Construction noise has been applied in the assessment. Some potential noise exceedances have been identified and methods proposed to address this as required by objective E25.2(4). A Construction Noise and Vibration Management Plan is proposed. This is a planning technique often used in large construction projects. Draft conditions are proposed for construction noise and vibration in Appendix A. The key issue is the extent to which the effects of construction noise and vibration avoided, remedied or mitigated with particular regard to objective E25.2(4) and policies E25.3(2) and (10).

Operational noise and vibration

142. Objectives E25.2(1) and (2), policies E25.3(1) and (2) of the AUP are relevant. Standard E25.6.33 (1) Noise levels for traffic from new and altered roads is also relevant.
143. The AEE addresses operational noise and vibration at 5.6.1, 9.4.2, 9.5, 9.7, 11.7.3.4, 12.3.1.1 and references the Assessment of Operational Noise and Vibration Effects Technical Assessment 6¹. Sections 9.5 and 9.7 of the AEE and section 5 of the Assessment of Operational Noise and Vibration Effects specifically address the effects of operational noise and vibration.
144. Standard NZS 6806:2010 has been referenced for operational noise. The effects of the Project have been assessed as an “altered road” as described in the standard (there are different standards for new and altered roads). The application of the standard is addressed in section 2.1.3 of the Assessment of Operational Noise and Vibration Effects. This report also indicates in section 3.1 that two additional methods have been applied in assessment of effects being: determination of noise level changes and comparison of the number of people that may be highly annoyed with and without the project. Operational noise effects were identified.

¹ Note – this is variously referred to as Technical Assessment 6, 9 and 12 in different parts of the AEE.

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145. Standard NZS requires application of a best practicable option approach to mitigation with a hierarchy as set out preference as described in the AEE and Assessment of Operational Noise and Vibration Effects. It is noted that BPO includes consideration of other matters and effects such as construction cost and feasibility, safety, amenity values, views and daylight access. The Project proposes mitigation through a combination of low noise road generating surfaces in most but not all parts of the Project, noise barriers (walls) in some locations and reliance on individual building modification in others. Draft conditions are proposed for construction noise and vibration in Appendix A.
 146. Operational noise assessment and related BPO mitigation assessment has become a highly technical matter. In addition to acoustic expertise, other expertise is required as part of the BPO approach. A peer review of this part of the application documentation could be requested by the Board of Inquiry.
 147. The key issue is the extent to which the effects of operational noise and are avoided, remedied or mitigated with particular regard to objectives E25.2(1) and (2), policies E25.3(1) and (2) and Standard E25.6.33(1).
 148. Norwegian Standard NS 8176.E:2005 is referenced for operational vibration. The AEE at section 9.7.1 concludes on the basis of the Assessment of Operational Noise and Vibration Effects, that the effects of operational vibration are negligible. No mitigation is proposed. There are no issues associated with operational vibration.

Urban design, landscape and amenity

149. The AUP does contain specific policy on outstanding landscapes however that is not relevant to this application which does not travers such outstanding areas. The AUP contains no individual district plan section on more general urban design, landscape or amenity matters although these themes are present to some degree in the provisions in B2 Tāhuhu whakaruruhau ā-taone - Urban growth and form (e.g. at B2.3), and in the provisions of some of the underlying zones referred to above where the policy focus is more on amenity.
150. The AEE addresses aspects of urban design landscape and amenity issues in sections 3.8, 3.13.4, 4.2.5, 5.6.1, 7.5, 7.7.5.1, 8.7.6, 8.7.8, 9.11.2,10.3.1, 10.4, 11.7.1.5 and in the Assessment of Landscape & Visual Effects, and in the Draft Urban Design and Landscape Framework. Note that amenity is to a degree a separate issue from landscape although the two interrelate.
151. There are draft conditions on urban design and landscape within Appendix A. These also address the amenity of the finished infrastructure. The draft conditions address both the short-term construction effects the long-term effects of the finished appearance of the Project works mainly through conditions that require the production of urban design and

landscape plans. These conditions cross-reference to the Draft Urban Design and Landscape Framework, The Transport Agency's Urban Design Guidelines: Bridging the Gap (2013) or any subsequent updated version; and The Transport Agency's P39 Standard Specification for Highway Landscape Treatments, 2013.

152. This approach of having an upper tier of an Urban Design and Landscape Framework and a second tier of Urban Design and Landscape Plans to be certified later, is common to other similar recent NZTA projects although details differ. Refer to section *Conditions requiring management plans* regarding to the use of management plans which apply to this approach.
153. Assessment of "urban design" can include assessment of other issues that relate to land use and transport infrastructure integration, that are not traditional landscape or amenity matters. Examples of this are "connectivity" and "place making" referred to in the Assessment of Landscape & Visual Effects. This is also an approach common to other recent transport projects.
154. The requiring authority has possibly addressed urban design and landscape to a greater degree than the minimal requirements of the AUP outlined above. Nevertheless, we consider this an important matter given the scale of the project and the surrounding context. The planning issue for consideration is the extent to which the Project and conditions provide for appropriate urban design, landscape and amenity of the finished work in the context of a varying urban environment which also includes significant areas of open space and open surface water. This may require appropriate expertise to assess.
155. Another related issue is the extent to which the Project will result in loss of recreational amenity as a result of reserve land being required for the Project either during construction or permanently. This is not addressed in the Assessment of Landscape & Visual Effects. We discuss this issue under the open space headings.

Trees in open space zones and trees in roads

156. Section E16 Trees in open space zones of the AUP, contains district plan objectives, policies and rules managing effects on trees in open space zones. Generally, the objectives and policies focus on maintain the values trees provide, increasing tree cover encouraging use of indigenous trees while providing for uses of open space rules.
157. The AUP Section E17 Trees in roads, contains district plan objectives policies and rules on trees in roads. The objectives in policies are similar to those in these in E16 and with and additional emphasis on providing for the transport system and utilities.
158. The notices of requirement override these provisions, the objectives and policies provide guidance in assessing the effects of the Project on trees in open space and roads.

159. The AEE briefly addresses trees in open space and trees in roads at 11.7.3.2. This indicates that some tree removal will be required and that replacement planting will be provided. A specific arborists technical assessment report has not been provided, but the Assessment of Landscape and Visual Effects does address the visual effect of changes to tree cover. Also the Assessment of Terrestrial Ecological Effects assesses ecologically significant vegetation. There are no specific draft conditions relating to trees in open space or roads but there are draft conditions in Appendix A relating to planting in accordance with the Urban Design and Landscape Framework.
160. The key issue is the extent to which the Project, avoids, remedies effects on trees in open space and roads having regard to the policy in E16 and E17.

Transport

161. The AUP section E27 Transport contains objectives, policy and rules relate to Transport. In general terms, the objectives and policy address:
- integration of landuse and transport
 - integration of the transport network including public transport, cycling, walking, private vehicles and freight
 - safe and efficient parking consistent with the quality compact urban form
 - pedestrian safety and amenity is a prioritised
 - road and rail crossings operate safely.
162. Although the notices of requirement override these provisions, the objectives and policies provide guidance in assessing both the temporary and permanent effects of the Project on the overall transport network. Temporary effects are those related to effects during construction, i.e. safety, any additional congestion and travel times, effects of temporary route diversion and navigability, access to property and parking. Permanent effects include maintenance or improvement of connectivity to the local transport network, provision for all transport modes, effects relating to the quality compact urban forms, changes in congestion or travel times, safety effects and property access and parking effects. Refer also to the RPS level heading *Transport* and the district plan level heading *Infrastructure* as these themes overlap.
163. The AEE addresses various aspects of these matters in various sections including 1.1, 2.2, 2.3, 2.4, 4.3, 5.2, 5.3, 5.4, 5.5, 5.6.4, 7.3, 7.4, 7.5, 7.6, 7.7, 8.7, 9.2, 9.3 11.7.2.10, 11.7.2.11, 11.7.4, 11.8, 11.10, 11.11, 12.3.1.1, 13. The Assessment of Transport Traffic Effects also provides more detailed assessment of effects.
164. The AEE proposes no mitigation of operational effects because the Project is assessed as having a net positive effect (refer section 9.3.2). The AEE identifies temporary construction adverse effects at section 9.3.1.1, and mitigation of these effects is addressed at 9.3.2. The principle method proposed for mitigation is the preparation and

implementation of a Construction Traffic Management Plan (CTMP). This is a standard approach for management of these types of effects. Related draft conditions are proposed in Appendix A. Parts of the Design and Constructability report are also relevant.

165. The key issue is the extent to which the Project provides positive effects and avoids, remedies or mitigates temporary or permanent effects on transportation systems having regard to the policy approach set out in the RPS level and district plan level for transportation and infrastructure.

Infrastructure

166. The AUP section E26 Infrastructure contains objectives policy and rules relating to transport which includes transport infrastructure. The objectives and policy address the following general summary themes which we consider relevant to this project:

- enable and recognise the benefits and value of infrastructure
- provision for safe, efficient and resilient infrastructure
- recognitions of the significance of the National Grid
- effects of infrastructure are avoided, remedied or mitigated.

Refer also to the RPS level heading *Infrastructure* and the district plan level heading *Transport* as these themes overlap.

167. The parts to the AEE that address transport matters are also relevant to road infrastructure and are not repeated here. In addition those parts of the AEE that address interactions between the Project and other infrastructure are also relevant. Those parts relevant to the national grid are summarised under the NPS heading '*National Policy Statement on Electricity Transmission 2008*' above.
168. Other electricity, wastewater, water supply, stormwater, telecommunications and closed landfill infrastructure are addressed in various sections of the AEE including 4.2.9, 4.2.10, 4.2.10, 5.8, 7.7.2, 8.7.2, 9.17.1.4 9.18, 11.7.1.2 and 11.7.2.10. Parts of the Design and Constructability Report are also relevant.
169. Effects on the Rosedale Closed Landfill are addressed in section 9.18.1 of the AEE and mitigation is proposed in 9.18.2. Refer also to the regional plan subheading *Contaminated land and landfills*.
170. Section 5.8 of the AEE summarises on effects on other utilities including Watercare Services Ltd wastewater branch sewers, Vector Gas mains, Vector overhead an underground powelines, and the fibre backbone which carries Vodafone, Vector and NZTA communications. Broadly, relocation of these assets is proposed where necessary to mitigate effects that would otherwise arise. Effects on the Rosedale Waste Water Treatment Plant ponds are addressed in AEE section 8.7.4 along with proposed

mitigation. Effects on existing Auckland Council stormwater ponds are noted at section 5.7.2.5. The capacity of these ponds is proposed to be substituted with new stormwater infrastructure.

171. The key issue is the extent to which effects on other infrastructure are avoided, remedied and mitigated, in a way that allows those infrastructure services to continue in a safe and efficient way.

Permitted baseline

172. Section 9.1 of the AEE states:

The assessments carried out for the Project do not apply a permitted baseline in order to discount the severity of adverse effects. A permitted baseline can be difficult to apply for a project of the scale and complexity of the Project. The NZ Transport Agency is not asking the consent authority to disregard any effects in accordance with section 104(2). However, in many instances existing or authorised activities will provide context for understanding the nature and acceptability of effects and the expectations of the community. For example, many of the activities carried out for the Project could (or already do) occur within the existing designations in the Project area. Because of this, the community surrounding the Project area in many ways already accommodates the effects of the proposal.

173. We agree that this is an appropriate application of the permitted baseline assessment for this Project. We note that a large proportion of the Project works are within the existing designation footprints and could probably be built within the terms of the designations. However, parts of the Project works that extend beyond the footprint of the existing designations are on land zoned for substantively different purposes, and those works cannot be functionally severed from the rest of the works. Therefore the correct permitted baseline approach has been identified in the AEE.

Existing resource consents

174. Upon request from the Board, Council can provide a list of existing land use and focused regional consents (e.g. groundwater takes, network discharges) within and immediately adjoining the Project footprint. As consent processing is a continually evolving situation, this information has not been appended to this report as it would become out of date.

Draft Conditions

General accordance with documents and plans

175. Draft conditions DC1 and RC1 references the general arrangements plans only. They do not reference other notice of requirement or consent application documentation. The key planning issue is the extent to which both the designations and resource consents should contain a full general accordance condition that references all or most of the documentation lodged for consideration. This issue is addressed separately for consents and designations below.
176. Auckland Council uses a standard condition 'one' for resource consents requiring the activity be undertaken in accordance with the plans. Full reference of all relevant plans and documents (including any s92 information) is included. The Board may want to evaluate the merits of using the council's standard condition as a replacement of draft condition RC.1. With resource consents there is no subsequent outline plan process which addresses the details of design. Therefore all design and documentation matters that are relevant to the avoidance, remedy or mitigation of effects need to be addressed either be a full general accordance condition and/or by other individual conditions that specify all relevant details. A s42A evaluation of the conditions may be undertaken by the Board.
177. Full general accordance conditions are less common in designations. Most designations, many of which date to an older legacy of planning practice, do not have full general accordance designations. Planning practice has shifted in the previous decade with some but not all new designations having full general accordance conditions. For examples of other recent NZTA designations for major highway projects, with and without full general accordance conditions, refer to AUP designations 6722 State Highway 16 – Waterview Connection Causeway to Patiki Road (full general accordance condition) 6769 State Highway 1 – Puhoi to Warkworth (no general accordance condition). In the context of these two opposite examples, the draft condition DC1 for the notices of requirement could be described as a partial general accordance condition because it references the general arrangement plans, but does not reference other plans and documents.
178. The advantage of having no general accordance condition is that the design of the Project can be altered at a later date without having to apply under section 168 of the RMA to alter the notice of requirement. There may be good reasons for such changes.
179. The disadvantage is that there is less certainty that the effects will remain the same as those originally assessed, if the work constructed is not the same as that set out in the original documentation. In this context the outline plan of works process for designations under section 176A of the RMA provides for the detail of a work to be assessed but

cannot substitute for the original approval process and it is not appropriate to assume that the outline plan process will address a significant change in effects.

180. If it is determined that a full general accordancy condition is not required then consideration needs to be given to whether; if the design were to be altered later (noting that reference to the general accordancy plans will place a partial limit on changes in design) could this change result in significant adverse effects and if so, whether other conditions might be appropriate to avoid remedy of mitigate effects. It is not the function of this report to provide that assessment but it could form part of a section 42(a) report.

Correspondence between effects avoidance, remedy and mitigation proposed in the AEE and draft conditions

181. A key planning issue is the extent to which the conditions volunteered (refer Appendix A to the AEE) correspond effectively with the effects mitigation recommended in the AEE and technical reports. Providing a full evaluation of this matter is not a function of this report but we have noted the following examples where it is possible that conditions do not correspond fully with the mitigation recommended in the AEE and technical assessments. As identified earlier, it is noted that no conditions have been volunteered relating to riparian planting, the methodology, management nor monitoring of the groundwater take and diversion, discharges to land and water (discharge permit), discharge of contaminants to water, and the effects of lighting. This key issue is more significant in the absence of a general accordancy condition which would reference the AEE and supporting technical assessment documents. The decision makers may want to request a section 42a report to provide this evaluation.

Technical matters

182. Many of the matters for which conditions have been volunteered relate to technical matters. It is recommended that specialists with expertise in these areas provide advice regarding the appropriateness of these conditions.

Conditions requiring management plans

183. Auckland Council uses management plan conditions as a tool which provides flexibility for both the consent holder and the council by providing for matters of detail to be dealt with after the consent application has been granted, particularly for larger and more complex proposals. This enables an applicant to further advance the proposed development beyond the consent phase with more certainty and engage contractors and experts who may all input into the finalisation of the management plan, in the context of the approved consent. However, given the significant reliance on the management plans to mitigate effects, it is suggested that these be requested by the Board. It is also noted that as several of these will be provided with the Outline Plan of Works, limited discretion

will be available to have these documents edited/improved and monitored. In order to be effective and achieve principles of recent case law, management plans should contain clear objectives as to the purpose of the plan and the methods to be employed to meet the performance standards set by the relevant conditions of the consent.

Statement of purpose for designations

184. Designations have a statement of purpose that describes in general terms what the designation provides for. Draft statements of purpose have not been provided for the notices of requirement. The key issue is determining appropriate statements of purpose for the new designations.

Lapse date extension

185. NZTA has requested a lapse date extension for both the notices of requirement and resource consents. The requested extension is from the default of 5 years out to 7 years. This is not a large extension; nevertheless it is a key issue that needs to be considered.

Partitioning of conditions between designations

186. The draft notice of requirement conditions have been grouped together and not portioned into the individual notices of requirement for the shared use path, the busway and the state highways. It is not clear whether all the draft notice of requirement conditions are equally relevant to all the notices of requirement. This is a key issue that needs consideration.

Regional and district council functions

187. Sections 30 and 31 of the RMA respectively describe the functions of regional councils and district councils. In some cases these functions are separate, e.g. regional councils control noise in the coastal marine and district councils control noise on land. In other cases both regional and district councils can control some matters, e.g. both may control earthworks. It is not clear that the way the draft conditions are partitioned between the notices of requirement and regional conditions correctly follows the distinction in functions. The key planning issue is clarity about what is a regional council function (goes in regional consent conditions), and what is a district council function (goes in designation conditions), or what is both a regional and a district council function (can go in either resource consent conditions or designation conditions, but preferably not both).

Other works and consents required that either intersect with the Project or are necessary for the Project but are not part of this application

188. Section 5.11 of the AEE lists works excluded from the Project and details the working relationship between the Project and external project. The Design and Constructability report also addresses some of these matters. We have listed these projects below.
- a. Watercare Services Limited have three projects - East Coast Bays Link, Northern Interceptor and North Harbour 2 Watermain – which are each located in close proximity to the Project. Auckland Council can provide approved consent documentation and plans of these Projects upon request from the Board.
 - b. North Harbour Hockey Stadium; resource consent to relocate North Harbour Hockey has been sought and is currently being assessed on a limited notified process by Auckland Council. Submissions close on 20 February 2017.
 - c. Rosedale Pony Club and North Harbour BMX club; each activity is to be relocated as a result of the relocation of the North Harbour Hockey Stadium. Resource consent for relocation of either of these activities has not yet been lodged with Auckland Council.
 - d. Rosedale Closed Landfill; as detailed in the AEE, the Project will impact on the on-going operation of the Rosedale Closed Landfill, both during and post construction which will impact on the long term discharge consents held by Auckland Council for the Rosedale Closed Landfill site. The proposed alignment for the Busway and SUP encroaches into the Rosedale Closed Landfill. For clarity; the subject Project includes application for discharges to air specifically for works within the Rosedale Closed Landfill however does not seek long term discharge consents. These consents are to be sought separately.
 - e. Additional NZTA approvals; NZTA have recently made applications to Auckland Council for related projects. These include;
 - An outline plan of the work for a Shared Use Path Bridge for walking and cycling across State highway 1 (SH1), at Albany pursuant to designation 6751 at State highway 1, Albany (proximate to Spencer Road). The Bridge will provide a cross-State highway pedestrian/cycle link between the Albany Metropolitan Centre and residential suburbs of the East Coast Bays.
 - A certificate of compliance for ancillary works that are proposed in conjunction with the Shared Use Path Bridge at Spencer Road. The certificate of compliance is sought to address the s9(2) regional consent matters associated with the Bridge Project.

- A certificate of compliance for ancillary works that are proposed in conjunction with the Shared Use Path Bridge at Spencer Road. The certificate of compliance is sought to address the s9 consent matters associated with the Bridge Project, specifically relating to the proposed shared path connection located within Spencer Ridge Reserve to the west of SH1
- A certificate of compliance for ancillary works that are proposed in conjunction with the Shared Use Path Bridge at Spencer Road. The certificate of compliance is sought to address the s9 consent matters associated with the Bridge Project. This certificate of compliance specifically relate to the shared use path activity and matters of land disturbance and stormwater associated with its implementation.

189. For those works outlined above that are consequential to the Project or necessary to mitigate the Project effects, the key issues are: sufficient confidence that these works will be implemented; and that necessary consents for them are in progress or are likely to be progressed; while noting that absolute certainty about this is not obtainable.

Resource consents required (if any)

190. I consider that all required resource consents in relation to the proposal to which the matter relates have been applied for. In coming to this conclusion the following matters have been noted;
- The total area (m²) of vegetation removal in the SEA and the girth and height of the trees would be useful information. The purpose of this information would be to clarify matters of Rule E26:A78.
 - Are there any trees to be removed in roads or open space zones? The purpose of this information would be to clarify whether consent is sought for any matter in E16, E17 and E26
 - To clarify, rule E26:A118 relates to table E26.6.3.1 (not E26.8.3.1).
 - What is the total length of the replacement pond link? What is the length of the proposed bed disturbance? The purpose of this information would be to clarify matters of Rule E3:A39.
191. The applicant has correctly identified the overall activity status of all proposed activities requiring resource consent. Under the 'bundling' approach the overall proposal is considered to be a **Non-Complying Activity**. As such, the proposal will be subject to assessment under the gateway tests of s104D.
192. Furthermore, while the proposal is currently subject to both Operative and Proposed Plans, the activity status is locked to that at the time of lodgement, given the requirements of section 88(2) of the Act.

Summary

193. A key issue is the extent to which the Project provides positive effects and avoids, remedies or mitigates temporary or permanent effects having regard to the cascading National Policy Statements, National Environmental Standards, and regional and district matters contained in the Auckland Unitary Plan (operative in part).
194. Another key issue is the extent to which the conditions volunteered (refer Appendix A to the AEE) correspond effectively with the effects mitigation recommended in the AEE and technical reports. Providing a full evaluation of this matter is not a function of this report; the decision makers may want to request a section 42a report to provide this evaluation.

We consider that further matters and specifics regarding technical matters will become clear through the hearing process, and accordingly expect that the conditions will be further edited and extended. This report notes matters for which no conditions have been volunteered, which include:

- a general accordancy condition which would reference the AEE and supporting technical assessment documents;
 - riparian planting;
 - the methodology, management and monitoring of the groundwater take and diversion;
 - discharges to land and water (discharge permit);
 - discharge of contaminants to water; and
 - the effects of lighting.
195. Throughout this report, we have identified areas outside of our area of expertise where we have recommended a peer review of specific parts of the application documentation be undertaken by a specialist with specific expertise in a matter. We consider that such reviews may raise other key matters across the following specialties; freshwater, groundwater, contaminated land and related discharges, noise and vibration.
196. In relation to some matters, such as flooding and stormwater effects, it has become clear that additional information would assist in determining the extent of effects likely as a result of the project. These matters include:
- Which sites will be affected by the increase in peak flood levels of between 10mm - 80mm in the 10 year ARI and the anticipated degree of flooding effect.
 - What the proposed nature and treatment of stormwater discharge during the construction phase will include.
- Other matters for which more information would be useful include;
- Draft statements of purpose have not been provided for the notices of requirement to determine how appropriate the statements of purpose are for the new designations.
 - Partitioning of conditions between designations.

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197. The executive summary lists the key issues covered in this report. The key issues fall into the following 'themes';
- The avoidance, remedy and mitigation of the effects from the construction and operation upon earthworks, stormwater discharge, discharge of contaminants, natural hazards, vegetation clearance, water light spill, noise, tree in open space on the surrounding social, cultural and natural community.
 - Contribution of infrastructure consistent with respect to the future form of urban growth in Auckland and compatible with Mana Whenua Values.
 - The effects of the loss of reserve land, associated recreational facilities and the loss of natural values of open space areas by the Project and ancillary infrastructure. The displacement or loss of recreational amenity on open space land which will be taken for the Project works (specifically at Rosedale Park South, Constellation Park Rook Reserve/or Bluebird Reserve).
 - The need for expert assessment of matters including land contamination effects – and specifically, encroachment on Rosedale Closed Landfill, stormwater, air quality effects (and others, detailed in the report) are deserved of further consideration and 'key issue' assessment.
198. We confirm that we can comply with the Code of Conduct for an Expert Witness and have no known conflicts of interest. We can be available for expert conferencing and questioning or cross-examination at the hearing, if required.



Christopher Turbott, Principal Planner, Plans & Places
Signed for and on behalf of Auckland Council



Erin Whooley, Senior Planner, Projects, Practice & Resolutions
Signed for and on behalf of Auckland Council



Report approved by

Tim Hegarty, Acting Team leader Major Infrastructure

Signed for and on behalf of Auckland Council

Appendix 1: Application documents reviewed

Documents reviewed

Volume One – Forms

Volume Two - Assessment of Environmental Effects and appendices , Project No: 250310, Document Ref: NCI-3PRE-1PLA-RPT-0018, Revision: 2, dated 12 December 2016

Volume Three - Technical Assessments

Volume Four - Urban Design and Landscape Framework

Volume Five - Drawings

Appendix 2: Relevant planning instruments under the Resource Management Act 1991

Policy statements and plans	Status (e.g. proposed, under appeal, operative)
<p>National Policy Statements</p> <p><i>National Policy Statement – Freshwater Management</i></p> <p><i>Hauraki Gulf Marine Park Act 2000</i></p> <p><i>National Policy Statement on Electricity Transmission 2008</i></p> <p><i>National Policy Statement for Freshwater Management 2014</i></p> <p><i>National Policy Statement on Urban Development Capacity 2016</i></p> <p><i>New Zealand Coastal Policy Statement 2010</i></p>	<p>Operative</p> <p>Operative</p> <p>Operative</p> <p>Operative</p> <p>Operative</p> <p>Operative</p>
<p>National Environmental Statements</p> <p><i>National Environmental Standards for Air Quality</i></p> <p><i>National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health</i></p>	<p>Operative</p> <p>Operative</p>
<p>Regional Policy Statement</p> <p><i>Auckland Unitary Plan (Chapter B Regional Policy Statement)</i></p> <p><i>Auckland Council Regional Policy Statement 31 August 2008</i></p>	<p>Operative in Part 14 December 2016</p>
<p>Regional Plans</p> <p><i>Auckland Unitary Plan Operative in Part 14 December 2016 (regional plan components)</i></p> <p><i>Auckland Council Regional Plan: Coastal</i></p> <p><i>Auckland Council Regional Air, Land and Water Plan</i></p>	<p>The regional plans are now operative only in relation to the parts of the Unitary Plan that are under appeal or require approval from Minister of Conservation. For more information, read the plans.</p>
<p>District Plan</p> <p><i>Auckland Unitary Plan Operative in Part 14 December 2016 (district plan components)</i></p>	<p>The Unitary Plan became operative in part on 15 November 2015. The district plan is now operative only in relation to the parts of the Unitary Plan that are under appeal.</p>