

UNITARY PLAN UPDATE REQUEST MEMORANDUM

TO Warren MacLennan, Manager Planning, Regional, North, West & Islands


FROM Wayne Siu, Policy Planner, Regional, North, West & Islands





DATE 22 November 2021

SUBJECT **Alteration of a designation in accordance with s181(3) of the Resource Management Act in the Auckland Unitary Plan (AUP) Operative in part (15 November 2016)**



This memorandum requests an update to Auckland Unitary Plan Operative in part

Reason for update – Alteration of Designation 6763 State Highway 1 Puhoi to Kaipara District Boundary and Silverdale Interchange improvements	
Chapter	AUP(OIP) GIS Viewer
Section	AUP(OIP) GIS Viewer
Designation only	
Designation # 6763	6763 State Highway 1 Puhoi to Kaipara District Boundary and Silverdale Interchange improvements
Locations:	Waka Kotahi – New Zealand Transport Agency State Highway 1 from Titfords Bridge, Puhoi to Ross Road (Kaipara District Council boundary), Topuni
Lapse Date	Given effect (no lapse date)
Purpose	State Highway 1
Changes to text (shown in underline and strikethrough)	N/A
Changes to diagrams	N/A
Changes to spatial data	Incorporation of an additional 290m2 of land located on land at 27 State Highway 1 (in ref below, and refer Attachment B). 
Attachments	Attachment A: S181(3) Report Attachment B: Updated GIS Viewer

<p>Prepared by: Wayne Siu Policy Planner, Regional, North, West & Islands</p>	<p>Text Entered by: N/A Planning Technician</p>
<p>Signature:</p> 	<p>Signature: N/A</p>
<p>Maps prepared by: Mitesh Bhula Senior Geospatial Analyst</p>	<p>Reviewed by: Peter Vari Team Leader, Regional, North, West and Islands Planning</p>
<p>Signature:</p> 	<p>Signature:</p> 
<p>Signed off by: Warren MacLennan Manager Planning, Regional, North, West & Islands</p>	
<p>Signature:</p> 	

Attachment A: S181(3) Report

Notice of requirement for a minor alteration to a designation under section 181(3) of the Resource Management Act 1991



Notice of requirement description

Designation number:	Designation 6763 State Highway 1 Puhoi to Kaipara District Boundary and Silverdale Interchange improvements
Requiring authority:	Waka Kotahi – New Zealand Transport Agency
Site address:	State Highway 1 from Titfords Bridge, Puhoi to Ross Road (Kaipara District Council boundary), Topuni

Summary

Auckland Council has received a request from Waka Kotahi – New Zealand Transport Agency under section 181(3) of the Resource Management Act 1991 (RMA), dated 16 July 2021, to alter Designation 6763 State Highway 1 Puhoi to Kaipara District Boundary and Silverdale Interchange improvements. This notice of requirement for an alteration to the designation will adjust the boundary of the designation by incorporating an additional 290m² of land to accommodate the redesign of an existing culvert – E530, located on land at 27 State Highway 1.

It is considered after undertaking an assessment of the notice, that the proposed alteration meets the statutory tests of section 181(3) of the RMA and can therefore be processed and confirmed as a minor alteration.

Recommendation

1. That pursuant to Section 181(3) of the Resource Management Act 1991, Waka Kotahi – New Zealand Transport Agency's notice of requirement for an alteration to Designation 6763 State Highway 1 Puhoi to Kaipara District Boundary and Silverdale Interchange improvements in the Auckland Unitary Plan Operative in part, be **confirmed** for the following reasons:
 - The alteration involves no more than minor changes to the environmental effects associated with the use of the land.
 - There are only minor changes or adjustments to the boundaries of the existing designation.
 - The land is owned by Waka Kotahi.
 - The council and the requiring authority agree with the alteration.
2. Designation 6763 State Highway 1 Puhoi to Kaipara District Boundary and Silverdale Interchange improvements is amended in the Designation overlay in the Auckland Unitary Plan Operative in part as recommended in Section 4 of this report.

1. Background

1.1. Minor alteration to a designation

On 16 July 2021, Auckland Council received a notice of requirement (NoR) for an alteration to Designation 6763 State Highway 1 Puhoi to Kaipara District Boundary and Silverdale Interchange improvements, from Waka Kotahi – New Zealand Transport Agency (Waka Kotahi) under section 181(3) of the RMA.

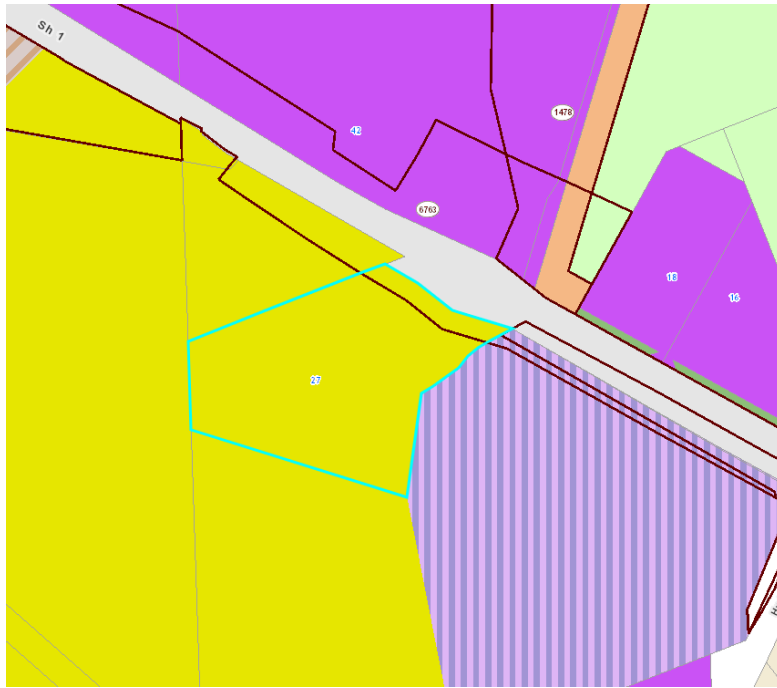
In June 2018 Waka Kotahi lodged a NoR and regional resource consents to alter Designation 6763 State Highway 1, providing for a connection to Matakana Link Rd and widening of the state highway. The area affected by the 2018 applications extends approximately 800m from Hudson Road to 102 State Highway 1. The resource consents were granted on 8 May 2019 and included conditions relating to construction management, stormwater, stream works, and management of contaminated land. The designation was confirmed in February 2020 and included conditions relating to network utilities, design of swales, construction management, traffic management plans and landscaping.

The resource consents (LUS60323625) provide for the replacement and extension of an existing culvert - E530 - on 27 State Highway 1. The detailed design process resulted in a reduction in the culvert length (from 115m to 111m) and proposes to reposition it slightly south of the original alignment, extending approximately 15m beyond the existing culvert outlet. This amounts to a combined total of 26 m of culvert and rip rap outside of the designation boundary within the land at 27 State Highway 1. This NoR for an alteration to the designation will adjust the boundary of the designation to incorporate 290m² of land to accommodate the redesigned culvert.

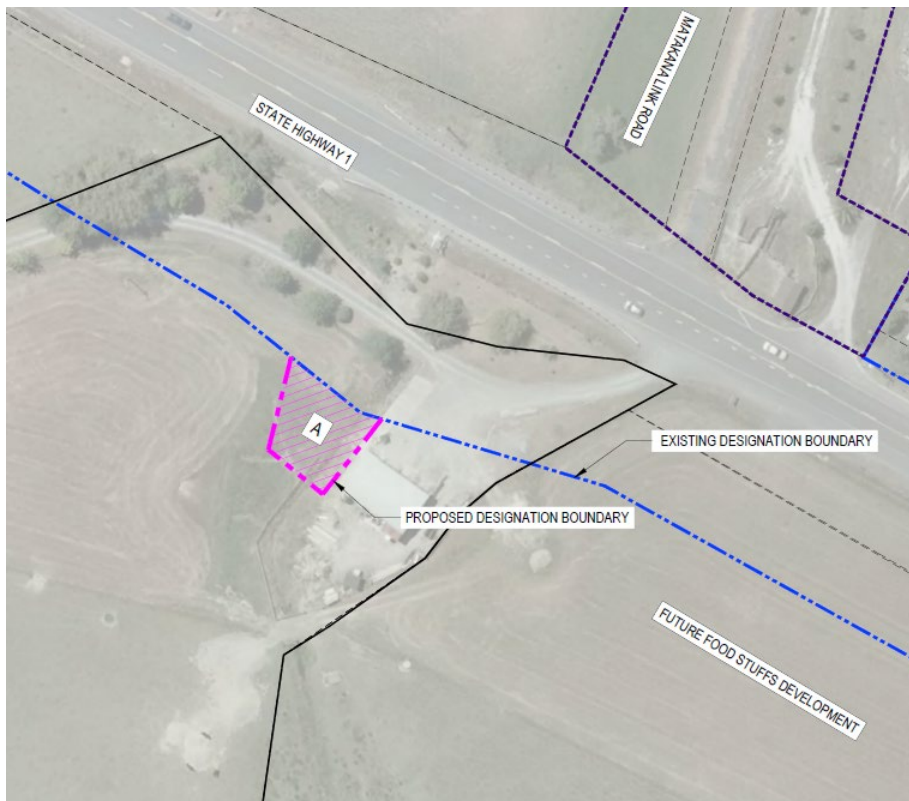
A separate s127 application (alteration to the consents authorising culvert E530) and resource consent applications have been lodged to address regional consent matters (LUC60382321, LUC60322701-B, LUS60323624-B, WAT60322704-B, DIS60322702-B), including ecological effects and operation stormwater effects associated with the proposed design changes. These relate to Rule C1.9(2) Land disturbance within Riparian Yards greater than 10m² and 5m³ and Section 45(4) of the National Environmental Standard for Freshwater (refer to section 3.1 of **Attachment A**). Council granted the s127 and resource consent applications on 15 November 2021.

1.2. Land affected by the alteration

The Future Urban zoned land affected by the alteration to the designation is located at 27 State Highway 1, Warkworth and is shown in the Auckland Unitary Plan maps as follows:



The requiring authority seeks to alter the designation boundary as below. It has provided additional detailed sites plan to show the extent of the alteration to the designation boundary (refer to **Attachment A**).



1.3. Description of the site and existing environment

The site at 27 State Highway 1 is currently farmed, rural land. There is a residential building on the site and a barn. A stream runs north-east to southeast through the north-eastern portion of the site. It flows for approximately 1.5 km before joining the main channel of the Mahurangi River. The stream channel is historically modified by the existing E530 culvert and associated rip rap lining placed along the banks. There is limited riparian vegetation along the stream banks with some pest species present.

1.4. Delegated authority

The Team Leader - Regional, North, West and Islands Planning 1 has delegated authority, in accordance with Schedule 2A of the Auckland Council Delegations: Chief Executive Officer (updated February 2021), to exercise the council's functions, powers, duties and discretions under the Resource Management Act 1991 in relation to section 181(3).

The NoR can therefore be considered by the Team Leader – Regional, North, West and Islands Planning 1 and confirmed or declined under section 181(3)(c).

1.5. Relevant statutory provisions

Section 181 "Alteration of designation" of the Resource Management Act 1991 states:

- (1) A requiring authority that is responsible for a designation may at any time give notice to the territorial authority of its requirement to alter the designation.*
- (2) Subject to subsection (3), sections 168 to 179 and 198AA to 198AD shall, with all necessary modifications, apply to a requirement referred to in subsection (1) as if it were a requirement for a new designation.*
- (3) A territorial authority may at any time alter a designation in its district plan or a requirement in its proposed district plan if-*
 - (a) The alteration-*
 - (i) Involves no more than minor changes to the effects on the environment associated with the use or proposed use of land or any water concerned; or*
 - (ii) Involves only minor changes or adjustments to the boundaries of the designation or requirement; and*
 - (b) Written notice of the proposed alteration has been given to every owner or occupier of the land directly affected and those owners or occupiers agree with the alteration; and*
 - (c) Both the territorial authority and the requiring authority agree with the alteration –*

and sections 168 to 179 and 198AA to 198AD shall not apply to any such alteration.

(4) This section shall apply, with all necessary modifications, to a requirement by a territorial authority to alter its own designation or requirement within its own district.

2. Analysis of the proposed alteration

The relevant matters to consider are contained in section 181(3) of the RMA as outlined above.

2.1. Assessment of Environmental effects (s181(3)(a)(i))

The requiring authority has provided an assessment of environmental effects (AEE) (refer to **Attachment A**) with the NoR. The requiring authority considers that the proposed amendment to the designation boundary will have no more than minor effects on the environment. In summary:

- Proposed changes will enable safe and appropriate access for the landowner of 27 State Highway 1 to access their barn over the extended culvert. The updated design provides a new access to this area of the property.
- This will enable ongoing access to the culvert and associated rip rap for ongoing maintenance.

I consider that the resource consent and s127 applications are the most appropriate mechanism to address regional matters including ecological, stormwater and freshwater effects. Therefore, I view that the relevant environmental effects to be restricted to changes in the use in land associated with the boundary adjustment. In summary, I consider that the adjustment:

- Will not affect the existing land uses on the site; and
- Will have no more than minor effects on future activities given the adjustment covers an additional 290m² of land in the context of the larger site.

In conclusion, I agree with the requiring authority's conclusion that the proposed alteration to the designation involves no more than minor changes to the effects on the environment.

2.2. Assessment of minor changes or adjustments to the boundary (s181(3)(a)(ii))

The alteration to the designation changes the boundary of the existing designation by extending the designation to cover an additional 290m² of land at 27 State Highway 1 (refer section 1.2 and **Attachment A**). Given the adjustment in the context of the existing extent of Designation 6763 (188.66ha), I agree with the requiring authority in considering the alteration to be a minor boundary change.

2.3. Written notice of the proposed alteration has been given to every owner or occupier of the land directly affected and those owners and occupiers agree with the alteration (s181(3)(b))

Waka Kotahi are the owners of the affected land, therefore, there are no other owners or occupiers of land considered to be directly affected by the alteration to the designation.

I adopt the requiring authority's assessment as they are the owners of all affected land - given the discreet nature of the boundary adjustment and that any changes to the effects on the environment are limited to this site.

2.4. Agreement of both the territorial authority and the requiring authority (181(3)(c))

The alteration to the designation has been requested by the requiring authority, and therefore it agrees to the alteration. Auckland Council agrees with the proposed alteration for the following reasons:

- The alteration involves no more than minor changes to the environmental effects associated with the use of the land
- The alteration involves only minor changes to the boundary
- The land is owned by Waka Kotahi.

3. CONCLUSIONS AND RECOMMENDATIONS

3.1. Conclusions

The proposed alteration meets the statutory tests of Section 181(3) of the Resource Management Act 1991, in that:

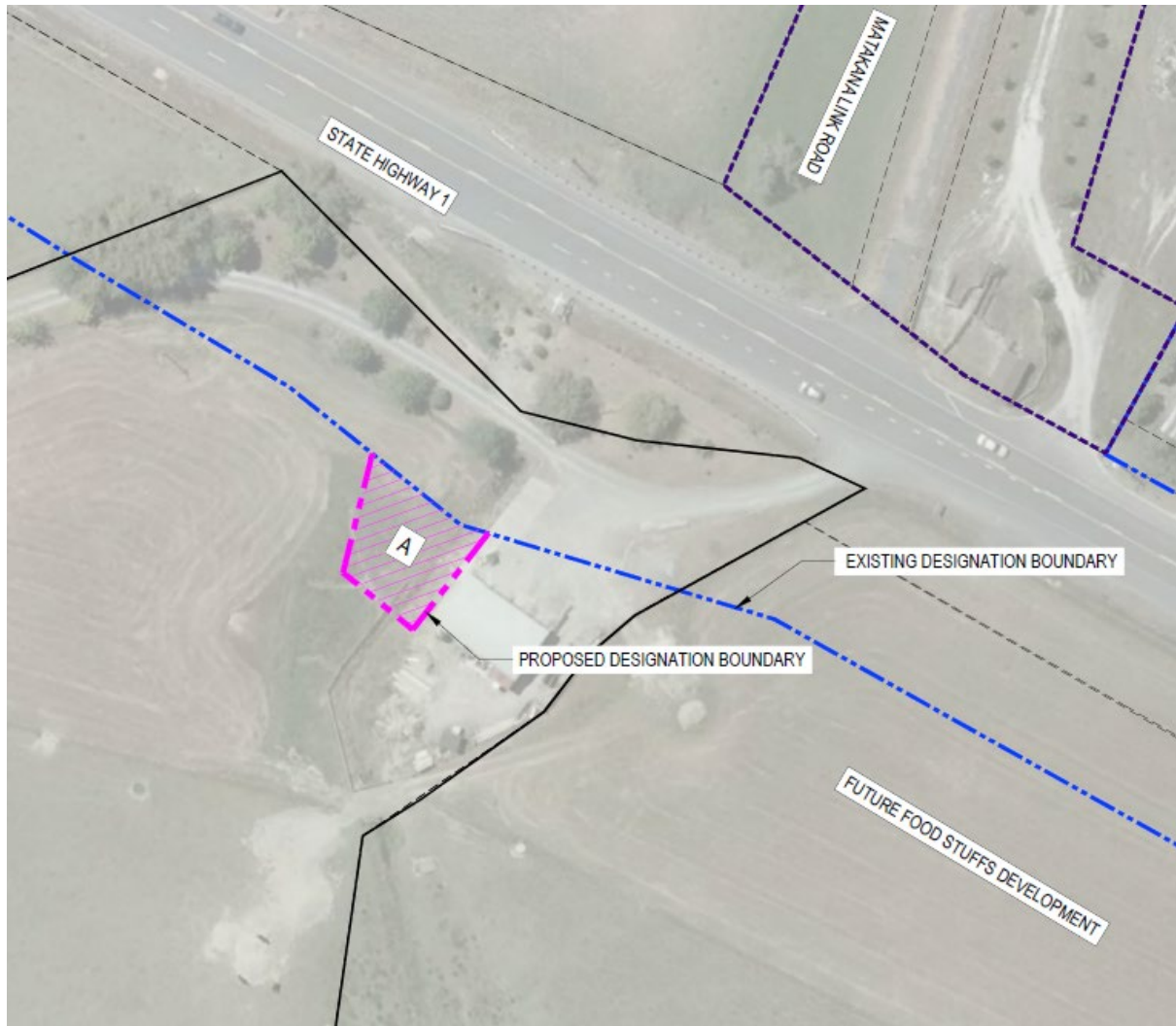
- The alteration involves no more than minor changes to the environmental effects associated with the use of the land.
- There are only minor changes or adjustments to the boundaries of the existing designation.
- The land is owned by Waka Kotahi.
- The council and the requiring authority agree with the alteration.

3.2 Recommendation

1. That pursuant to Section 181(3) of the Resource Management Act 1991, Waka Kotahi – New Zealand Transport Agency's notice of requirement for an alteration to Designation 6763 State Highway 1 Puhoi to Kaipara District Boundary and Silverdale Interchange improvements is **confirmed**.
2. Designation 6763 State Highway 1 Puhoi to Kaipara District Boundary and Silverdale Interchange improvements is amended in the Designation overlay in the Auckland Unitary Plan Operative in part as recommended in Section 4 of this report.

4. Agreed alterations

The boundary alterations are shown below.



Report Prepared by:
Wayne Siu, Policy Planner – Planning Regional,
North, West, and islands

Date: 22 November
2021



5. SECTION 181(3) DETERMINATION

Having read the council planner's report and recommendations on the notice or requirement, I am satisfied I have adequate information to consider the matters required by the Resource Management Act 1991 (the RMA) and to make a decision under delegated authority.

Accordingly, the notice of requirement for an alteration to Designation 6763 State Highway 1 is **confirmed** under section 181(3) of the RMA as agreed and set out in section 4 of this report.

Name: Peter Vari

Title: Team Leader – Planning Regional, North, West and Islands 1

Signed:



Date: 24 November 2021

SCHEDULE OF ATTACHMENTS

Attachment A: Notice of Requirement for alteration to designation and assessment of effects on the environment: State Highway 1 Widening – Hudson Road to P2Wk

Attachment B: Compensation Certificate and new Record of Title

Attachment A:




Pūhoi to Warkworth Project

NOTICE OF REQUIREMENT FOR ALTERATION TO DESIGNATION AND ASSESSMENT OF EFFECTS ON THE ENVIRONMENT:

STATE HIGHWAY 1 WIDENING – HUDSON ROAD to P2Wk

Document No: NX2-NTCE-PWD-EV-000012

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REVIEW AND DISTRIBUTION



DOCUMENT DETAILS

Document Name	Status	Document No.	Author
Notice of Requirement for Alteration to Designation 6763 - State Highway 1: Puhoi to Topuni	Final	NX2-NTCE-PWD-EV-000012	Jess Rose

DOCUMENT HISTORY AND STATUS

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A	1/02/21	Jess Rose	Planner	Review
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C	7/05/21	Jess Rose	Planner	Review
D	11/06/21	Erin Whooley	Senior Planner	Review
1	06/07/21	Erin Whooley	Senior Planner	Final

APPROVALS

Action	Name	Position	Organisation	Date	Signature
Reviewed by	Lesley Hopkins	Planning Verifier	DJV	06/07/21	
Approved by	James Johnson	Design Manager	DJV	06/07/21	
Reviewed by	Jonathan Green	Environmental Manager	CJV	06/07/21	
Approved by	Phil Millership	Engineering Manager	CJV	06/07/21	

This report has been prepared by the Pūhoi to Warkworth Motorway PPP Design Joint Venture (DJV) pursuant to the Professional Services Agreement (PSA) between the DJV and the Construction Sub-contractor. Any use or reliance by any other person which is not provided for by the PSA or to which DJV has not given its prior written consent, is at that person's own risk and, on this basis, the DJV hereby provides its consent for the use of this report by NX2 LP and the Transport Agency. The DJV acknowledges that the Developed IP in this report is vested in the Transport Agency. © Transport Agency 2017.

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APPENDICES

FORM 18 NOTICE OF REQUIREMENT FOR ALTERATION OF A DESIGNATION UNDER S181(3) OF THE RESOURCE MANAGEMENT ACT 1991 (RMA)

To: Auckland Council
135 Albert Street
Auckland Central

From: Waka Kotahi NZ Transport Agency
Private Bag 106602
Auckland 1143

Pursuant to section 181(3) of the Resource Management Act 1991 (the RMA), Waka Kotahi NZ Transport Agency (Waka Kotahi) gives notice of its requirement to alter Designation 6763 - State Highway 1 (SH1).

Under Section 181 of the RMA, alterations are subject to sections 168 to 179 and are treated as a new designation unless the criteria set out in section 181(3) can be met. Section 181(3) states:

A territorial authority may at any time alter a designation in its district plan or a requirement in its proposed district plan if –

- a) *The alteration –*
 - i. *Involves no more than a minor change to the effects on the environment associated with the use or proposed use of land or any water concerned; or*
 - ii. *Involves only minor changes or adjustments to the boundaries of the designation or requirement; and*
- b) *written notice of the proposed alteration has been given to every owner or occupier of the land directly affected and those owners or occupiers agree with the alteration; and*
- c) *both the territorial authority and the requiring authority agree with the alteration –*

The proposed alteration to designation is considered to meet the criteria of section 181(3) RMA for the reasons set out in Section 6 (Statutory Assessment), of the accompanying Assessment of Effects on the Environment (AEE) report.

The designation to be altered, and the nature of the alteration is as follows:

The designation to be altered is Designation 6763 of the Auckland Unitary Plan: Operative in Part (AUP:OP). The purpose of Designation 6763 is for 'State Highway 1'.

The nature of the alteration is a minor change to the boundary of the designation at 27 SH1, Warkworth. The area of the proposed designation alteration is shown in the land requirement plan included in Appendix A.

The site to which the requirement applies is as follows:

The site to which the requirement applies is 27 SH1, Warkworth, 0984. A description of the site and surrounding environment is provided in Section 2 of the AEE report and the Record of Title is included as Appendix B.

The site at 27 SH1 is owned by Patricia Anne Sullivan, Patrick Thomas Sullivan, and Tracy Sara Sullivan. The area of additional land to be designated is 290m².

The nature of the proposed public work is:

The work authorised by the existing designation is the construction, operation, and maintenance of SH1, including the widening of SH1 to enable safe and efficient connection with the new Puhoi to Warkworth motorway. The widening works are currently under construction.

The proposed work to be authorised by the alteration to the designation is the extension of a proposed culvert under the widened state highway, 11 m further into the property at 27 SH1 and the installation of 15 m of rip rap associated with the culvert. The works facilitate vehicle access within the private property to the barn and will provide access to the culvert for construction and maintenance.

Further detail of the proposed work is provided in Section 3 of the AEE report and the updated land requirement plan is provided in Appendix A. There are no other changes proposed.

The nature of the proposed conditions that would apply are:

Designation 6763 includes a number of conditions. These are provided in Appendix E. These conditions will apply (where relevant) to the proposed works associated with the Project.

The effects that the public work will have on the environment, and the ways in which any adverse effects will be mitigated are:

An assessment of the change in effects on the environment associated with the alteration to designation is presented in Section 5 of the AEE and concludes that the alteration to the designation involves no more than a minor change to the effects on the environment associated with the proposed work.

Alternative sites, routes, and methods have been considered to the following extent:

No consideration of these Section 171 RMA matters is required for a minor alteration of a designation under Section 181(3) RMA.

The public work and alteration are reasonably necessary for achieving the objectives of the requiring authority because:

No consideration of these Section 171 RMA matters is required for a minor alteration of a designation under Section 181(3) RMA.

The following resource consents are needed for the proposed activity and have been applied for:

Resource consents pursuant to sections 9(1) and 9(2), 13, 14 and 15 of the RMA were granted by Auckland Council and authorise the construction of culvert E530. The resource consent conditions were subsequently altered on 15 June 2020 pursuant to s127 of the RMA, to reflect several changes including an updated culvert design. A subsequent s127 application to change conditions and additional resource consents have been submitted at the same time as this NOR to enable the culvert extension and installation of rip rap that is the subject of this alteration to designation. That application is currently being processed by Auckland Council. Further details are provided in Section 3 of the AEE report.

The following consultation has been undertaken with parties that are likely to be affected:

The owners of 27 SH1 have been consulted in relation to the proposed alteration of the designation. In accordance with Section 181(3)(b) RMA, written notice of the proposed alteration has been given to the owners of the land directly affected and the owners agree with the alteration. Written agreement of the owners of the land at 27 SH1 is included in Appendix C.

Signed by:

Belinda Petersen

Belinda Petersen
Principal Planner, Environmental Planning

Pursuant to authority delegated by the Waka Kotahi NZ Transport Agency

Date: *16 July 2021*

Address for Service:

Waka Kotahi NZ Transport Agency
Private Bag 106602
Auckland 1143

1 INTRODUCTION

On behalf of Waka Kotahi NZ Transport Agency ('Waka Kotahi'), the Northern Express Group ('NX2') has prepared this Assessment of Effects on the Environment ('AEE') to support a Notice of Requirement to Alter a Designation in accordance with Section 181(3) of the RMA. Maintenance and upgrades of State Highway 1 (SH1) are authorised by Designation 6763 (the Designation) under the Auckland Unitary Plan: Operative in Part (AUP:OP). Waka Kotahi is the Requiring Authority for the designation under section 167(3) of the RMA.

Pursuant to section 181(3) of the Resource Management Act 1991 (RMA), Waka Kotahi in its role as the Requiring Authority, provides notice to Auckland Council of its intent to alter the boundary of Designation 6763 to enable the construction of, ongoing access and maintenance to culvert E530 and an associated rip rap structure.

This AEE has been prepared in the format prescribed in Form 18 of the Resource Management (Forms, Fees, and Procedure) Regulations 2003.

1.1 WAKA KOTAHI

Waka Kotahi is a Crown entity with its objective, functions, powers and responsibilities set out in the Land Transport Management Act 2003 and the Government Roadway Powers Act 1989. Waka Kotahi's purpose states that it...*'is focused on providing one integrated land transport system that helps people get the most out of life and supports business'*, (www.nzta.govt.nz/about-us/about-the-nz-transport-agency/). This means a transport system that is:

- ▶ Effective – moves people and freight where they need to go in a timely manner
- ▶ Efficient – delivers the right infrastructure and services at the right level at the best cost
- ▶ Safe and responsible – reduces the harms from transport
- ▶ Resilient – meets our future needs and endures shocks.

1.2 NORTHERN EXPRESS GROUP (NX2)

NX2 is a Public-Private Partnership (PPP) set up to deliver the Pūhoi to Warkworth motorway project ('P2Wk') and widening of SH1 to connect into the new motorway. The PPP is an agreement between the public and private sectors to finance, construct, and deliver the Pūhoi to Warkworth motorway. Delivery of P2Wk will result in increased safety, increased trip time consistency, and a reliable connection road between Auckland and Northland.

1.3 BACKGROUND

In June 2018, Waka Kotahi sought a NoR and regional resource consents to alter the designation of SH1 (Designation 6763) to provide for a future link to the Matakana Link Road as well as the widening of SH1 to enable connection of the highway into the new P2Wk motorway. The altered area is located north of Warkworth and extends from Hudson Road (approximately 800 m to the northwest of the culvert site) north to the connection of the P2Wk motorway to SH1 (see Figure 1 for the site location plan as shown in the original application).

Regional resource consents for the works were granted on 8 May 2019 subject to conditions (these were subsequently amended under s127 in June 2020 to reflect minor design changes). The resource consent conditions cover matters including construction management, stormwater controls, stream works controls and management of contaminated land. In February 2020, the designation conditions were confirmed. The designation conditions cover matters including network utilities, design of swales, construction management, traffic management plans and landscaping. The works authorised by those approvals

(designation and resource consents) provide for the safe and efficient operation and maintenance of the SH1 once P2Wk opens.

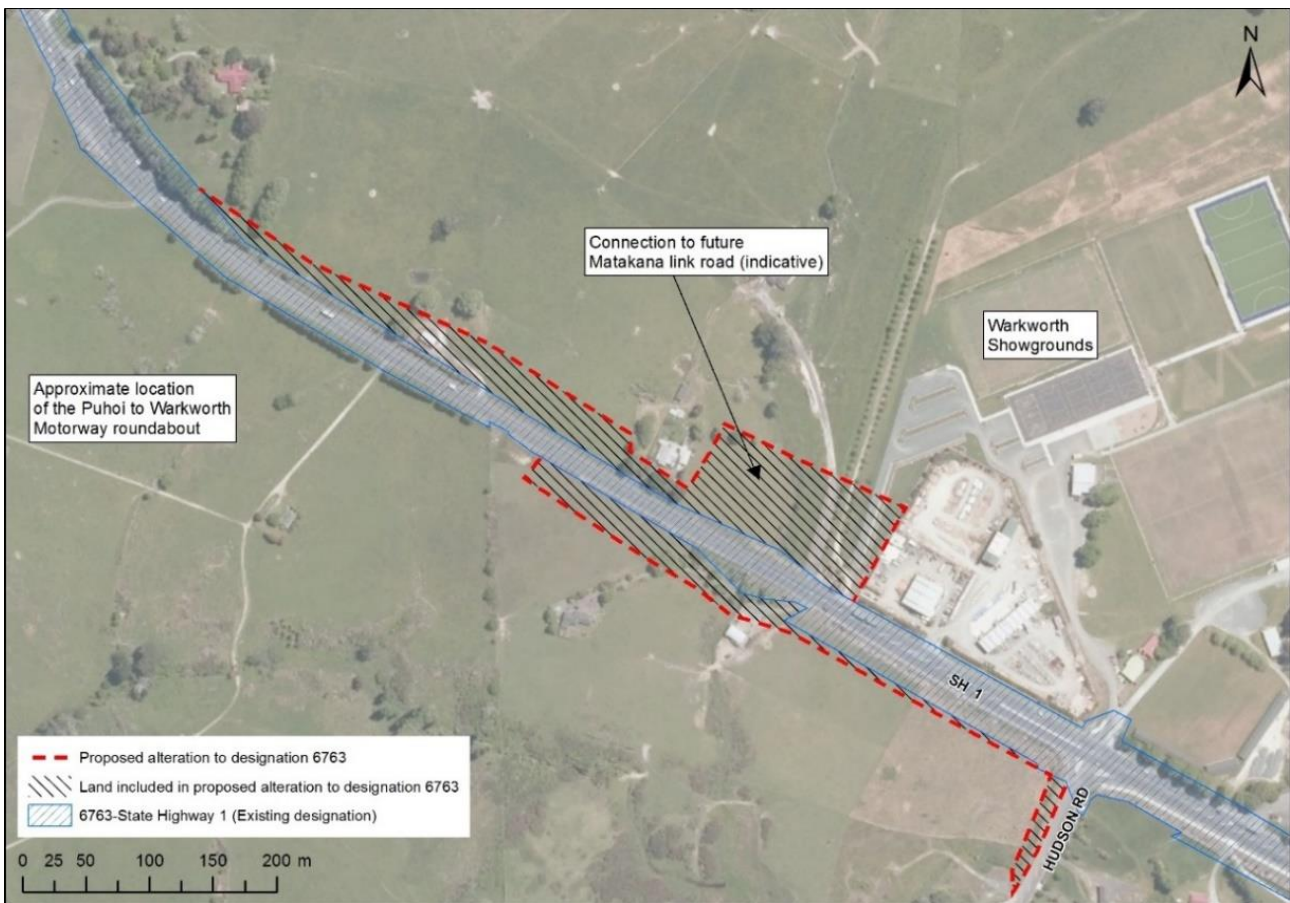


Figure 1: Site location as per the original application

2 EXISTING ENVIRONMENT

The area of works has been described in detail in the original designation alteration application dated 29 June 2018 and is not reiterated fully here. The site is located at 27 SH1, Warkworth (Figure 2). The Record of Title for the site is provided in Appendix B. The land is rural and is farmed. The site is bounded by SH1 to the north, and rural properties on all other sides. There is a residential building on the site and a barn. The AUP:OP maps relevant for the site are provided in Appendix A.

There is a stream running through the north eastern portion of the site. The stream runs north-east to south-west and flows for approximately 1.5 km before joining the main channel of the Mahurangi River. The channel has been modified historically with the installation of the existing E530 culvert, with associated rip rap lining placed along the banks. There is limited riparian vegetation along the stream banks with some pest species present.



Figure 2: 27 SH1 boundary outlined in blue. Yellow line indicates length of stream works required outside of current Designation 6763 boundary.

3 ALTERATION TO DESIGNATION 6763

Detailed design of culvert E530 has resulted in a reduction in length of the originally consented culvert length from 115 m to 111 m (refer Figure 3). The culvert is proposed to be repositioned slightly south of the original alignment and will now extend 11 m outside of the designation further into the property at 27 SH1. The rip rap associated with the culvert will extend approximately 15 m beyond the culvert outlet. This amounts to a combined total of 26 m of culvert and rip rap outside of the designation within the property of 27 SH1. Drawings of the updated culvert design are provided in Appendix D.

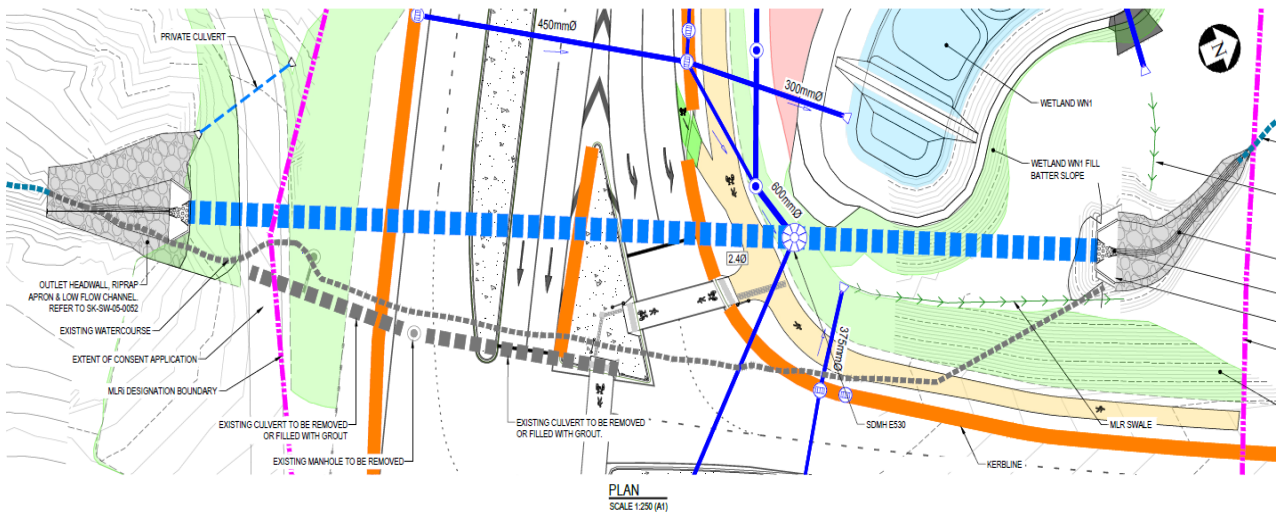


Figure 3: E530 Culvert arrangement (culvert is shown as blue dashed line).

As the culvert now extends outside of the existing SH1 designation boundary, the boundary of the designation needs to be amended to include the extent of the redesigned culvert. The change to the boundaries of the designation incorporate 230m² of land. This area covers the extent of the culvert and will enable construction and ongoing maintenance of the culvert into the future.

A copy of the updated Land Requirement Plan is provided in Appendix A and a snip of the plan is shown in Figure 4.

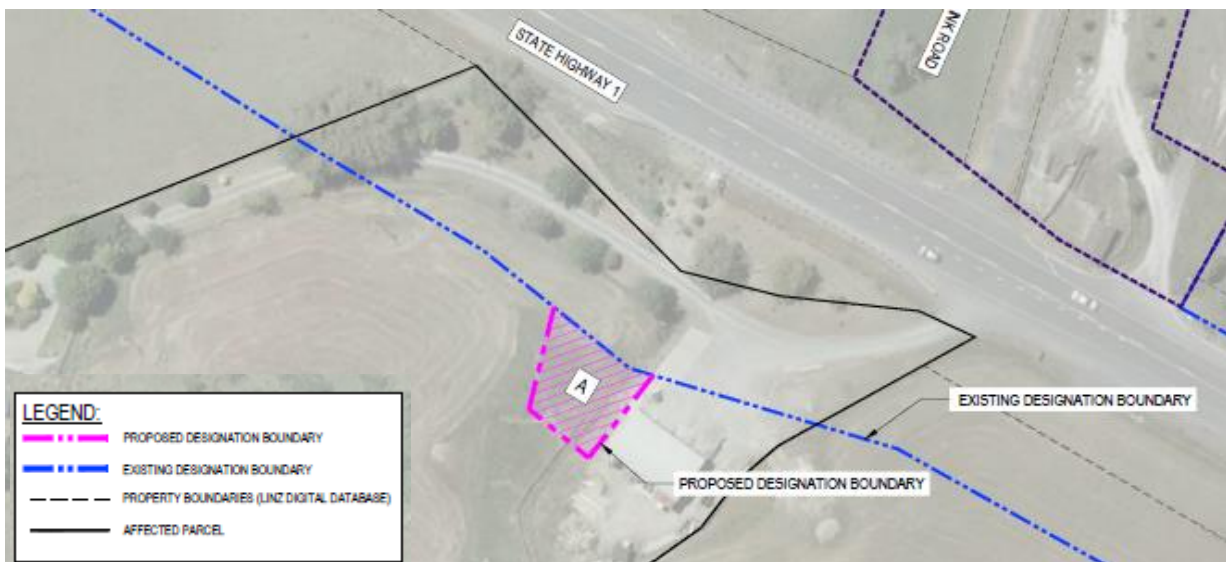


Figure 4: Snip of updated land requirement plan showing the updated designation boundary (full plan provided in Appendix A).

The culvert size and location is constrained by available space, constructability limitations, tie-ins to existing watercourses and the SH1 geometric design. Most of the 11 m length of the culvert at the site at 27 SH1 is required to accommodate the driveway access to the barn on the property (refer Figure 5). This is the most practicable option, taking into account the need for compliance with the existing resource consent and designation conditions, design constraints, reducing impacts on the stream as far as possible and the hydraulic flows the culvert is required to accommodate.

The relocated vehicle entrance for the property at 27 SH1 provides operational safety benefits for the landowner. If the culvert was retained in the current location, it would be accessed off the traffic light intersection with the Matakana Link Road. The amended driveway through the property provides heavy vehicle access to the barn. It will also facilitate maintenance access to the culvert outfall and rip rap area.

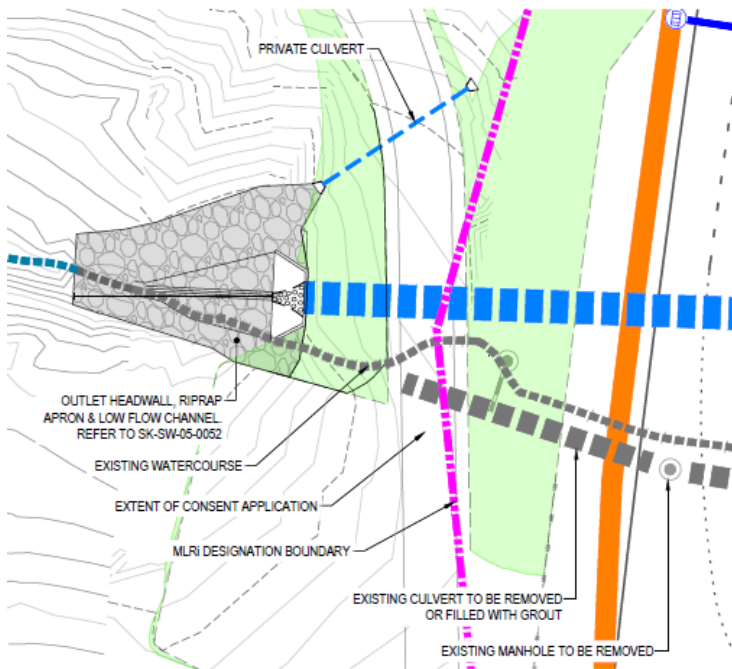


Figure 5: E530 culvert indicated by the dashed blue line. The pink line indicates the current designation boundary.

3.1 OTHER APPROVALS FOR CULVERT E530

Resource consents pursuant to sections 9(1) and 9(2), 13, 14 and 15 of the RMA were granted by Auckland Council and authorise the construction of culvert E530. The resource consent conditions were subsequently altered on 15 June 2020 pursuant to s127 of the RMA, to reflect several changes including an updated culvert design.

A subsequent s127 application (to change the conditions of the resource consent) and additional resource consents have since been submitted to enable the culvert extension and installation of rip rap that is also the subject of this alteration to designation. That resource consent application is currently being processed by Auckland Council.

The s127 and resource consent application addresses the regional consent matters, including ecological effects and operational stormwater effects associated with the proposed design change. Specifically, the following resource consents have been applied for:

- ▶ Rule C1.9(2) Land disturbance within Riparian Yards greater than 10m² and 5m³. Assessed as a restricted discretionary activity. The works will not meet the Permitted Activity Standard E26.5.5.2(12) which allows for up to 10 m² and 5 m³ of land disturbance within a Riparian Yard for the installation of network utilities. A 160 m² area and 100 m³ volume of earthworks is required to construct the area for the rip rap. The culvert construction will necessitate an area of approximately 300 m² and volume of approximately 1000 m³. The Riparian Yard is measured as 20 m from the edge of permanent and intermittent streams for the Future Urban Zone.

- ▶ Section 45(4) of the National Environmental Standard for Freshwater Regulations (NES: FM). The taking, use, damming, diversion, or discharge of water within, or within a 100 m setback from, a natural wetland is a discretionary activity if it is for the purpose of constructing specified infrastructure. The construction works will require discharges within 100 m of a natural wetland downstream.

A Stormwater Assessment and Ecological Assessment were submitted in support of the application.

3.2 MECHANISM TO ALTER THE DESIGNATION BOUNDARY

Section 181(3) of the RMA provides that a territorial authority may at any time alter a designation in its district plan or a requirement in its proposed district plan if

- (a) *the alteration—*
 - (i) *involves no more than a minor change to the effects on the environment associated with the use or proposed use of land or any water concerned; or*
 - (ii) *involves only minor changes or adjustments to the boundaries of the designation or requirement;*
and
- (b) *written notice of the proposed alteration has been given to every owner or occupier of the land directly affected and those owners or occupiers agree with the alteration; and*
- (c) *both the territorial authority and the requiring authority agree with the alteration— and sections 168 to 179 and 198AA to 198AD shall not apply to any such alteration.*

The scope of what can be considered under section 181 was confirmed by the Environment Court in *City Rail Link Limited v Auckland Council* [2017] NZEnvC 204. In this case, the Court held that the decision-maker may only consider the difference in effects on the environment between the original designation and the altered designation. This is a focused assessment limited to the effects arising from the alteration and does not extend to the broader effects of the designation as a whole.

4 ASSESSMENT OF EFFECTS ON THE ENVIRONMENT

Under section 181 of the RMA, the Council must only consider any difference in effects on the environment between the original designation and the changes being proposed.

In this case, Waka Kotahi is proposing a minor amendment to the designation boundary at 27 SH1. The landowner at 27 SH1 has given their written approval for the alteration to designation. The landowners are considered to be the only party directly affected by the alteration to the designation (as per s181(3)).

The proposed change to the designation boundary at 27 SH1 is assessed as having a no more than minor change to the effects on the environment. In particular:

- ▶ The proposed changes will enable the safe and appropriate provision of access for the landowner of 27 SH1 to access their barn over the extended culvert at this property. The widening of SH1 includes the provision of access to this property from the road. The widening will cut off the existing access to the property owner's barn. Although this change will result in more land on the subject site being designated, the updated design proposed provides a new access to this area of the property that is safe and effective.
- ▶ The alteration in designation boundary will enable ongoing access to the culvert and associated riprap by Waka Kotahi to undertake maintenance. Ongoing access is necessary given the size of the culvert and its importance for drainage of the upstream Warkworth catchment, particularly as development within this catchment increases in the future.

5 STATUTORY ASSESSMENT

5.1 ALTERATION TO DESIGNATION

Section 181(3) of the RMA provides a process for an alteration to a designation, provided that a number of criteria are met. The two tests of s181(3)(a)(i) and (ii) are considered specifically in Section 6.1.2 and 6.1.3 below. Section 181(3)(a) only requires that one of the two tests in subsections (i) and (ii) are met. In the circumstance that the Territorial Authority determines that only one of these tests can be passed, this would suffice for s181(3)(a) to be met.

5.1.1 NO MORE THAN MINOR EFFECTS - s181(3)(a)(i)

Section 4 of this AEE concludes that any potential adverse effects on the environment associated with the proposed alteration to the designation boundary will be less than minor. Accordingly, this alteration to designation satisfies the requirements of s181(3)(a)(i) of the Act.

5.1.2 MINOR BOUNDARY CHANGES OR ADJUSTMENTS - s181(3)(a)(ii)

The designation boundary is proposed to be extended to cover an additional 290m² of land at 27 SH1. The boundary specifically extends over the length of the proposed culvert structure to enable ongoing maintenance of the structure. Given the existing extent of Designation 6763, the additional 290m² is considered to be a minor boundary change. Accordingly, this alteration to designation satisfies the requirements of s181(3)(a)(ii) of the Act.

5.1.3 WRITTEN NOTICE OF THE CHANGE TO DIRECTLY AFFECTED OWNERS - s181(3)(b)

For the designation boundary alteration, only one party is affected, being the owners of 27 SH1. As set out in Section 4, written notice has been provided to the owners of 27 SH1 and they have provided written approval for the alteration. Copies of the written notice and approval from the property owners is provided in Appendix C.

5.1.4 AGREEMENT TO THE ALTERATION BY AUCKLAND COUNCIL AND WAKA KOTAHI - s181(3)(c)

Waka Kotahi as the Requiring Authority requests that Auckland Council as the Territorial Authority alter designation 6763 in the AUP:OP.

5.2 RMA PART 2

This alteration to the boundary of Designation 6763 is consistent with the purpose of the RMA, set out in Section 5 of the RMA. In particular, the alteration enables access for the owners of 27 SH1 to their barn once SH1 has been widened. The updated design is consistent with the previously consented design, in that it will provide for appropriate flows through the culvert to cater for future development within the catchment, meaning flood hazards are reduced both upstream and downstream. This enables people and communities to continue to sustainably manage natural and physical resources, and manage the risks from natural hazards, to provide for their social, economic, and cultural well-being, and for their health and safety.

Section 6 of the RMA requires that all persons exercising functions and powers under the RMA recognise and provide for specific matters of national importance. There are no specific matters of national importance which are relevant to this application. and Section 7 requires that all persons exercising functions and powers under the RMA have particular regard to a number of 'other matters'. Of relevance to this proposal are s7(b) the efficient use and development of natural and physical resources and s7(c) the maintenance and enhancement of amenity values. The project will enable the upgrading of culvert E530 which is necessary to enable the level of flow expected from the upstream catchment as it develops. It will also enable the

construction of an accessway to the property owner's barn on their property. This enables the maintenance of amenity values for this landowner.

Section 8 of the RMA requires that the principles of the Treaty of Waitangi (Te Tiriti o Waitangi) must be taken into account in relation to managing the use, development, and protection of natural and physical resources. Engagement has been undertaken with Hōkai Nuku in relation to the culvert works. Engagement remains ongoing as part of the wider Project.

6 CONCLUSION

This AEE has been prepared on behalf of the Waka Kotahi to support the Notice of Requirement to alter the designation boundary of Designation 6763 at 27 SH1, Warkworth in order to cover the amended design of culvert E530 as part of the SH1 widening works.

The alteration involves a no more than minor change in effects on the environment. The additional land requirements provide for relocated vehicle access within private property and improved access for future maintenance of the culvert which the landowner has agreed to.

The alteration to the designation will not result in a change in adverse effects from the existing designation boundary. Written approval of the 'directly affected' landowner at 27 SH1 has been provided by the property owner and is provided in Appendix C.

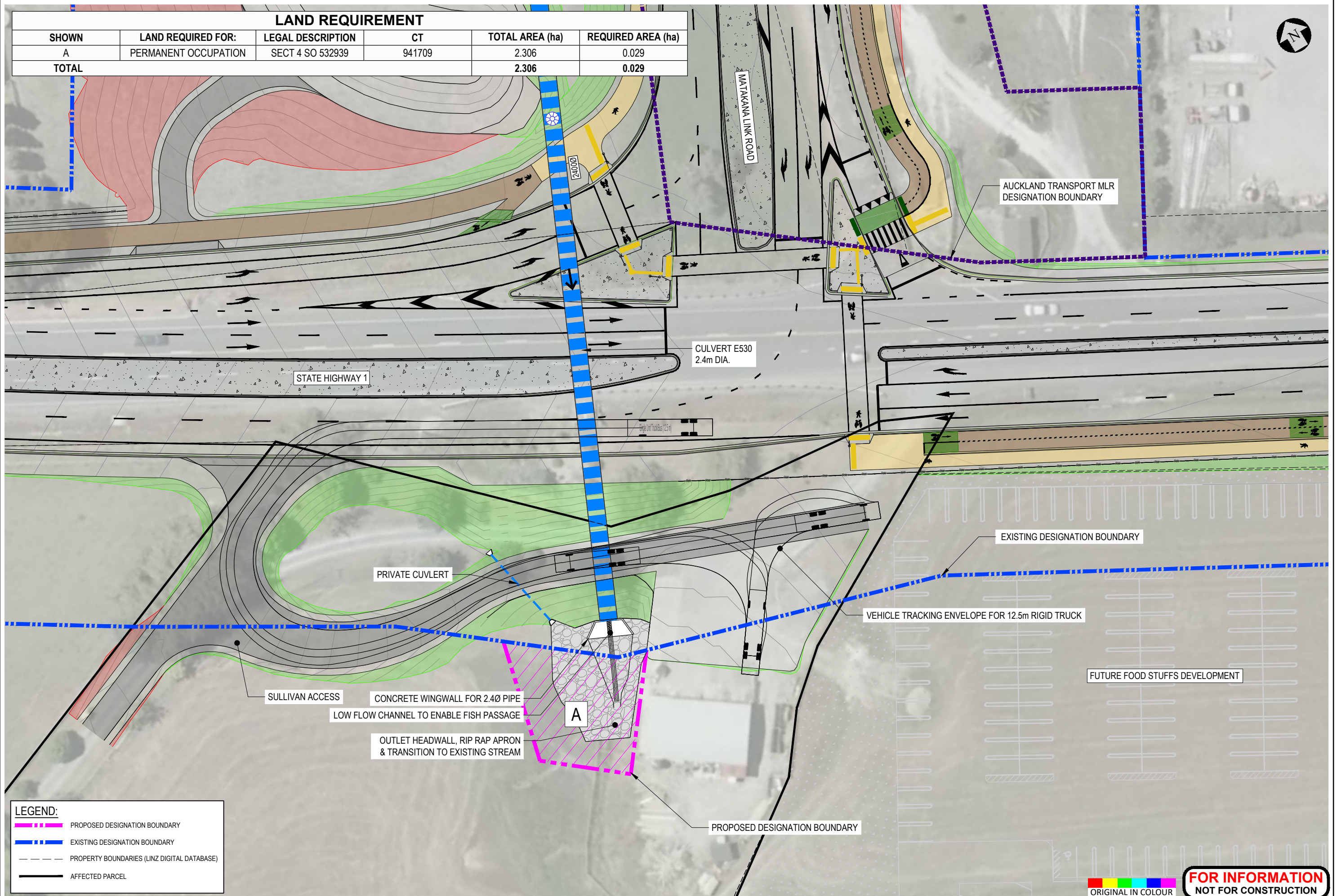
Waka Kotahi in their role as the Requiring Authority, proposes and agrees to, this alteration to designation.

The proposed alteration to the Designation satisfies the requirements of s181(3) RMA. Accordingly, Waka Kotahi requests that Auckland Council alter Designation 6763 in the AUP:OP in accordance with the Notice of Requirement set out above.

APPENDIX A – Land Requirement Plan and AUP:OP Maps of the Site



LAND REQUIREMENT					
SHOWN	LAND REQUIRED FOR:	LEGAL DESCRIPTION	CT	TOTAL AREA (ha)	REQUIRED AREA (ha)
A	PERMANENT OCCUPATION	SECT 4 SO 532939	941709	2.306	0.029
TOTAL				2.306	0.029



LEGEND:

- PROPOSED DESIGNATION BOUNDARY (Pink dashed line)
- EXISTING DESIGNATION BOUNDARY (Blue dashed line)
- PROPERTY BOUNDARIES (LINZ DIGITAL DATABASE) (Black dashed line)
- AFFECTED PARCEL (Black solid line)

ORIGINAL IN COLOUR **FOR INFORMATION NOT FOR CONSTRUCTION**

No.	Revision	By	Chk	Appd	Date
A	FOR INFORMATION	MA			13.10.20

Original Scale (A1)	Design	S.MORRISON	13.10.20	Approved For Construction
AS SHOWN	Drawn	M.ARCUS	13.10.20	Date
Reduced Scale (A3)	Dwg Verifier			
HALF SIZE	Dwg Check			

* Refer to Original Hardcopy for Signature



PŪHOI TO WARKWORTH MOTORWAY

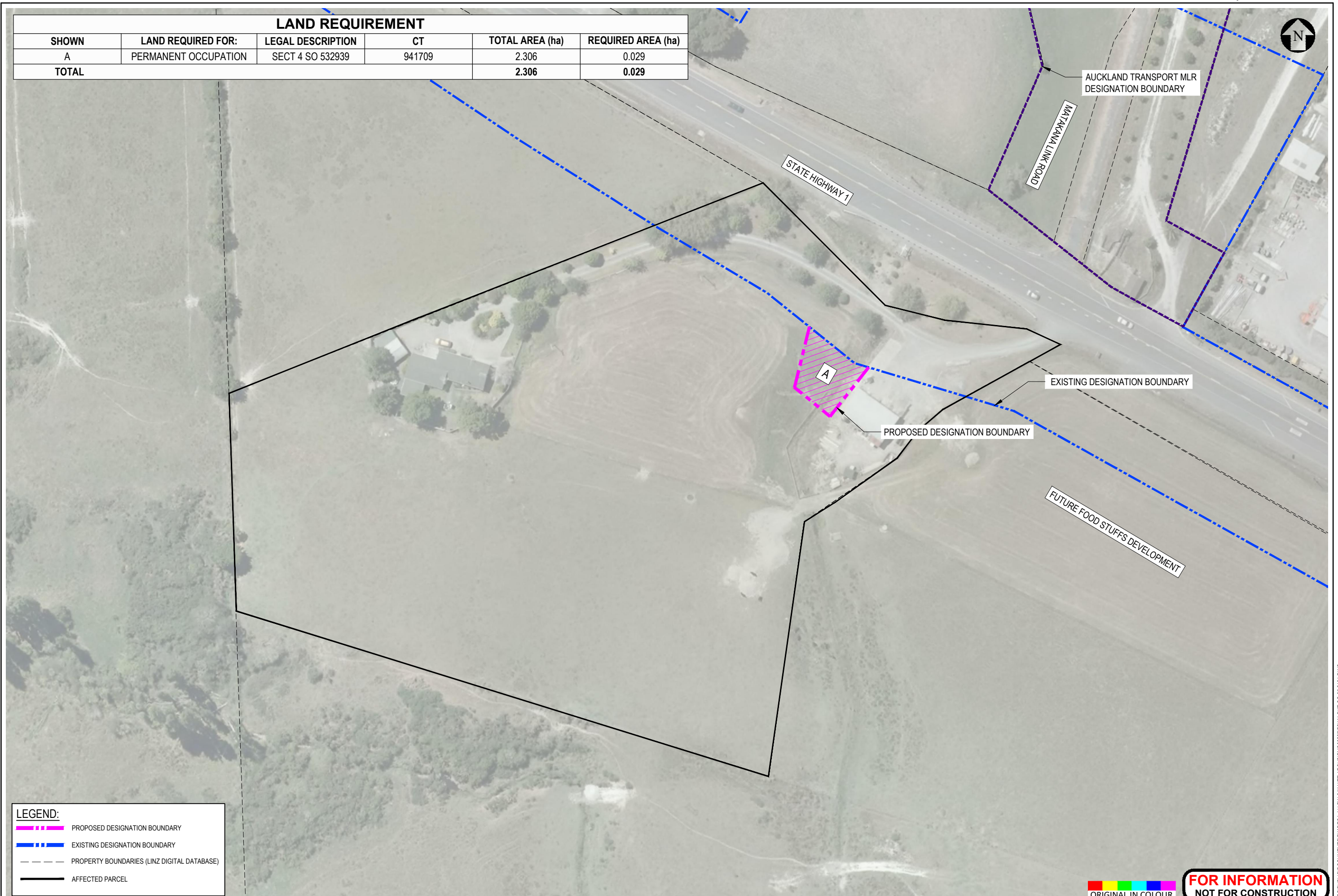


Subject:	NORTHERN CONNECTION	Discipline:	CIVIL
Title:	SULLIVAN PROPERTY PRIVATE ACCESS AND E530 CULVERT OUTFALL	Drawing No.:	P2Wk-SKT-CG-05-2100

Rev.:	A
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LAND REQUIREMENT

SHOWN	LAND REQUIRED FOR:	LEGAL DESCRIPTION	CT	TOTAL AREA (ha)	REQUIRED AREA (ha)
A	PERMANENT OCCUPATION	SECT 4 SO 532939	941709	2.306	0.029
TOTAL				2.306	0.029



LEGEND:

- - - - PROPOSED DESIGNATION BOUNDARY
- - - - EXISTING DESIGNATION BOUNDARY
- - - - PROPERTY BOUNDARIES (LINZ DIGITAL DATABASE)
- AFFECTED PARCEL

■ ■ ■ ■ ■ ■

ORIGINAL IN COLOUR

FOR INFORMATION

NOT FOR CONSTRUCTION

No.	Revision	By	Chk	Appd	Date
A	FOR INFORMATION	MA			03.12.20

Original Scale (A1)	Design	S.MORRISON	13.10.20	Approved For Construction
AS SHOWN	Drawn	M.ARCUS	13.10.20	
Reduced Scale (A3)	Dwg Verifier			
HALF SIZE	Dwg Check			

* Refer to Original Hardcopy for Signature



PŪHOI TO WARKWORTH MOTORWAY



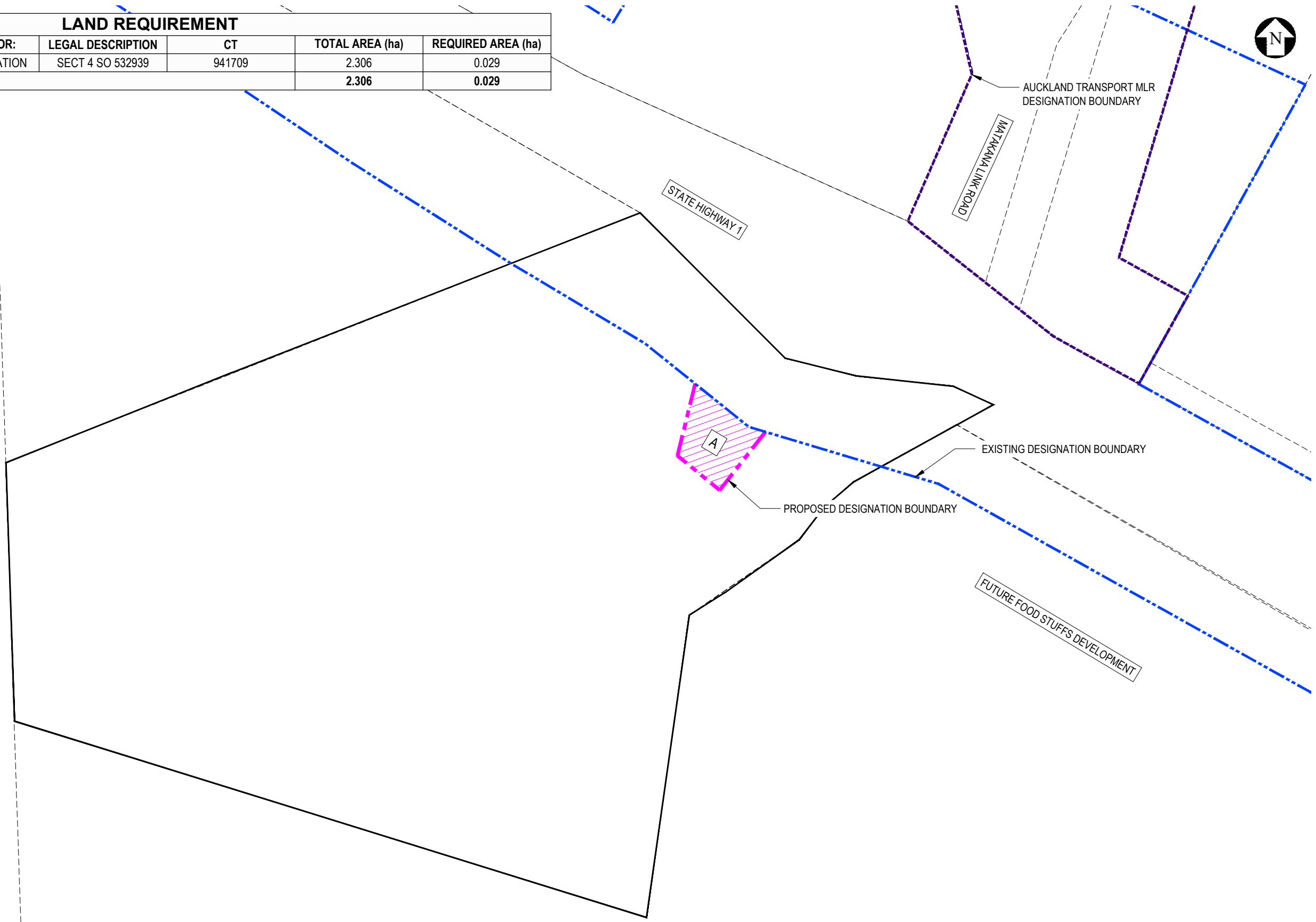
Subject:	NORTHERN CONNECTION	Discipline:	CIVIL
Title:	SULLIVAN PROPERTY LAND REQUIREMENT PLAN (AERIAL)	Drawing No:	P2Wk-SKT-CG-05-2101

Rev:	A
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LAND REQUIREMENT

SHOWN	LAND REQUIRED FOR:	LEGAL DESCRIPTION	CT	TOTAL AREA (ha)	REQUIRED AREA (ha)
A	PERMANENT OCCUPATION	SECT 4 SO 532939	941709	2.306	0.029
TOTAL				2.306	0.029



LEGEND:

	PROPOSED DESIGNATION BOUNDARY
	EXISTING DESIGNATION BOUNDARY
	PROPERTY BOUNDARIES (LINZ DIGITAL DATABASE)
	AFFECTED PARCEL

ORIGINAL IN COLOUR **FOR INFORMATION NOT FOR CONSTRUCTION**

No.	Revision	By	Chk	Appd	Date
A	FOR INFORMATION	MA			03.12.20

Original Scale (A1)	Design	S.MORRISON	13.10.20	Approved For Construction
AS SHOWN	Drawn	M.ARCUS	13.10.20	Date
Reduced Scale (A3)	Dwg Verifier			
HALF SIZE	Dwg Check			

* Refer to Original Hardcopy for Signature

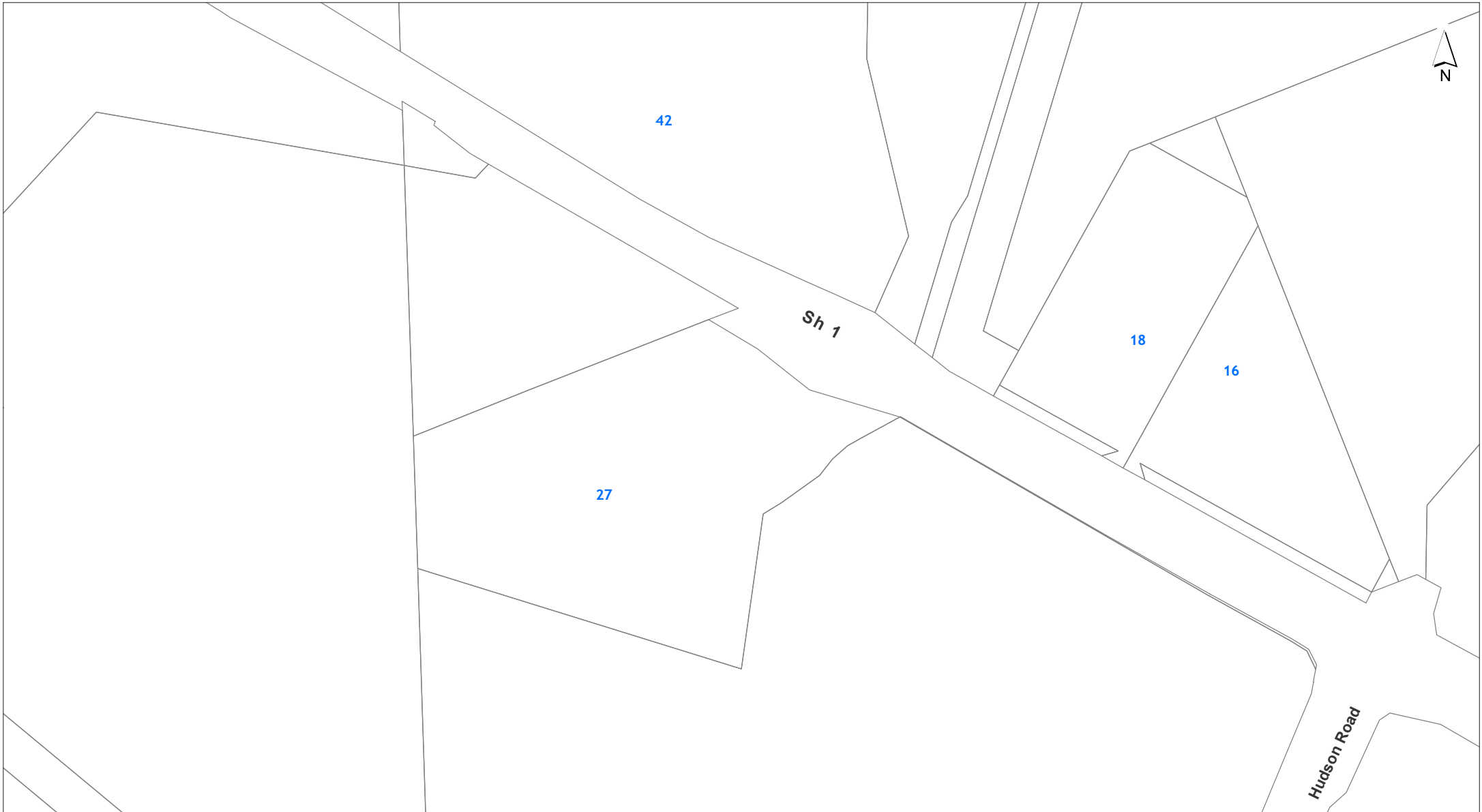


PŪHOI TO WARKWORTH MOTORWAY



Subject:	NORTHERN CONNECTION	Discipline:	CIVIL
Title:	SULLIVAN PROPERTY LAND REQUIREMENT PLAN (NO AERIAL)	Drawing No:	P2Wk-SKT-CG-05-2102

Rev:	A
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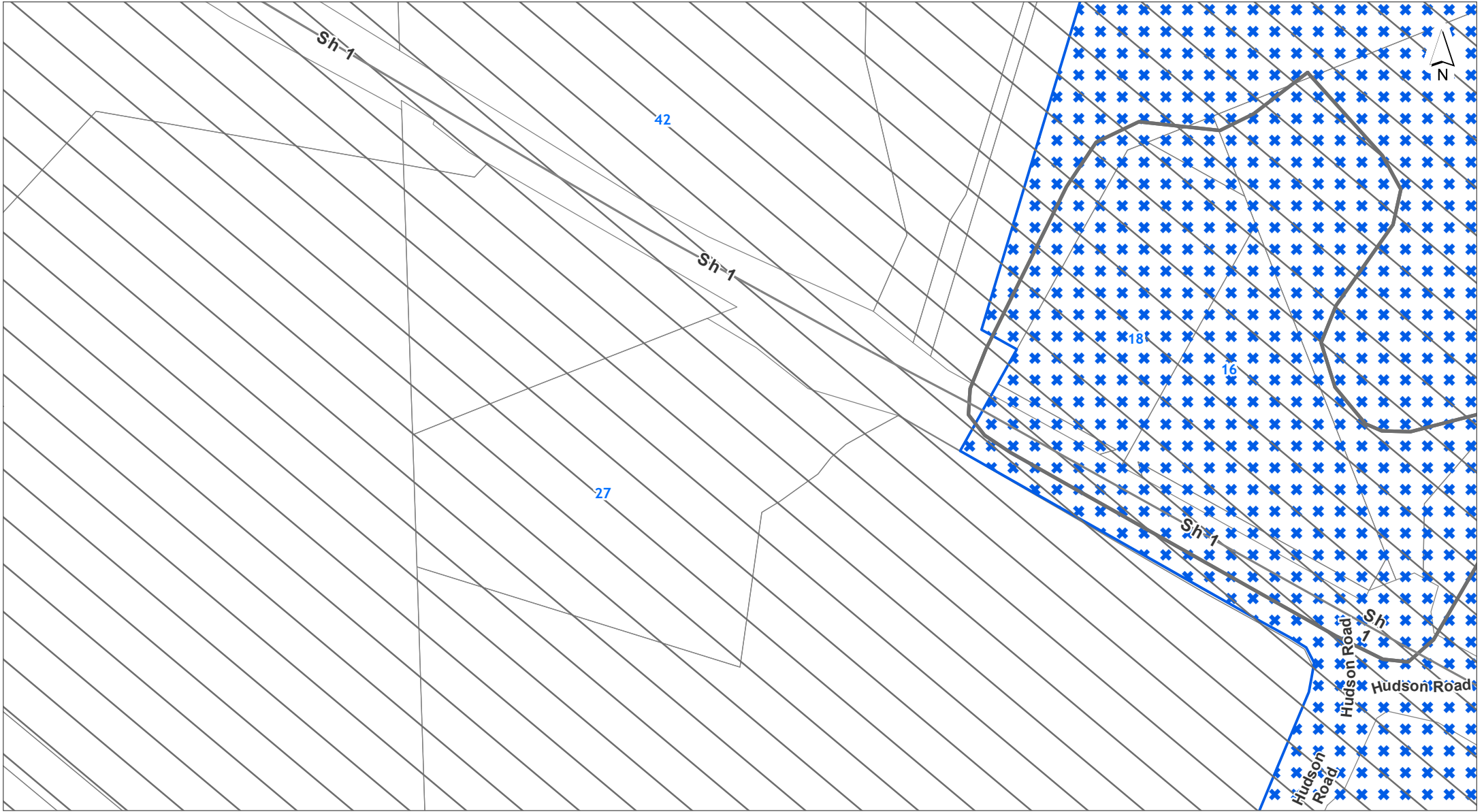
Built Environment 27 State Highway 1

0 10 20 30
Meters

Scale @ A4
= 1:2,500

Date Printed:
1/03/2021





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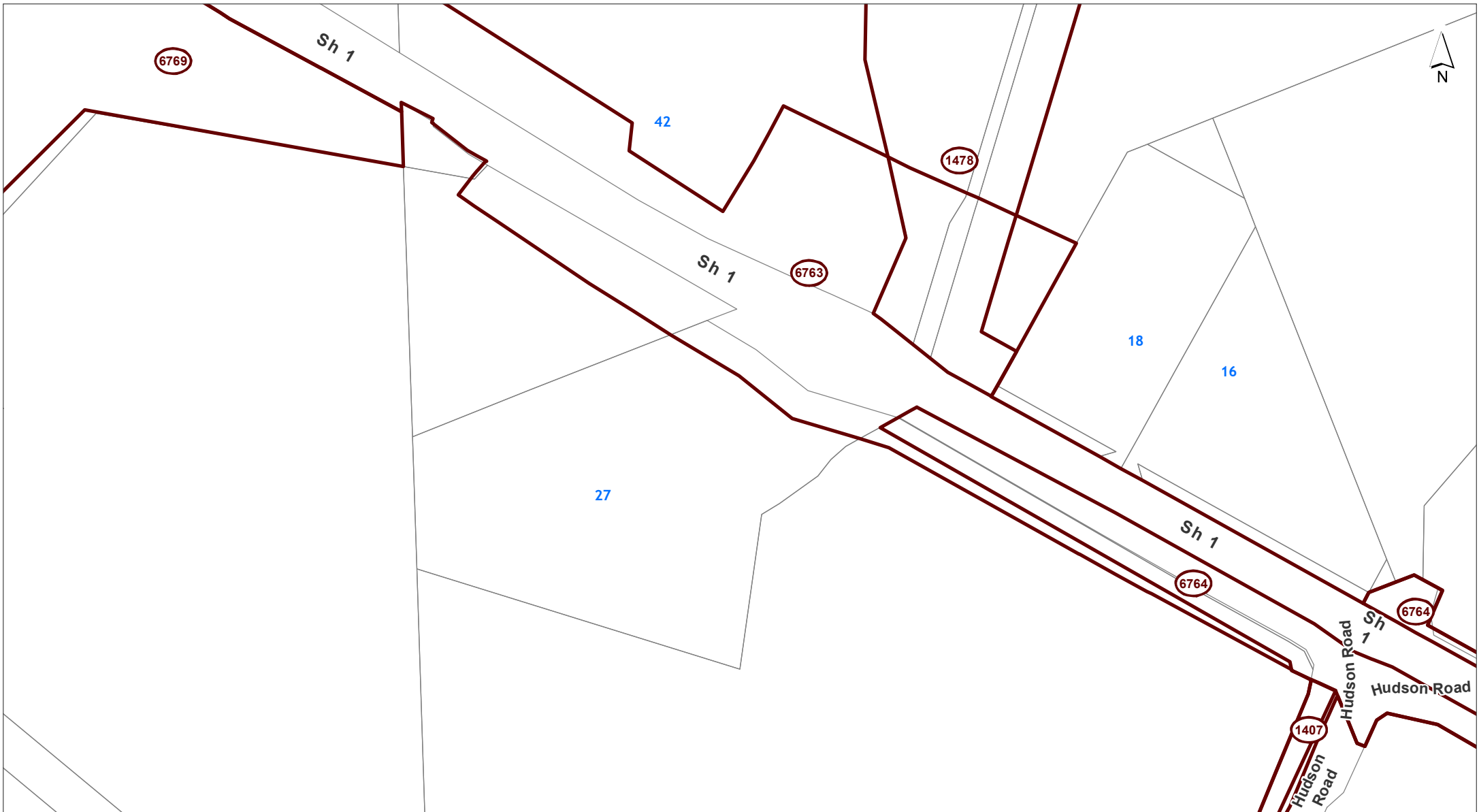
Controls 27 State Highway 1



Scale @ A4
= 1:2,500

Date Printed:
1/03/2021





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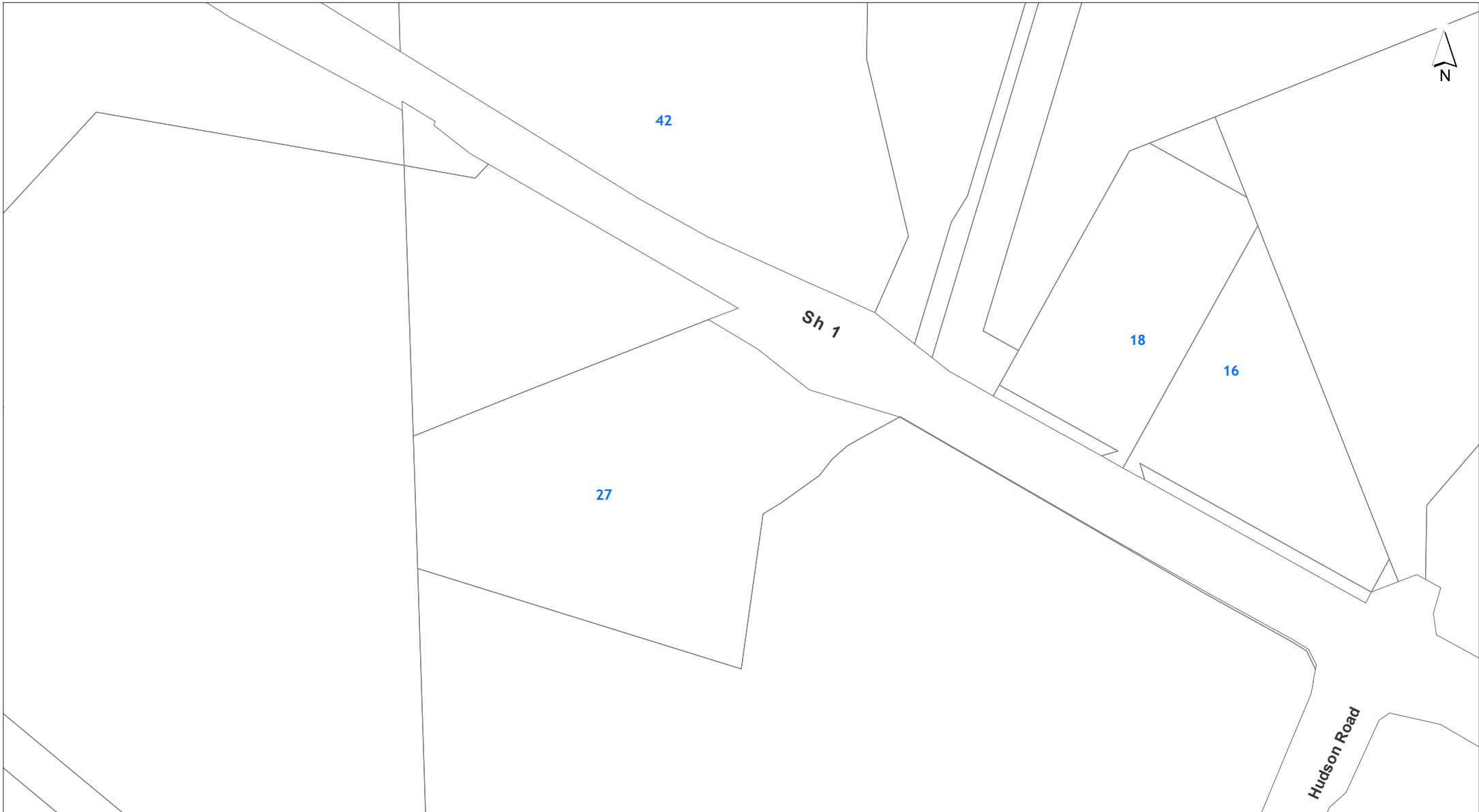
Designations 27 State Highway 1

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Meters

Scale @ A4
= 1:2,500

Date Printed:
1/03/2021





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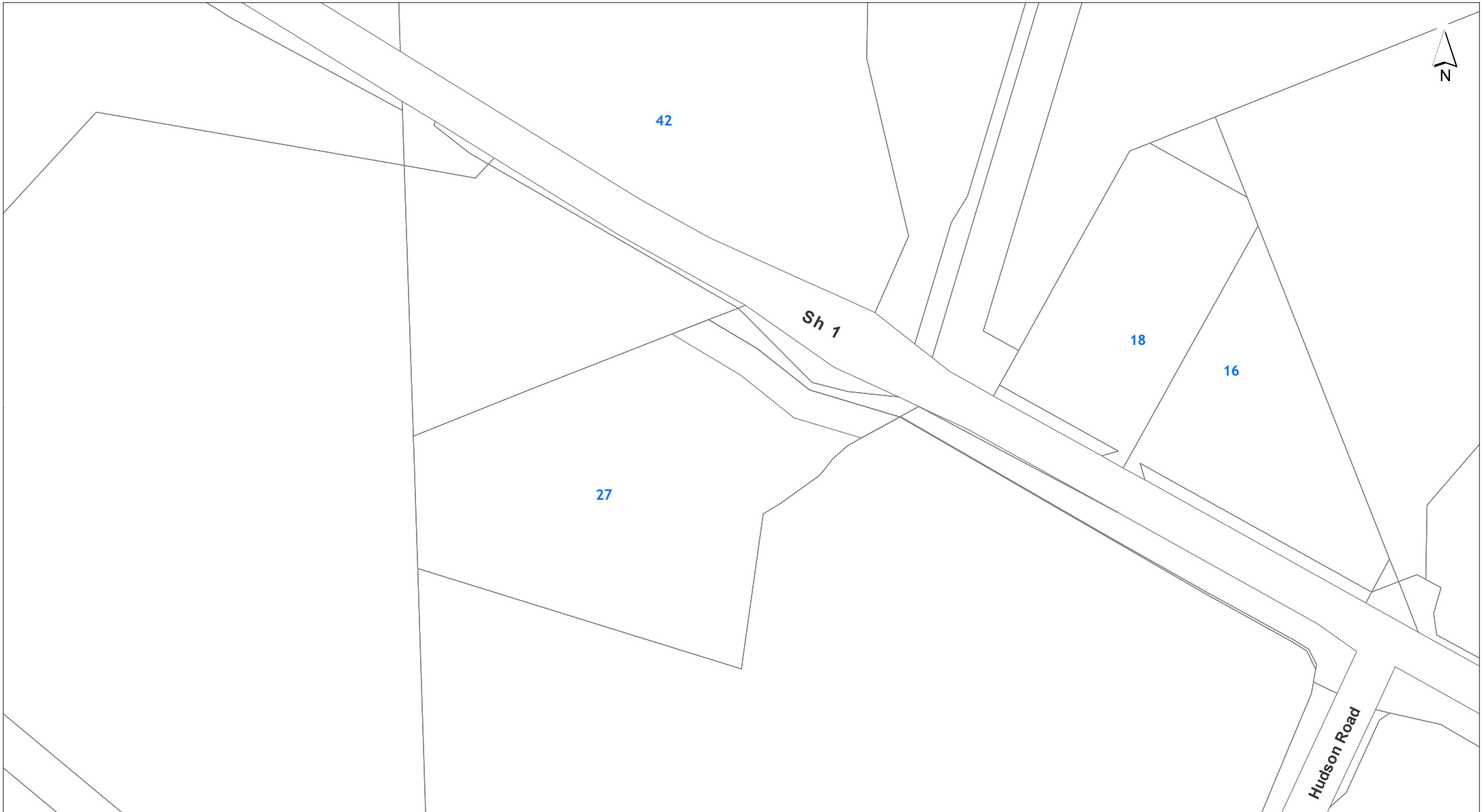
Historic Heritage and Special Character 27 State Highway 1

0 10 20 30
Meters

Scale @ A4
= 1:2,500

Date Printed:
1/03/2021





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Infrastructure 27 State Highway 1



Scale @ A4
= 1:2,500

Date Printed:
1/03/2021





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Mana Whenua
27 State Highway 1

0 10 20 30
Meters

Scale @ A4
= 1:2,500

Date Printed:
1/03/2021





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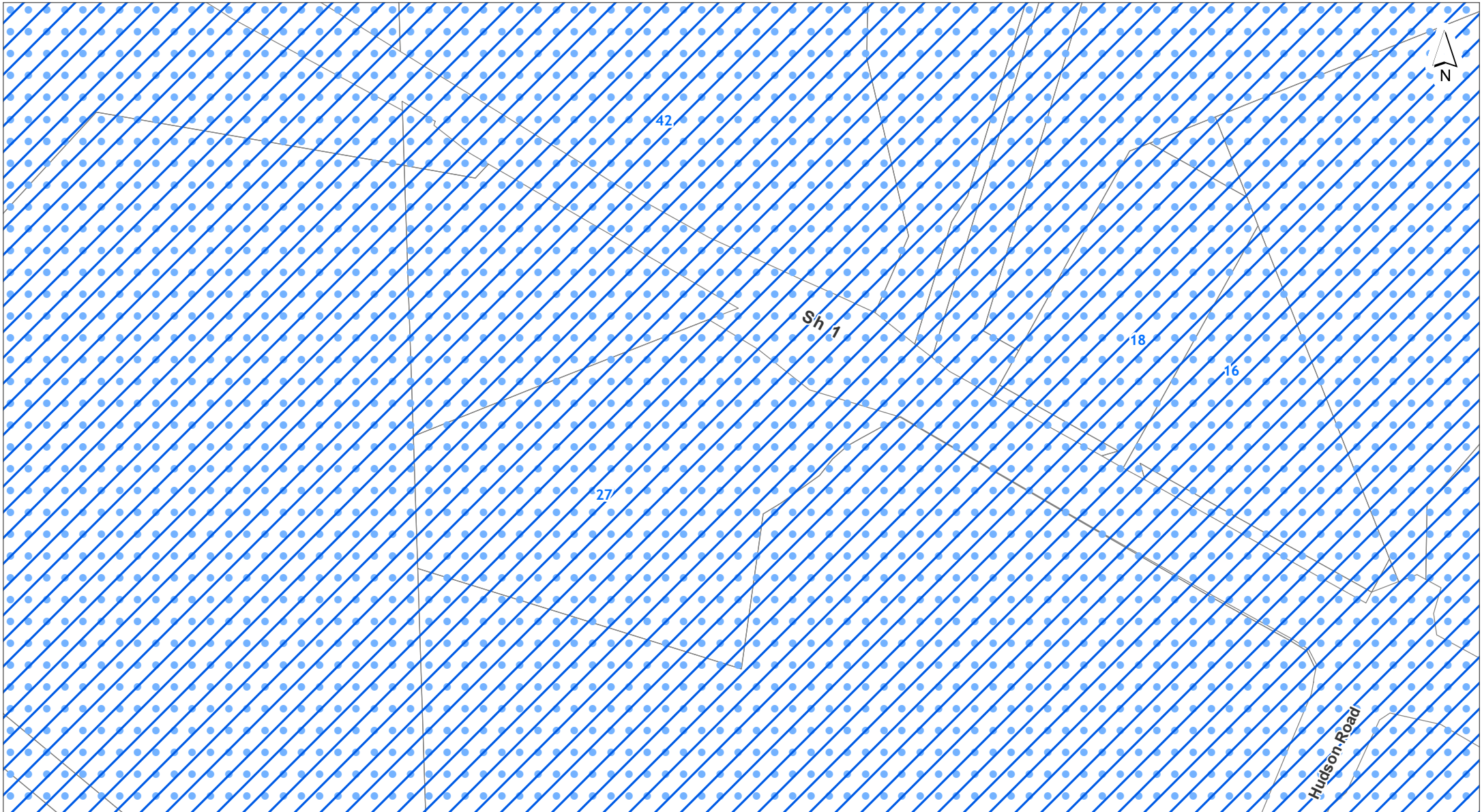
Natural Heritage 27 State Highway 1



Scale @ A4
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Date Printed:
1/03/2021





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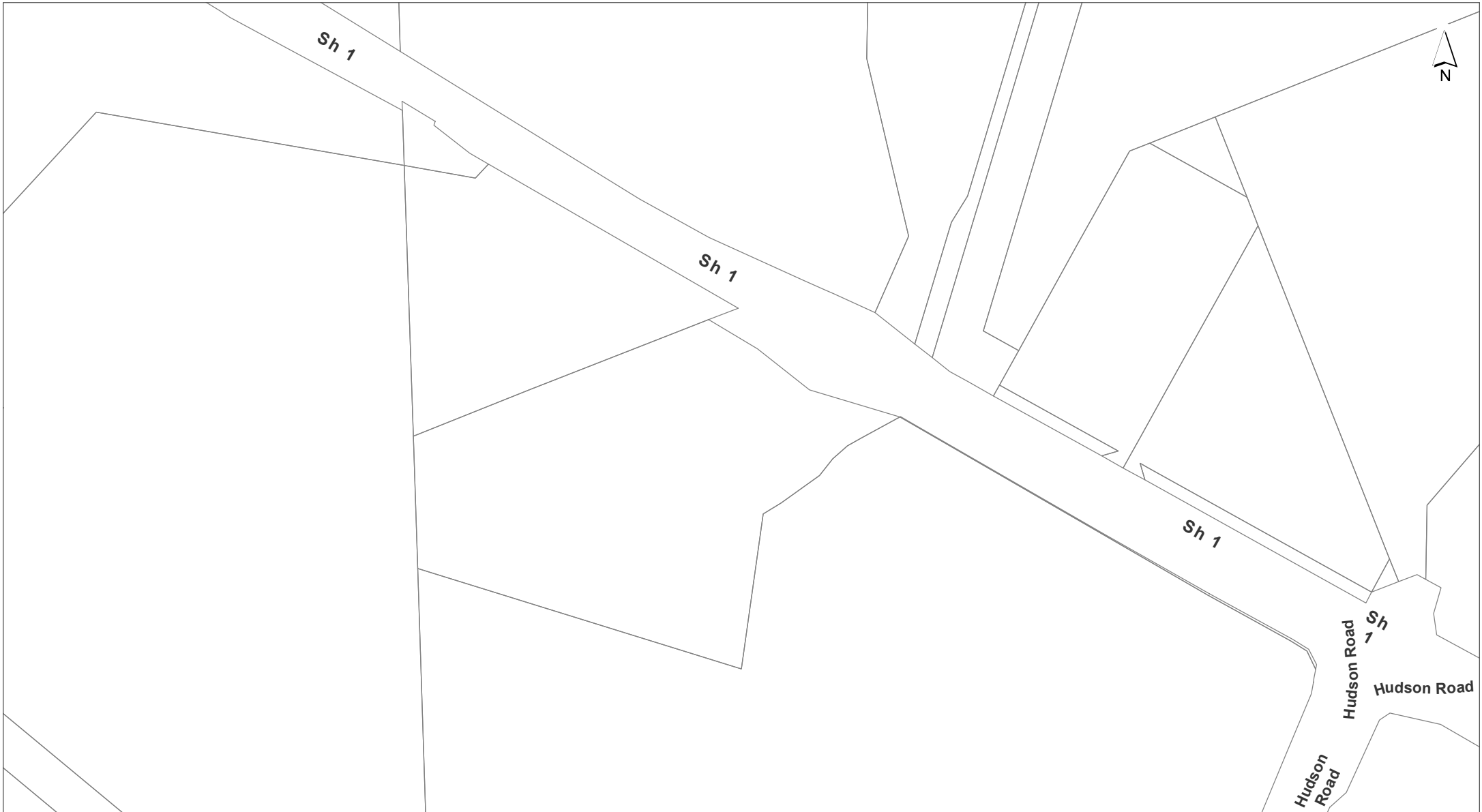
Natural Resources 27 State Highway 1

0 10 20 30
Meters

Scale @ A4
= 1:2,500

Date Printed:
1/03/2021





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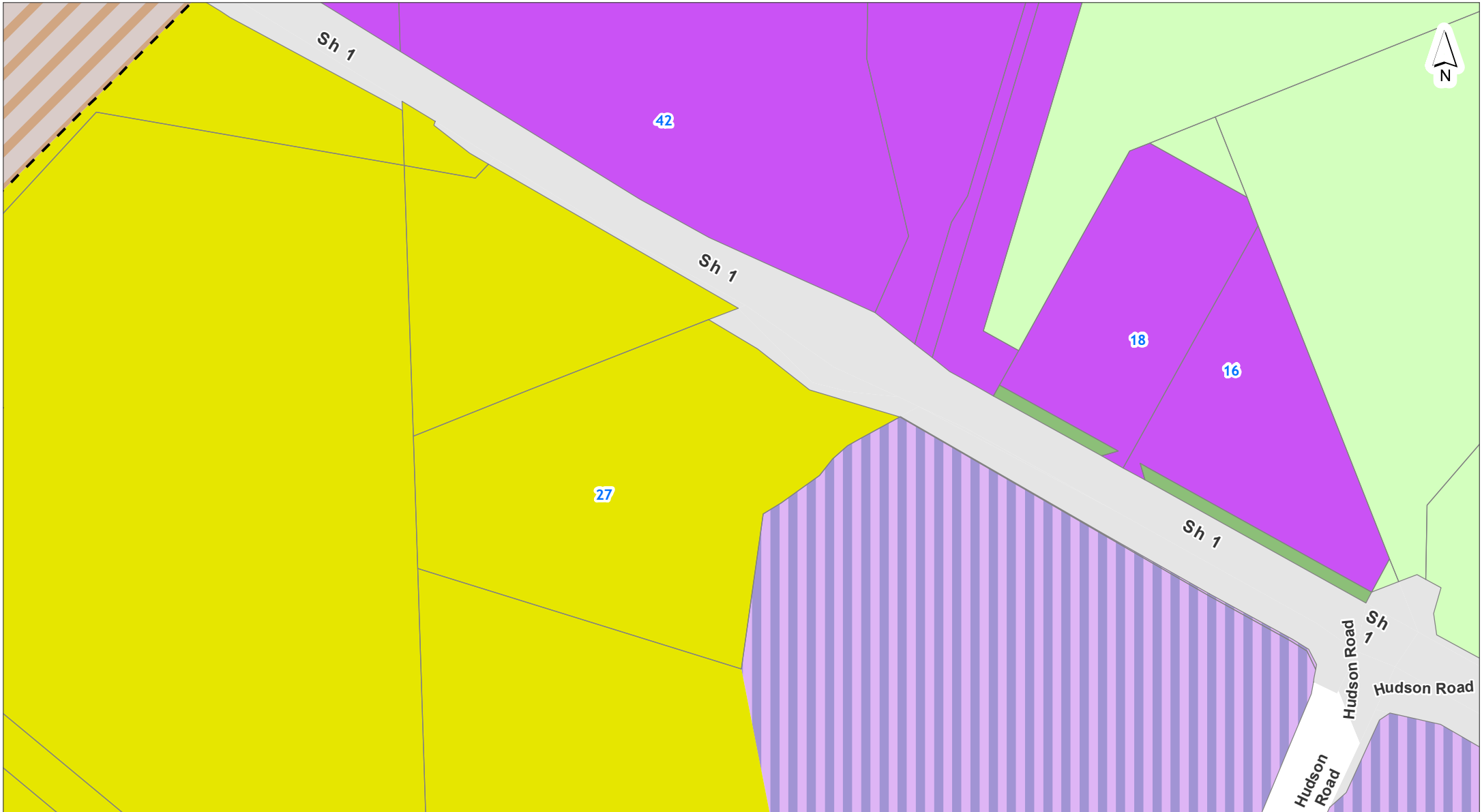
Precincts 27 State Highway 1

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Meters

Scale @ A4
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Date Printed:
1/03/2021





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Zones and Rural Urban Boundary 27 State Highway 1

0 10 20 30
Meters



Scale @ A4
= 1:2,500

Date Printed:
1/03/2021





NOTATIONS

Appeals

-  Properties affected by Appeals seeking change to zones or management layers
-  Properties affected by Appeals seeking reinstatement of management layers

Proposed Plan Modifications



-  Notice of Requirements
-  Plan Changes

Tagging of Provisions:

- [i] = Information only
- [rp] = Regional Plan
- [rcp] = Regional Coastal Plan
- [rps] = Regional Policy Statement
- [dp] = District Plan (only noted when dual provisions apply)

ZONING







Residential

-  Residential - Large Lot Zone
-  Residential - Rural and Coastal Settlement Zone
-  Residential - Single House Zone
-  Residential - Mixed Housing Suburban Zone
-  Residential - Mixed Housing Urban Zone
-  Residential - Terrace Housing and Apartment Buildings Zone








Business

-  Business - City Centre Zone
-  Business - Metropolitan Centre Zone
-  Business - Town Centre Zone
-  Business - Local Centre Zone
-  Business - Neighbourhood Centre Zone
-  Business - Mixed Use Zone
-  Business - General Business Zone
-  Business - Business Park Zone
-  Business - Heavy Industry Zone
-  Business - Light Industry Zone

Open space

-  Open Space - Conservation Zone
-  Open Space - Informal Recreation Zone
-  Open Space - Sport and Active Recreation Zone
-  Open Space - Civic Spaces Zone
-  Open Space - Community Zone
-  Water [i]



Rural

-  Rural - Rural Production Zone
-  Rural - Mixed Rural Zone
-  Rural - Rural Coastal Zone
-  Rural - Rural Conservation Zone
-  Rural - Countryside Living Zone
-  Rural - Waitakere Foothills Zone
-  Rural - Waitakere Ranges Zone


Future Urban

-  Future Urban Zone
-  Green Infrastructure Corridor (Operative in some Special Housing Areas)

Infrastructure

-  Special Purpose Zone - Airports & Airfields
Cemetery
Quarry
Healthcare Facility & Hospital
Tertiary Education
Māori Purpose
Major Recreation Facility
School
-  Strategic Transport Corridor Zone

Coastal

-  Coastal - General Coastal Marine Zone [rcp]
-  Coastal - Marina Zone [rcp/dp]
-  Coastal - Mooring Zone [rcp]
-  Coastal - Minor Port Zone [rcp/dp]
-  Coastal - Ferry Terminal Zone [rcp/dp]
-  Coastal - Defence Zone [rcp]
-  Coastal - Coastal Transition Zone














Precincts

--- Rural Urban Boundary









--- Indicative Coastline [i]

Overlays


Natural Resources

-  Terrestrial [rp/dp]
-  Marine 1 [rcp]
-  Marine 2 [rcp]
-  Water Supply Management Areas Overlay [rp]
-  Natural Stream Management Areas Overlay [rp]
-  High-Use Stream Management Areas Overlay [rp]
-  Natural } Lake Management Areas Overlay (Natural Lake and Urban Lake)
-  Urban }
-  High-Use Aquifer Management Areas Overlay [rp]
-  Quality-Sensitive Aquifer Management Areas Overlay [rp]
-  Wetland Management Areas Overlay [rp]


Infrastructure

-  Airport Approach Surface Overlay
-  Aircraft Noise Overlay
-  City Centre Port Noise Overlay [rcp / dp]
-  Quarry Buffer Area Overlay
-  National Grid Subdivision Corridor
-  National Grid Substation Corridor
-  National Grid Yard Compromised
-  National Grid Yard Uncompromised
















Mana Whenua

-  Sites & Places of Significance to Mana Whenua Overlay [rcp/dp]








Built Environment

-  Identified Growth Corridor Overlay











Natural Heritage











-  Notable Trees Overlay
-  Outstanding Natural Features Overlay [rcp/dp]
-  Outstanding Natural Landscapes Overlay [rcp/dp]
-  Outstanding Natural Character Overlay [rcp/dp]
-  High Natural Character Overlay [rcp/dp]
-  Viewshafts
-  Height Sensitive Areas
-  Regionally Significant Volcanic Viewshafts Overlay Contours [i]
-  Locally Significant Volcanic Viewshafts Overlay [rcp/dp]
-  Locally Significant Volcanic Viewshafts Overlay Contours [i]
-  Modified } Ridgeline Protection Overlay
-  Natural }
-  Local Public Views Overlay [rcp/dp]
-  Extent of Overlay
-  Subdivision Schedule

Historic Heritage & Special Character

-  Historic Heritage Overlay Place [rcp/dp]
-  Historic Heritage Overlay Extent of Place [rcp/dp]
-  Special Character Areas Overlay Residential and Business
-  Auckland War Memorial Museum Viewshaft Overlay [rcp/dp]
-  Auckland War Memorial Museum Viewshaft Overlay Contours [i]
-  Stockade Hill Viewshaft Overlay – 8m height area
-  Stockade Hill Viewshaft [i]

Controls

-  Key Retail Frontage
-  General Commercial Frontage
-  Adjacent to Level Crossings
-  General
-  Motorway Interchange Control
-  Centre Fringe Office Control
-  Height Variation Control
-  Parking Variation Control
-  Level Crossings With Sightlines Control
-  Arterial Roads

-  Business Park Zone Office Control
-  Hazardous Facilities
-  Infrastructure
-  Macroinvertebrate Community Index
-  Flow 1 [rp]
-  Flow 2 [rp]
-  Subdivision Variation Control
-  Surf Breaks [rcp]
-  Cable Protection Areas Control [rcp]
-  Coastal Inundation 1 per cent AEP Plus 1m Control

Designations

-  Designations

-  Airspace Restriction Designations

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

Address

27 State Highway 1 Warkworth 0984

Legal Description

SECT 4 SO 532939

Appeals

Modifications

Plan Changes, Private Plan Change 25 - Warkworth North , Zone, [View PDF](#), Notified, 16/05/2019

Zones

Future Urban Zone

Precinct

Controls

Controls: Macroinvertebrate Community Index - Rural

Overlays

Natural Resources: High-Use Aquifer Management Areas Overlay [rp] - Mahurangi Waitemata

Natural Resources: High-Use Stream Management Areas Overlay [rp]

Designations

Designations: Designations - 6763, State Highway 1: Puhoi to Topuni, Designations, New Zealand Transport Agency

APPENDIX B – Record of Title



**RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Search Copy**




R. W. Muir
Registrar-General
of Land

Identifier **941709**
Land Registration District **North Auckland**
Date Issued 31 March 2020

Prior References

419126

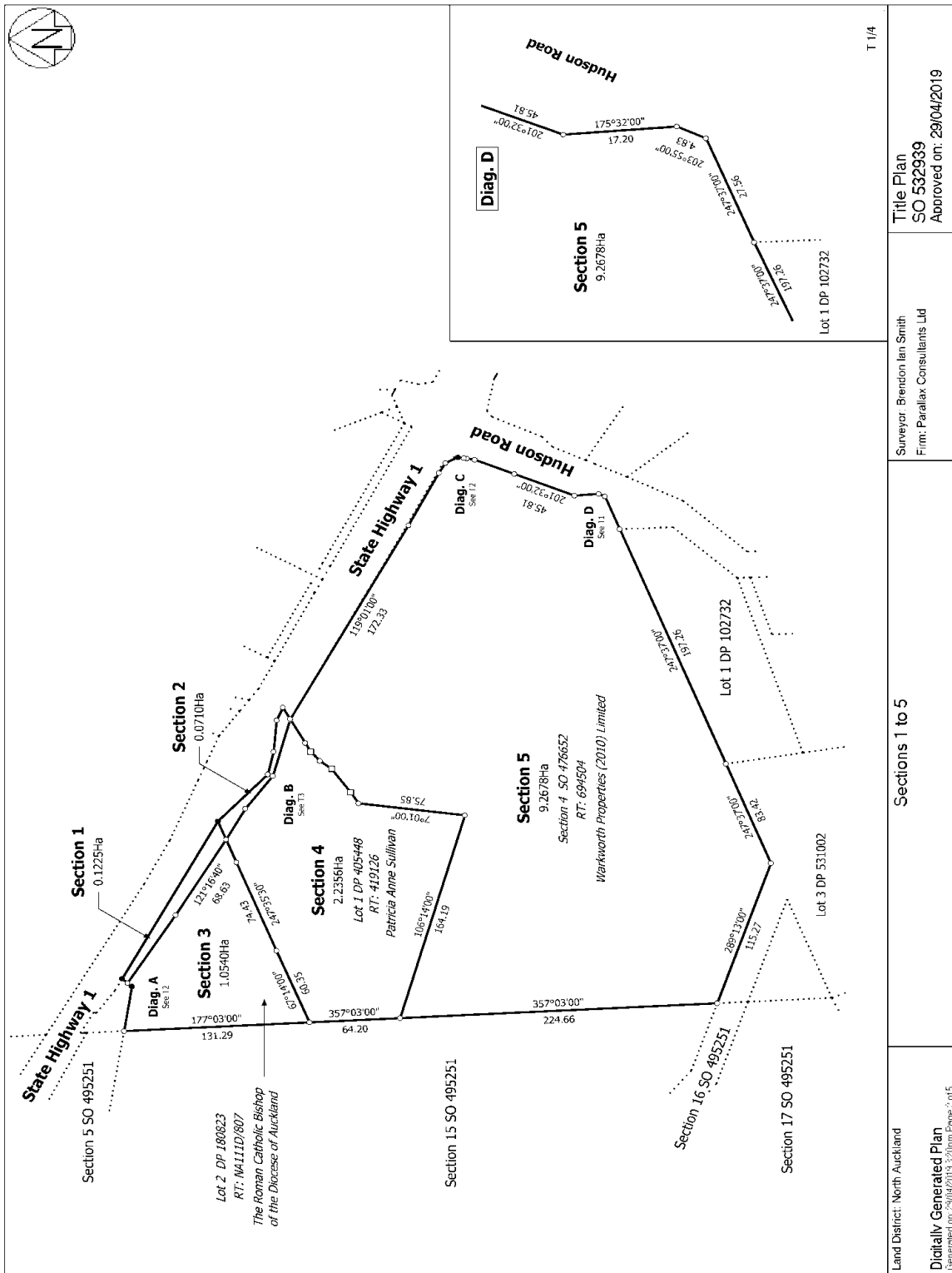
Estate Fee Simple
Area 2.2356 hectares more or less
Legal Description Section 4 Survey Office Plan 532939

Registered Owners

Patricia Anne Sullivan as to a 1/2 share
Patrick Thomas Sullivan and Tracy Sara Sullivan as to a 1/2 share

Interests

Appurtenant hereto are water rights created by Deed 387896 (R542/361)
556523.1 Gazette Notice (1978 P.730) declaring adjoining State Highway to be a limited access road - 12.4.1978 at 10.46 am
11291759.3 Notice pursuant to Section 18 Public Works Act 1981 - 21.11.2018 at 1:22 pm
11575105.1 Notice pursuant to Section 23 Public Works Act 1981 - 15.10.2019 at 5:17 pm
11724768.1 Lease of Area 2A SO 532939 Term commencing on 6.4.2020 and terminating on that date 3 years thereafter - Record of Title 941710 issued - created by Proclamation 11724768.1 - 31.3.2020 at 12:15 pm



Title Plan
SO 532939
Approved on: 29/04/2019

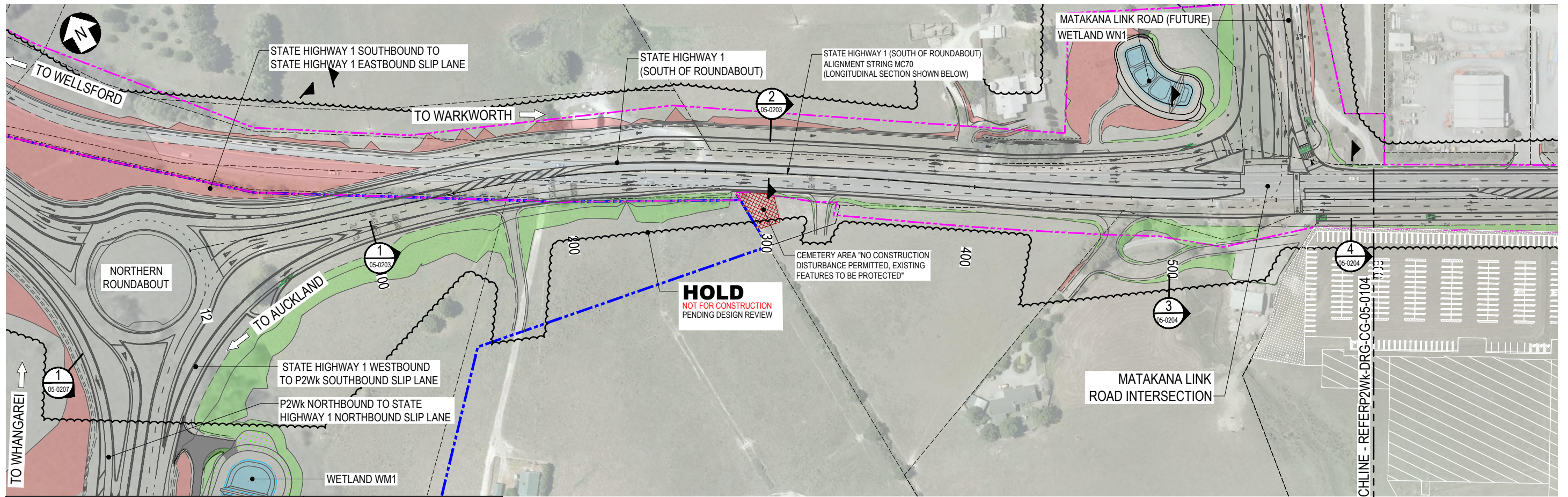
Surveyor: Brendon Ian Smith
Firm: Parallax Consultants Ltd

Sections 1 to 5

Land District: North Auckland
Digitally Generated Plan
Generated on: 29/04/2019 3:20pm Page 2 of 5

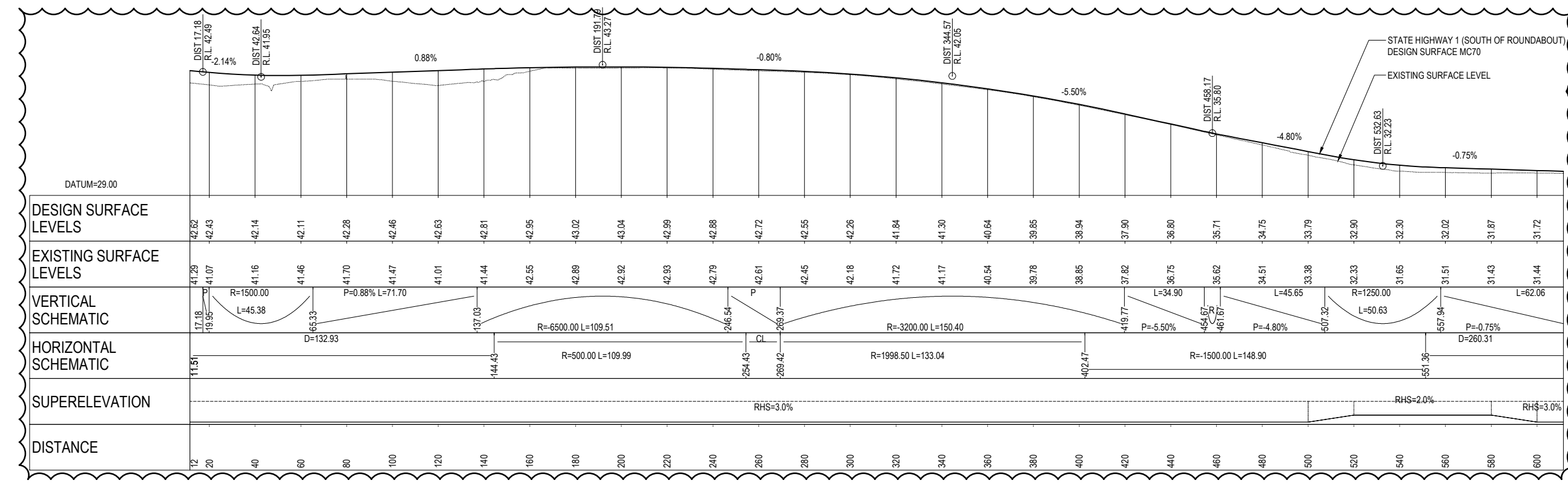
APPENDIX C – Written Approval of the landowners at 27 State Highway 1, Warkworth

APPENDIX D – Drawings of updated culvert design



LEGEND:		LEGEND: LONGITUDINAL SECTION	
	DESIGNATION BOUNDARY (P2Wk)		EXISTING SURFACE
	DESIGNATION BOUNDARY (MLR)		DESIGN SURFACE
	PROPERTY BOUNDARIES (LINZ DIGITAL DATABASE)	D = DISTANCE	RHS = RIGHT HAND SIDE
	PROPERTY BOUNDARIES (SH1)	P = SLOPE	LHS = LEFT HAND SIDE
	GEOMETRIC CENTRE LINE WITH CHAINAGE TICKS	L = CURVE LENGTH	RL = REDUCED LEVEL
	CUT BATTER		R = RADIUS
	FILL BATTER		
	ROCK CUT BATTER		

PLAN
SCALE 1:1000 (A1)



LONGITUDINAL SECTION ON CONTROL STRING MC70
SCALE HORIZ=1:1000 VERT=1:250

HOLD
NOT FOR CONSTRUCTION
PENDING DESIGN REVIEW

ORIGINAL IN COLOUR

FOR CONSTRUCTION

No.	Revision	MVA	BB	AEM	Date
3	ISSUED FOR CONSTRUCTION	MVA	BB	AEM	12.06.19
4	ISSUED FOR SAFETY AUDIT	MVA	JJ	AEM	11.09.20
5	ISSUED FOR STAGE 3 RESUBMISSION	MVA	JJ	AEM	18.09.20
6	ISSUED FOR STAGE 3 RESUBMISSION	MVA	JJ	AEM	23.10.20

Original Scale (A1)	Design	Date	Approved For Construction
AS SHOWN	B. BUSNARDO	04.05.18	A. MITCHELL
Reduced Scale (A3)	Drawn	J. DELATORRE	04.05.18
	Dwg Verifier	P. ISON	03.08.18
	Dwg Check	J. DELATORRE	03.08.18
	Date		03.08.18

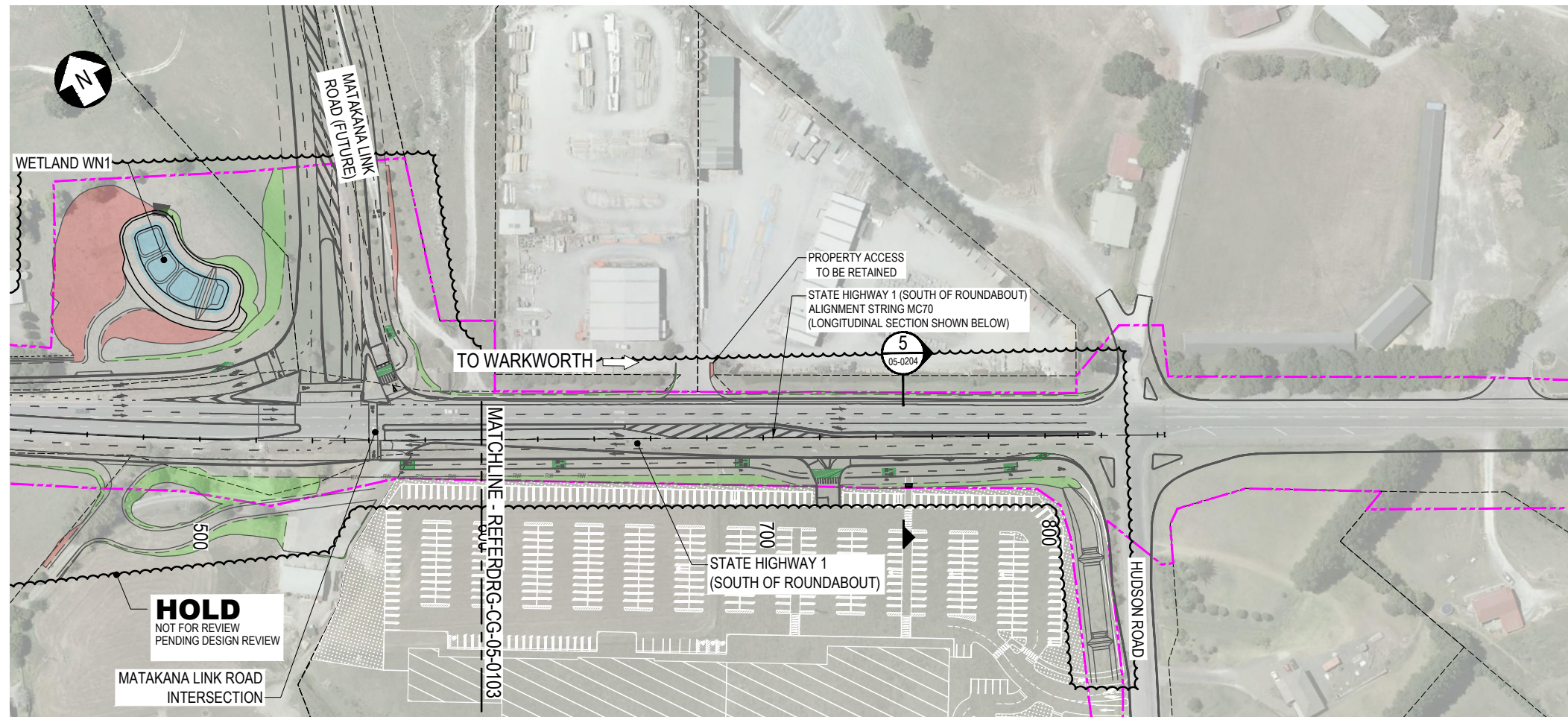
HALF SCALE * Refer to Original Handcopy for Signature



PŪHOI TO WARKWORTH MOTORWAY



Subject:	13-08 NORTHERN CONNECTION	Discipline:	CIVIL
Title:	PLAN & LONGITUDINAL SECTION (MC70) STATE HIGHWAY 1 (SOUTH OF ROUNDABOUT) - SHEET 1 OF 2	Drawing No.:	P2Wk-DRG-CG-05-0103
		Rev.:	6



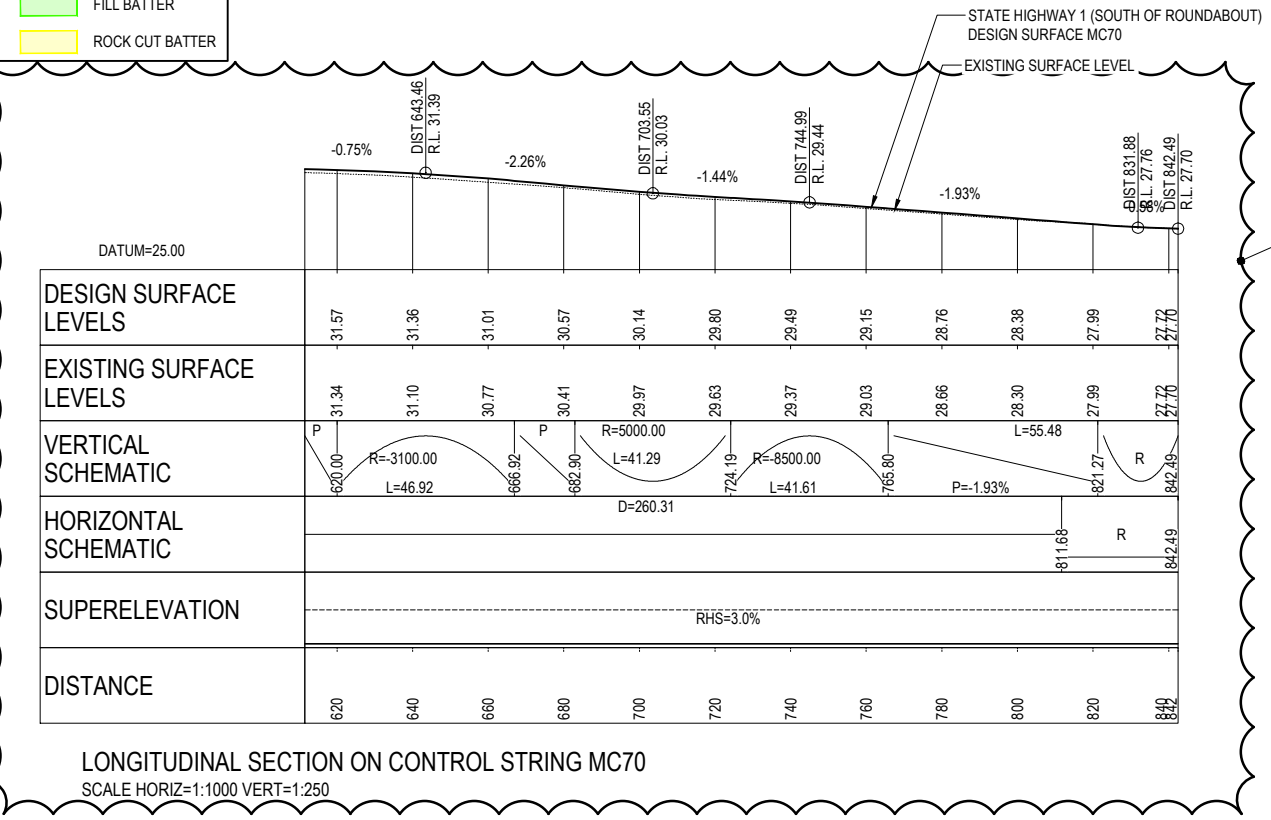
LEGEND:

	DESIGNATION BOUNDARY (P2Wk)		CUT BATTER
	DESIGNATION BOUNDARY (MLRi)		FILL BATTER
	PROPERTY BOUNDARIES (LINZ DIGITAL DATABASE)		ROCK CUT BATTER
	PROPERTY BOUNDARIES (SH1)		
	GEOMETRIC CENTRE LINE WITH CHAINAGE TICKS		

PLAN
SCALE 1:1000 (A1)

LEGEND: LONGITUDINAL SECTION

	EXISTING SURFACE
	DESIGN SURFACE
D =	DISTANCE
P =	SLOPE
L =	CURVE LENGTH
RHS =	RIGHT HAND SIDE
LHS =	LEFT HAND SIDE
RL =	REDUCED LEVEL
R =	RADIUS



LONGITUDINAL SECTION ON CONTROL STRING MC70
SCALE HORIZ=1:1000 VERT=1:250

No.	Revision	By	Chk	Appd	Date
1	ISSUED FOR CONSTRUCTION	JDT	BB/RK	AEM	03.08.18
2	ISSUED FOR SAFETY AUDIT	MVA	JJ	AEM	11.09.20
3	ISSUED FOR STAGE 3 RESUBMISSION	MVA	JJ	AEM	18.09.20
4	ISSUED FOR STAGE 3 RESUBMISSION	MVA	JJ	AEM	23.10.20

Original Scale (A1)	Design	Drawn	Date	Approved For Construction
AS SHOWN	B. BUSNARDO	J. DELATORRE	04.05.18	A. MITCHELL
Reduced Scale (A3)	Dwg Verifier	P. ISON	03.08.18	
HALF SCALE	Dwg Check	J. DELATORRE	03.08.18	Date 03.08.18



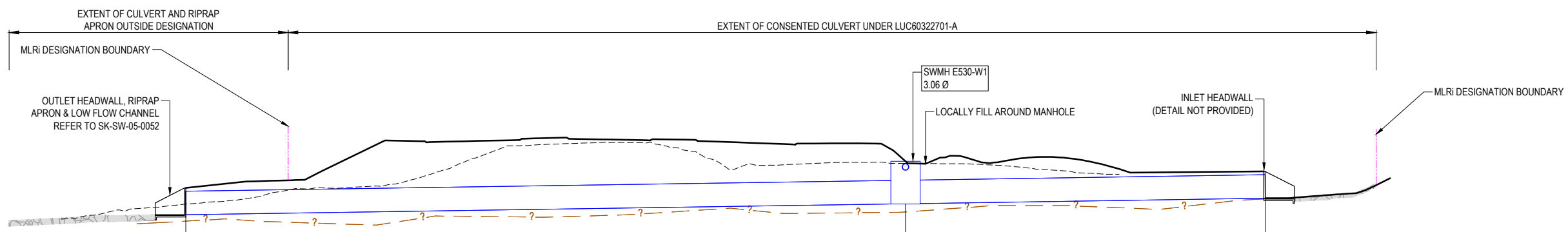
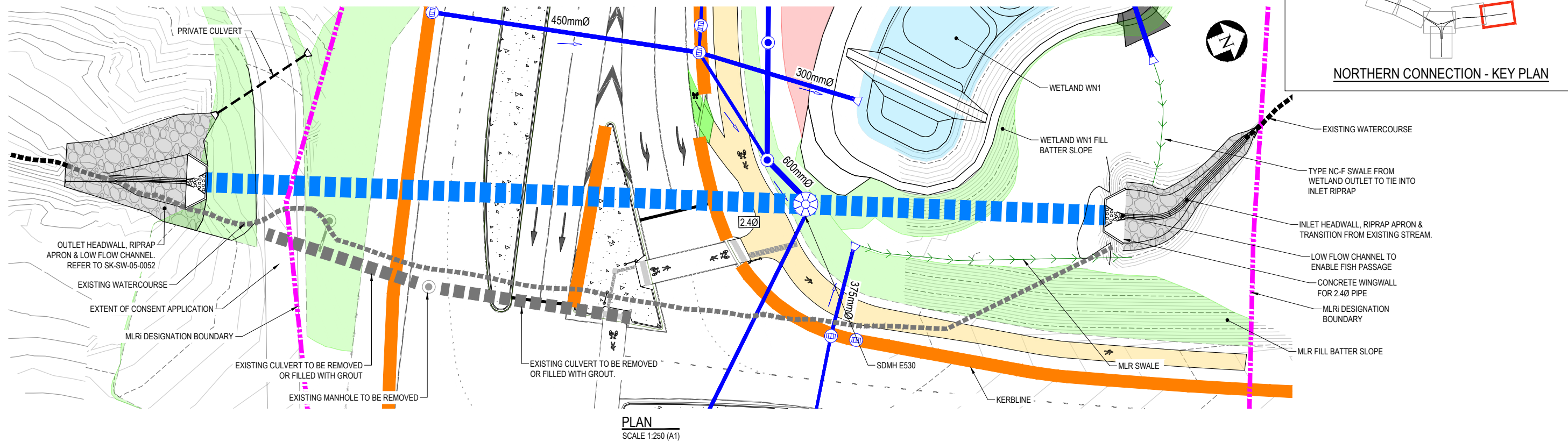
PŪHOI TO WARKWORTH MOTORWAY



Subject:	13-08 NORTHERN CONNECTION
Title:	PLAN & LONGITUDINAL SECTION (MC70) STATE HIGHWAY 1 (SOUTH OF ROUNDABOUT) - SHEET 2 OF 2

FOR CONSTRUCTION

Discipline:	CIVIL
Drawing No.:	P2Wk-DRG-CG-05-0104
Rev.:	4



Datum	20.0						
EXISTING LEVEL (m)	26.28			30.46			29.30
DESIGN LEVEL (m)	27.60			30.69			29.30
INVERT LEVEL (m)	25.20	25.20	26.31	26.35			26.90
PIPE DIA. / GRADE	2.4Ø CONCRETE @ 1.54%			2.4Ø CONCRETE @ 1.54%			
CHAINAGE (m)	0.00		73.80		73.80	36.89	110.69

NOTES:
 1. ALL DIMENSIONS IN METRES UNLESS NOTED OTHERWISE.

LONGITUDINAL SECTION
 SCALE 1:250 (A1)

FOR INFORMATION
NOT FOR CONSTRUCTION

No.	Revision	By	Chk	Appd	Date
A	FOR INFORMATION	JACH	SBW	JTJ	10.02.21
B	FOR INFORMATION	JC	SBW	EW	22.04.21

Original Scale (A1)	Design	S.WHITING	10.02.21	Approved For Construction
1:250	Drawn	J.CHO	10.02.21	
Reduced Scale (A3)	Dwg Verifier			
1:500	Dwg Check			
	Date			



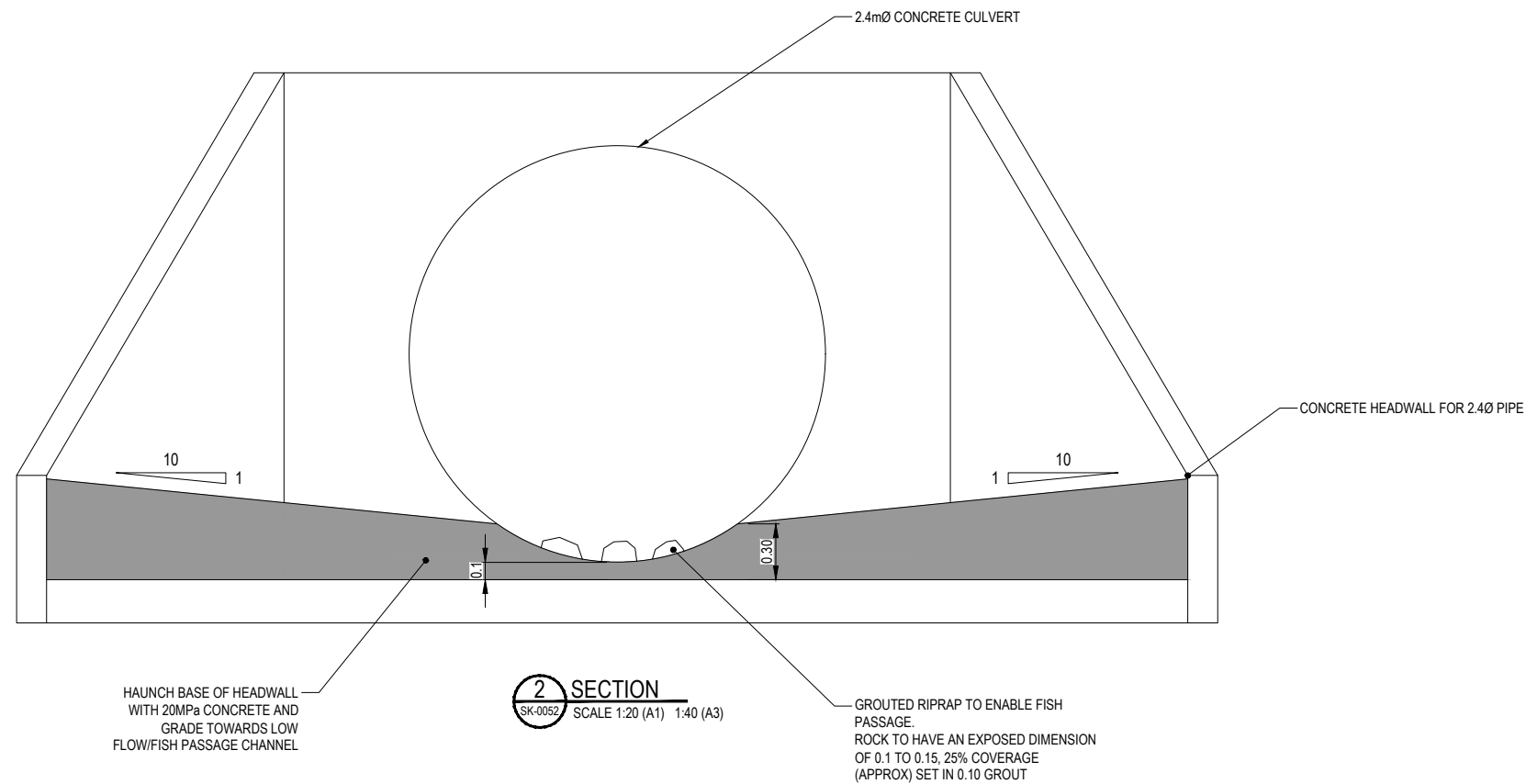
PŪHOI TO WARKWORTH MOTORWAY



Subject:	13-08 NORTHERN CONNECTION	Discipline:	STORMWATER
Title:	CULVERT E530 PLAN & LONGITUDINAL SECTION	Drawing No.:	P2Wk-SK-SW-05-0051
		Rev.:	B

NOTES:

1. ALL DIMENSIONS IN METRES UNLESS NOTED OTHERWISE



No.	Revision	By	Chk	Appd	Date
A	FOR INFORMATION	JACH	SBW	JTJ	10.02.21

Original Scale (A1)	Design	S.WHITING	10.02.21	Approved For Construction
1:20	Drawn	J.CHO	10.02.21	Date
Reduced Scale (A3)	Dwg Verifier			
1:40	Dwg Check			

* Refer to Original Handcopy for Signature



PŪHOI TO WARKWORTH MOTORWAY



Subject:	13-08 NORTHERN CONNECTION	Discipline:	STORMWATER
Title:	CULVERT E530 OUTLET PLAN & SECTION	Drawing No.:	P2Wk-SK-SW-05-0053



**FOR INFORMATION
NOT FOR CONSTRUCTION**

APPENDIX E – Designation 6763 conditions

The following conditions are only applicable to the section of the State Highway 1 from its northern connection with the Puhoi - Warkworth motorway to Hudson Road.

DEFINITIONS	
CNVMP	Construction Noise and Vibration Management Plan
Construction Works	Activities undertaken to construct the Project
COPTTM	NZ Transport Agency Code of Practice for Temporary Traffic Management
dBA	A unit of sound level which has its frequency characteristics modified by a filter (C- weighted) so as to account for the non-linear frequency response of the human ear at high noise levels (typically greater than 100 decibels).
Team Leader	Auckland Council Team Leader Compliance Monitoring — Northern Resource Consenting and Compliance (Orewa) or the person subsequently exercising those functions and powers
NZS6803: 1999	New Zealand Standard 6803: 1999 "Acoustics — Construction Noise"
PPF	Protected Premises and Facilities, as defined in New Zealand Standard 6806:2010
Proposed work	The construction, operation and maintenance of a widened State Highway 1 (SH 1) between Hudson Road and the northern connection of P2Wk to SH 1 including provision for a connection of Auckland Transport's future Matakana link road to SH1
P2Wk Project	The construction, operation and maintenance of the Ara Tūhono Pūhoi to Wellsford protect: Pūhoi to Warkworth section
RMA	Resource Management Act 1991 and subsequent amendments
SCP	Stakeholder and Communications Plan
SSTM P	Site Specific Traffic Management Plan

General

1. As soon as practicable following completion of construction of the proposed work, described in the Notice of Requirement to Alter Designation 6763 dated June 2018, the Requiring Authority shall review the extent of the designation and give notice to Auckland Council in accordance with section 182 of the RMA for removal of those parts of the designation that are not required for the long-term operation, maintenance and mitigation of effects of the state highway. The designation review shall occur at the following times:
 - (a) Following completion of the SH1 widening to four lanes and opening of the Puhoi to Warkworth motorway; and
 - (b) Following further SH1 widening to construct a third southbound lane.
2. The construction related conditions of this designation shall only apply to Construction Works described in the Notice of Requirement to Alter Designation 6763 dated June 2018, being Construction Works on land between Hudson Road and the northern connection of P2Wk to SH1.
3. Except where explicitly provided for, the construction related conditions of this designation do not apply to works associated with on-going operation and maintenance of the state highway following construction, such as changes to street furniture or signage over time. The provisions of section 176A of the RMA apply to on-going operation, maintenance or other works within the designation.

Network Utilities

4. The Requiring Authority shall ensure that Construction Works do not adversely impact on the safe and efficient operation of network utilities. The scope and timing of necessary utility relocation and protection works shall be developed and agreed between the Requiring Authority and network utility providers to mitigate any safety hazards and provide cost efficiency for the required works. Stakeholder and Communication Plan
5. Prior to the commencement of Construction Works, the Requiring Authority shall prepare a Stakeholder and Communications Plan (SCP) that sets out the procedures detailing how the public and stakeholders (including but not limited to the owners of properties adjoining the designation) will be communicated with throughout the Construction Works. Where appropriate, the SCP shall align with the SCP prepared and implemented for the P2Wk Project.
6. The Requiring Authority shall implement the SCP for the duration of the Construction Works. Hudson Road Swales
7. The design of the proposed upgrade of the existing swale on Hudson Road shall allow sufficient space for future development of Hudson Road, specifically safe provision of a pedestrian and cycle path, safety barrier, light poles and signage, along the western side of Hudson Road. A minimum width of 4 metres shall be provided between the swale and the existing kerb line of Hudson Road, unless otherwise agreed with Auckland Transport. The design of the proposed upgrade of the existing swale shall be undertaken in consultation with Auckland Transport, and the design details included with the Outline Plan of Work to be submitted in accordance with section 176A of the RMA. Advice note: The Requiring Authority will need other approvals from Auckland Transport for any works located within Hudson Road and designation 1407. These approvals should be obtained before lodging the Outline Plan of Work.

Property access

8. The Requiring Authority shall identify and assess options to provide a similar level of capacity for vehicular entry and exit as provided by the existing (March 2019) primary (Hudson Road intersection) and the secondary access from the Warkworth Showgrounds to State Highway 1 (right of way in favour of Lot 1 DP 135480 via Pt Lot 1 DP 61693), the latter of which will be closed once works authorised by the designation are undertaken. The identification and assessment of options shall be undertaken in consultation with the Auckland Council, as owner of Lot 1 DP135480, the Rodney Local Board, and Auckland Transport. The Requiring Authority shall use reasonable endeavours to implement the preferred option prior to closure of the existing secondary access to SH1. If this is not practicable, the Requiring Authority shall use reasonable endeavours to implement a short-term temporary access arrangement to support high traffic demand Showgrounds events if requested to do so by the Auckland Council, and then implement the preferred option as soon as practicable after completion of the Proposed Work. Advice Note: The Requiring Authority will comply with its obligations under section 92 of the Government Loading Powers Act 1989 in relation to the provision of access to and from SH1. Construction Noise and Vibration Project Noise Standards
9. Construction noise shall comply with the following criteria, except as provided for in Condition 11:
 - (a) Residential receivers:

Timeframe	Time	LAeq(15min)	LAfmax
0630h Monday to 0630h Saturday	0630h - 0730h	55 Db	75 dB
	0730h - 1800h	70 dB	85 dB
	1800h - 2000h	65 dB	80 dB
	2000h - 0630h	45 dB	75 dB
0630h Saturday to 0630h Sunday	0630h - 0730h	45 dB	75 dB
	0730h - 1800h	70 dB	85 dB
	1800h - 2000h	45 dB	75 dB
	2000h - 0730h	45 dB	75 dB
0630h Sunday and Public Holidays to 0730h the next day	0730h - 1800h	55 dB	85 dB
	1800h - 0730h	45 dB	75 dB

(b) Industrial and commercial receivers:

Time	dB LAeq
0730-1800	70
1800-0730	75

Note: The criteria set out in 9(a) and/or 9(b) may only be exceeded subject to the process in Condition 11 (CNVMP).

Project Vibration Standards

10. Construction vibration shall as far as practicable comply with the criteria in the Category A column and shall at all times comply with the criteria in the Category B column:

Receiver	Location	Detail	Category A	Category B
Occupied PPFs*	Inside the building	Night-time 2000h-0630h	0.3mm/s PPV	1mm/s PPV
		Daytime 0630h – 2000h	1mm/s PPV	5mm/s PPV
Other occupied buildings	Inside the building	Daytime 0630h – 2000h	2mm/s PPV	5mm/s PPV
All other buildings	Building Foundation	Vibration – transient	5mm/s PPV	Tables 1 and 3 of DIN4150-3 :1999
		Vibration – continuous		Tables 1 and 3 of DIN4150-3:1999

Measurements of construction vibration shall be undertaken in accordance with German Standard DIN 4150-3: 1999 “Structural Vibration Part 3: Effects of vibration on structures”.

*For vibration, protected premises and facilities (PPFs) are dwellings, educational facilities, boarding houses, homes for the elderly and retirement villages, marae, hospitals that contain in-house patient facilities and buildings used as temporary accommodation (e.g. motels and hotels).

Vibration from construction activities may only exceed the Category A standards subject to the process in Condition 11 (the CNVMP).

Construction Noise and Vibration Management Plan

11. At least 5 working days prior to commencement of construction, the Requiring Authority shall prepare a Construction Noise and Vibration Management Plan (CNVMP) and submit it to the Team Leader for certification. The purpose of the CNVMP is to provide a framework for the development and implementation of the Best Practicable Option (BPO) for the management of all construction noise and vibration effects, and additionally to define the procedures to be followed when the noise and vibration standards in the conditions are not able to be complied with following the adoption of the BPO, The CNVMP shall include:
 - (a) A description of the works;
 - (b) Hours of works, including a specific section describing the nature of works which need to be undertaken at night;
 - (c) Contact details for staff responsible for implementation of the CNVMP;
 - (d) The construction noise and vibration performance standards for the project;
 - (e) Identification of affected sensitive receivers where noise and vibration performance standards apply;
 - (f) The noise and vibration mitigation measures that will be applied throughout the project;
 - (g) A specific section setting out the predicted noise and/or vibration levels, mitigation, monitoring and management measures (including communication with stakeholders) that will be adopted for works which cannot comply with the project standards specified in conditions 9 and 10 (Category A only for Condition 10). This section shall include the information above for each activity that cannot practicably comply.
 - (h) Methods and frequency of monitoring and reporting; and
 - (i) Communication, consultation and complaints response protocol (note that this section may refer to the relevant sections of the SCP required by Condition 5).

Advice note: The certified CNVNP for the Project may be incorporated into the CNVNP for the P2Wk project if the Requiring Authority sees fit.

12. The Requiring Authority shall implement and comply with the CNVMP for the duration of the Construction Works.

Construction Traffic General construction traffic conditions

13. The Requiring Authority shall manage construction traffic and construction parking to:
 - (a) Protect public safety including the safe passage of pedestrians and cyclists;
 - (b) Minimise delays to road users;
 - (c) Minimise interruption to property access: and
 - (d) Inform the public about any potential impacts on the road network.

Site Specific Traffic Management Plans

14. The Requiring Authority shall prepare a Site Specific Traffic Management Plan (SSTMP) or Plans where any Construction Works vary the normal traffic conditions of any public road. The purpose of the SSTMP(s) is to identify specific construction methods to address the particular circumstances, local traffic and community travel demands within the area covered by the SSTMP.
15. The SSTMP(s) shall comply with the version of the NZ Transport Agency Code of Practice for Temporary Traffic Management (COPTTM) which applies at the time the relevant SSTMP is prepared. Where it is not possible to adhere to this Code, the COPTTM's prescribed Engineering Exception Decision (EED) process shall be followed.
16. A SSTMP shall be prepared in accordance with Conditions 14 and 15 for:
 - (a) The Hill Street intersection (being the intersections of State Highway 1, Hill Street, Elizabeth Street, Matakana Road, Sandspit Road and Millstream Place). This SSTMP shall include specific times for the prohibition of heavy construction traffic using the Hill Street intersection, based on the following periods:
 - i. Weekday morning peaks;
 - ii. Weekday afternoon peaks;
 - iii. Late Friday afternoons and evenings;
 - iv. Saturday mornings;
 - v. Sunday afternoons; and
 - vi. Public Holiday Monday afternoons.

Advice note: These SSTNPs may be incorporated into the relevant SSTNPs for the P2Wk project if the Requiring Authority sees fit.

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

Lighting

18. Lighting of any construction yard or compounds or site office for the duration of construction of the proposed work, shall be designed as far as practicable to avoid light spill beyond the designation. Glare from any lighting shall be kept below the recommendations given in AS 4282 — 1997 "Control of the Obtrusive Effects of Outdoor Lighting" Tables 2.1 and 2.2.

Accidental Discovery Protocol

19. The Requiring Authority prepare an Accidental Discovery Protocol for any accidental archaeological discoveries which occur during Construction Works. The Accidental Discovery Protocol shall be:
 - (a) generally consistent with the NZ Transport Agency's Minimum Standard P45 Accidental Archaeological Discovery Specification (or replacement standard) and consistent with Auckland Unitary Plan Accidental Discovery Rule in Standard E.12.6.1; and
 - (b) prepared in consultation with mana whenua and modified as necessary to reflect the site specific proposed work detail.
20. The Accidental Discovery Protocol shall be implemented throughout the Construction Works.

Maintenance and Operation Conditions

Operational Noise

21. The Requiring Authority shall implement Open Graded Porous Asphalt (or other low-noise generating road surface with equal or better noise reduction performance) on the carriageway of the finished road, but may exclude intersections.

Landscape

22. Where proposed landscaping occurs on land adjacent to Auckland Transport's future Matakana link Road, the Requiring Authority shall develop details of the proposed landscaping in consultation with Auckland Transport, and these details shall be provided to Council as part of the Outline Plan of Work to be submitted in accordance with section 176A of the RMA.
23. The Requiring Authority shall prepare an Integrated Landscape Planting Plan as part of the Outline Plan of Works to be submitted in accordance with section 176A of the RMA. The Integrated Landscape Planting Plan
 - (a) Shall be developed as far as practicable in a manner which results in visual integration between the Requiring Authority's proposed wetland and any proposed wetland or other stormwater infrastructure to be constructed by Auckland Transport on adjacent land as part of the future Matakana Link Road; and
 - (b) Shall be developed in consultation with Auckland Transport; and
 - (c) Shall include proposed planting of intermittent stream margins, wetland and swales, with the planting to use eco-sourced, native species and appear natural as far as practicable.

The proposed landscaping shall be consistent with the Urban and Landscape Design Sector Plan: Warkworth Sector prepared for the P2Wk Project in accordance with condition D33 of Designation 6769.

Attachment B

To Registrar-General of Land
[name] Land Registration District

**COMPENSATION CERTIFICATE UNDER
SECTION 19 OF THE PUBLIC WORKS ACT 1981**

Unique Identifier(s)	All/Part	Area/Description of part or stratum
941709	All	

This Compensation Certificate is forwarded to you under section 19(1) of the Public Works Act 1981 to be registered against the record(s) of title to all land affected by it.

<p>File reference</p> <p>Agreement reference</p> <p>Date of agreement</p> <p>Inspection location</p> <p>Hours for inspection</p> <p>Names / addresses of affected parties</p> <p>Brief particulars</p>	<p>CPC/2018/20079</p> <p>15 October 2021</p> <p>Land Information New Zealand Level 7, Radio New Zealand House 155 The Terrace, Wellington, 6145 Phone: (04) 460 0110</p> <p>09.00 to 16.00, Monday to Friday (except public holidays)</p> <p>Patricia Anne Sullivan, Patrick Thomas Sullivan & Tracy Sara Sullivan 27 State Highway 1, Warkworth 0986</p> <ul style="list-style-type: none"> • Advance payment of compensation for the permanent acquisition of 0.0710 hectares in addition to a leasehold interest for a term of 3 years over 0.1597 hectares taken by Proclamation on 6 April 2020 for road and use in connection of a road respectively. • In addition to the advance payment of compensation for the permanent acquisition of 0.0670 hectares (subject to survey) (Additional Required Land), acquisition of a lease of 0.1270 hectares (subject to survey) (Additional Lease Land), acquisition of a right of way easement in gross & granting of a right of way easement in favour of the Owners. • Total advance compensation payable of \$345,542.42. • Additional compensation of \$25,000 under s72C PWA.
---	---

Dated at Wellington this 15 day of October [year]


[enter below name and designation in BLOCK letters]

NINA WEIR

For and on behalf of Her Majesty The Queen acting pursuant to Delegated authority from the Chief Executive of Land Information NZ pursuant to Clause 2 of Schedule 6 of the Public Service Act 2020.



**RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Search Copy**




R.W. Muir
Registrar-General
of Land

Identifier **941709**
Land Registration District **North Auckland**
Date Issued 31 March 2020

Prior References
419126

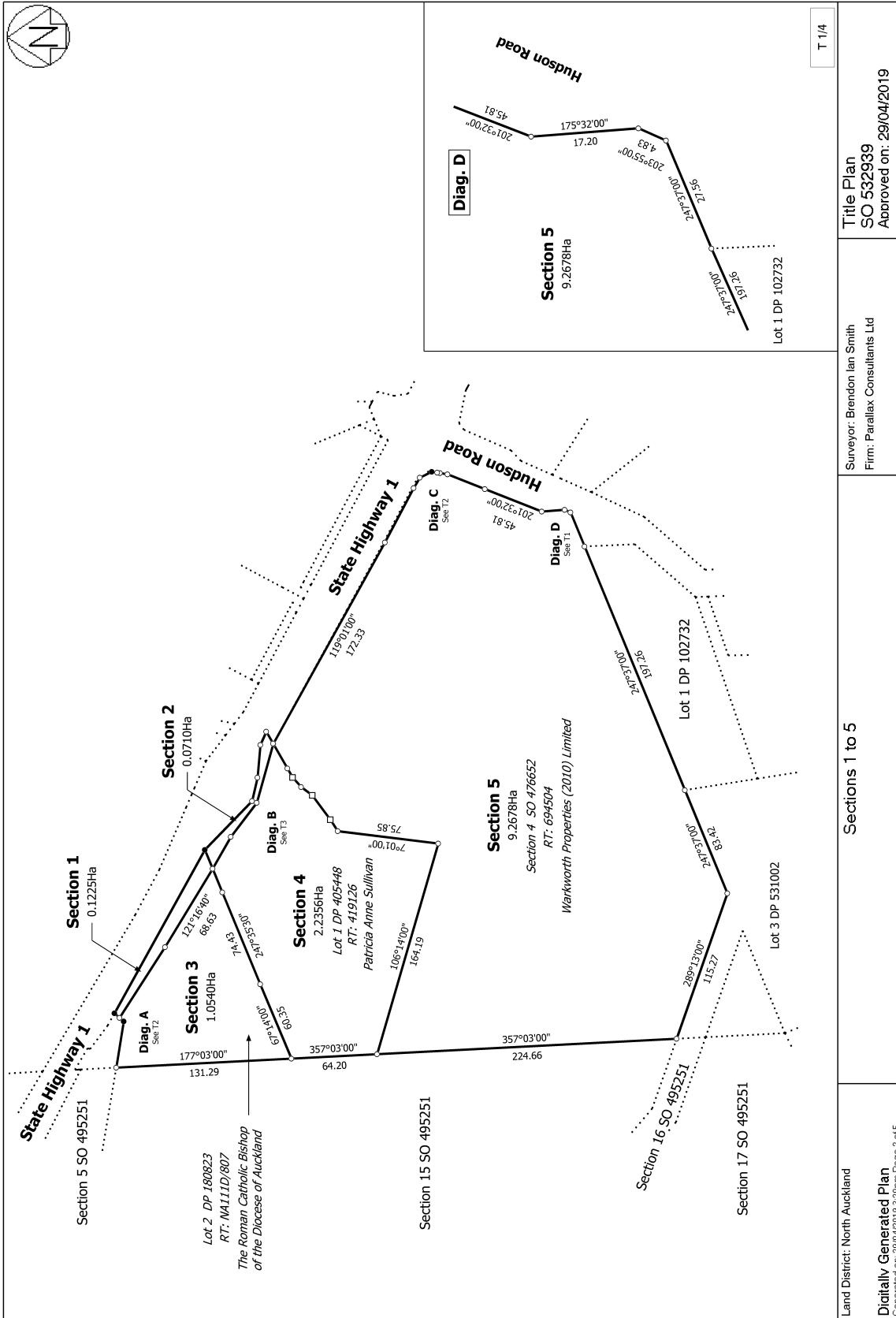
Estate Fee Simple
Area 2.2356 hectares more or less
Legal Description Section 4 Survey Office Plan 532939

Registered Owners

Patricia Anne Sullivan as to a 1/2 share
Patrick Thomas Sullivan and Tracy Sara Sullivan as to a 1/2 share

Interests

Appurtenant hereto are water rights created by Deed 387896 (R542/361)
556523.1 Gazette Notice (1978 P.730) declaring adjoining State Highway to be a limited access road - 12.4.1978 at 10.46 am
11724768.1 Lease of Area 2A SO 532939 Term commencing on 6.4.2020 and terminating on that date 3 years thereafter - Record of Title 941710 issued - created by Proclamation 11724768.1 - 31.3.2020 at 12:15 pm
12282901.1 Compensation Certificate pursuant to Section 19 Public Works Act 1981 by Her Majesty the Queen - 28.10.2021 at 7:17 am



Attachment B: Updated GIS Viewer

BEFORE



Designations

public

AFTER



Designations

public



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

Date: 1/12/2021

**NZTA - Alternation to Designation
6763 - State Highway 1 - Puhoi to
Kaipara District Boundary &
Silverdale Interchange improvements**



Plans and Places