

UNITARY PLAN UPDATE REQUEST MEMORANDUM

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

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



DATE 16 June 2021

SUBJECT Partial Removal of a Designation in accordance with s182 of the Resource Management Act to 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 – Partial removal of designation 1404	
Chapter	Chapter K Designations AUP GIS Viewer
Section	Schedules and Designations – Auckland Transport
Designation only	
Designation #1404	Road Widening – Whangaparaoa Road
Locations:	470-502, 473-475, 504-522A, 529-549, 540, 585-587, 593-601, 609-611, 616A, 618, 637, 640-644A, 663, 720-728, 736-752, 756-760 and 770A-776 Whangaparaoa Road, 2 Cedar Terrace, 1 and 4 Brightside Road, 1 Penton Road, 1 Tower Hill, 2 Homestead Road and 2 Ladies Mile, Whangaparaoa
Lapse Date	Five years from being operative in the Unitary Plan unless given effect to prior
Purpose	Road widening.
Changes to text (shown in underline and strikethrough)	470- 502 , 473-475, 504-522A, 529-549, 540, 585-587, 593- 597 , <u>601</u> , 609-611, 616A , 618, 637, 640-644A, 663, 720-728, 736-752, 756-760 and 770A-776 Whangaparaoa Road, 2 Cedar Terrace, 1 and 4 Brightside Road, 1 Penton Road, 1 Tower Hill, 2 Homestead Road and 2 Ladies Mile, Whangaparaoa
Changes to diagrams	N/A
Changes to spatial data	Removal of designation 1404 from 502 and 616A Whangaparaoa Road and 4 Brightside Road. Inclusion of Designation at 597 Whangaparaoa Road.
Attachments	Attachment A: s182 Report Attachment B: Updated Text Attachment C: Updated GIS Viewer

Prepared by: Wayne Siu Policy Planner	Text Entered by: Harry Barnes Planning Technician
Signature: 	Signature: 

Maps prepared by: Mitesh Bhula Geospatial Specialist	Reviewed by: Wayne Siu Policy Planner
Signature: 	Signature: 
Signed off by: Warren MacLennan Manager Planning, Regional, North, West & Islands	
Signature: 	

Attachment A: s182 Report

Partial removal of a designation under section 182 of the Resource Management Act 1991



To: Peter Vari – Team Leader, Planning Regional, North/West, and Islands

From: Wayne Siu – Policy planner, Planning Regional, North/West, and Islands

Date: 15 June 2021

Subject: Partial removal of Designation 1404 – Road Widening – Whangaparaoa Road in the Auckland Unitary Plan

Summary

Auckland Council has received a request from Auckland Transport under section 182 of the Resource Management Act 1991 (RMA), dated 31 May 2021, to remove in part Designation 1404 – Road Widening – Whangaparaoa Road.

A section 182(1) request is required to uplift the existing designation in part from land which has been deemed surplus by the requiring authority.

Auckland Council, as the territorial authority, is required to amend its district plan, without using the process in Schedule 1, as soon as reasonably practicable after receiving a Section 182 request unless it considers that the effect of the removal of part of the designation on the remaining designation is more than minor.

It is recommended that the partial removal be accepted.

Recommendation

1. That the area 182 request from Auckland Transport for the partial removal of Designation 1404 – Road Widening – Whangaparaoa Road in the Auckland Unitary Plan from the areas of land identified in Attachment One to **Attachment A** be **accepted** for the following reasons:
 - i) Those areas of land that are necessary for the designation have recently been legally identified as road in the AUP(OP);
 - ii) Auckland Transport no longer require the designation on the land, given (i) above; and
 - iii) The effects of the removal of part of the designation are no more than minor.
2. That Designation 1404 – Road Widening – Whangaparaoa Road be removed from the areas of land identified in Attachment One to **Attachment A**, as soon as reasonably practicable, in the Designation overlay and amend the text in Chapter K Designations in the Auckland Unitary Plan.

1. Description

1.1. References

Designation number:	1404 – Road Widening – Whangaparaoa Road
Lodgement date:	31 May 2021
Requiring authority:	Auckland Transport
Reporting officer:	Wayne Siu
Site address:	Various – - 309, 388-402, 441, 454A, 455, 456, 468, 470, 472, 473, 474, 475, 476, 478, 480, 482, 484, 486, 488, 490, 492, 494, 496, 498, 500, 502, 510, 514A, 516A, 518, 520, 522A, 525, 527, 529, 540, 597, 599, 601, 609, 611, 616A, 637, 640, 642a, 644a, 663, 722, 724, 726, 728, 736, 740, 742, 746, 748, 750A, 752, 756, 758, 760, 770A, 772A, 772, 774, 849, 851, 853A, 1073, 1075 Whangaparaoa Road; - 2 Cedar Terrace, Whangaparaoa; - 1, 3, 4, 5, 9 Brightside Road, Whangaparaoa; - 1 Penton Road, Whangaparaoa; - 1 Tower Hill, Whangaparaoa; - 1, 7 Homestead Road, Whangaparaoa; - 2, Ladies Mile, Whangaparaoa; - 1 Zita Avenue, Whangaparaoa; - 1, 2 Scott Road, Whangaparaoa; - 2 D’oyly Drive, Whangaparaoa; - Lot 83 DP 38718 (pedestrian accessway with no physical address); - Road Reserve.
UP Zoning:	Various – - Road reserve - Residential – Single House

2.0 Background

2.1 Details of designation

Designation 1404 in the Auckland Unitary Plan provides for the road widening of Whangaparaoa Road. It is a rollover of a road widening designation in the Auckland Council District Plan (Rodney Section) 2011. Auckland Transport has served a notice under section 182 of the Resource Management Act 1991, signed by Jane Small, Group manager Property and Planning, to remove the designation from the sites identified in Attachment One to **Attachment A**.

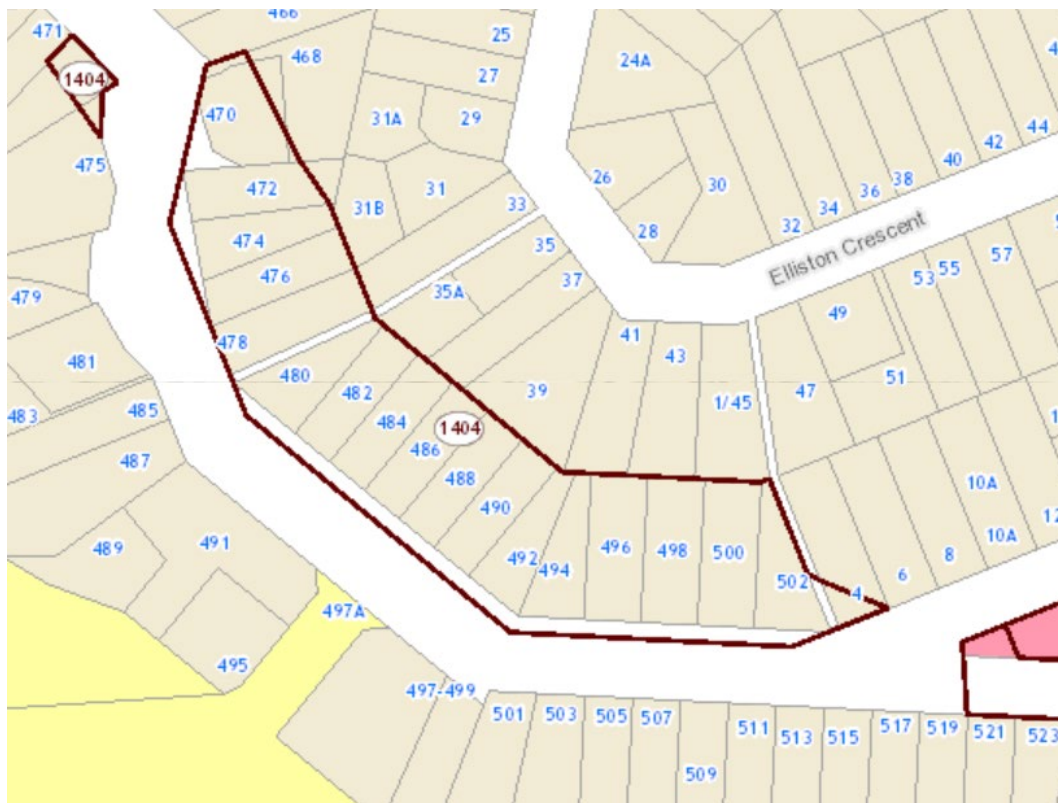
Areas of land necessary for the purpose of the designation have recently been through legalisation action to be declared as road and are now shown as road in the AUP(OP). Therefore, the remaining identified land no longer needs to be designated.

Except for 599b Whangaparaoa Road (a cross lease property), Auckland Council owns all properties (identified as areas A to S in Attachment A) and these are to be disposed of in support of council's Emergency Budget 2020/2021 funding initiative.

Other areas of designated land identified for removal are unformed pedestrian accessways which are owned by Auckland Transport/Auckland Council. These areas are removed for administrative purposes as the designation is not necessary to function for their intended purpose.

1.2 Land affected by removal

The relevant part of the designation is currently shown in the AUP maps as follows.





Auckland Transport has provided a site plan showing the extent of the designation which is to be partially removed (refer to Attachment One of **Attachment A**).

1.3 Delegated authority to consider alterations to designations

The Team Leader - Planning Regional, North/West and Islands (Plans and Places Tier 5) 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 182 to approve a removal of a designation.

The section 182 request to remove the designation can therefore be considered by the Team Leader – Planning Regional, North/West and Islands (Plans and Places Tier 5) and accepted or declined.

1.4 Relevant Statutory Provisions

Section 182 of the RMA allows a requiring authority to remove a designation or part of a designation if it no longer wants it. This section also applies to a notice by a territorial authority, to withdraw its own designation or part of a designation within its own district.

Section 182(2) states that as soon as reasonably practicable the territorial authority shall, without using the process in Schedule 1, amend its district plan accordingly. If the territorial authority considers that the effect of the removal of part of a designation on the remaining designation is more than minor, it may, within 20 working days of receipt of a section 182 notice, decline to remove that part of the designation.

It is considered that Auckland Transport has provided sufficient justification for the partial removal of Designation 1404 – Road Widening – Whangaparaoa Road for the following reasons:

- The removal of the identified areas does not affect the use of the rest of the designation for its intended purpose.
- The identified areas are not required for road widening purposes. The areas required for widening having been through legalisation processes to become road.

2.0 Recommendation

1. That pursuant to Section 182 of the Resource Management Act 1991 that the removal of Designation 1404 – Road Widening – Whangaparaoa Road from the areas of land identified in Attachment One of **Attachment A** be **accepted** for the following reasons:
 - i. Those areas of land that are necessary for the designation have recently been legally identified as road in the AUP(OP);
 - ii. Auckland Transport no longer require designation on the land, given (i) above; and
 - iii. The effects of the removal of part of the designation are no more than minor.
- 2) That Designation 1404 – Road Widening – Whangaparaoa Road be removed from the areas of land identified in Attachment One to **Attachment A**, as soon as reasonably practicable, in the Designation overlay and amend the text in Chapter K Designations in the Auckland Unitary Plan.

Prepared by: Wayne Siu
Policy Planner
Planning Regional, North/West
and Islands

Accepted by: Peter Vari
Team Leader
Planning Regional,
North/West and Islands

Signature:



by:

Signature:



Date: 15 June 2021

SCHEDULE OF ATTACHMENTS:

Attachment A: Auckland Transport s182 Notice of Removal

Attachment B: Updated Text

1404 Road Widening - Whangaparaoa Road

Designation Number	1404
Requiring Authority	Auckland Transport
Location	470, 473-475, 504-522A, 529-549, 540, 585-587, 593-597, 601, 609-611, 618, 637, 640-644A, 663, 720-728, 736-752, 756-760 and 770A-776 Whangaparaoa Road, 2 Cedar Terrace, 1 Brightside Road, 1 Penton Road, 1 Tower Hill, 2 Homestead Road and 2 Ladies Mile, Whangaparaoa
Rollover Designation	Yes
Legacy Reference	Sheet 5 - Roads to be Widened and Stopped of the Planning Maps, Auckland Council District Plan (Rodney Section) 2011
Lapse Date	Five years from being operative in the Unitary Plan unless given effect to prior

Purpose

Road widening.

Conditions

1. General

1.1 The scope and extent of the works (including the horizontal and vertical alignment of the carriageway) within the designation shall be generally in accordance with the plans contained in the Notice of Requirement dated 14 April 1998 (Appendix D – Designation drawings) and referenced as Figures A1.0 to A1.3 (BCHF Cad File No. 6507C935.DWG to 6507C938.DWG Rev. E) and Figures B1.1 to B1.4 (BCHF Cad File No. 6507C931.DWG to 6507C934.DWG Rev.D.)

1.2 The designation and proposed works on the area of land subject to the designation shall not include any toll-booth type facilities or structures.

1.3 Before any construction is commenced an Outline Plan shall be submitted in terms of section 176A of the Resource Management Act 1991 to council. The outline plan may be submitted in stages to reflect any proposed staging of the physical works. This outline plan is to be submitted to council for assessment and recommendations to the council. The outline plan shall show those matters required to be included by section 176A(3) of the Act. It shall be prepared in consultation with directly affected property owners and occupiers with the record of such consultation being documented in the outline plan.

1.4 Prior to the start of physical works, the requiring authority (or its agent) shall obtain all resource consents required under the Resource Management Act 1991 and the Heritage New Zealand Pouhere Taonga Act 2014.

2. Design Considerations

2.1 The requiring authority (or its agents) shall incorporate retaining walls into the detailed design to reduce the property effects at critical parts of the alignment, in general accordance with the details identified in Appendix C of the requiring authority's closing submissions.

2.2 As part of the upgrading works the requiring authority (or its agents) shall, subject to the proper

performance of its statutory functions, provide suitable pedestrian crossing facilities at the following general localities along Whangaparaoa Road:

- a. Brightside Road;
- b. Weiti Crossing / Whangaparaoa Road intersection;
- c. Stanmore Bay Road;
- d. Ladies Mile;
- e. Pedestrian linkage of Duck Creek Road across the Weiti Crossing; and
- f. Such other places as may be identified in future analysis as necessary for safety purposes.

2.3 The requiring authority (or its agents) shall permit vehicle access from the Weiti Crossing road alignment to the following parcels of land in consultation with the landowners and in accordance with the provisions of the Local Government Act 1974:

- a. Lot 3 DP 95982 and Lot 1 DP 100141 being respectively the Kilmacrennan Farm and Kerrykeel Farm which are farmed as one unit known as Weiti Station (Green and McCahill Group submission); and
- b. Part Lot 1 DP 95984, Lot 1 DP 51255 and Lot 1 DP 49038 being land owned by Green and McCahill Holdings Ltd.

Explanation:

Given the size of the Green and McCahill Holdings Ltd landholding (908 hectares) two access points would be appropriate. The third access point sought by this company includes access to the Stillwater settlement which should be the subject of other considerations apart from this designation.

3. Noise Impact Mitigation

3.1 During construction, New Zealand Standard 6803P : 1984, The Measurement and Assessment of Noise from Construction, Maintenance and Demolition Work shall be complied with and the principles for managing noise set out within that document shall be formally adopted.

3.2 The road alignment shall be designed to achieve the following noise standards:

- a. For the properties identified in Table A – the relevant traffic noise design limit contained in Table A.
- b. For all other properties – the relevant noise standard contained in NZS6806:2010 Acoustics - Road Traffic Noise - New and altered roads.

Table A:

Location	Traffic Noise Design Limits Leq (24 hours)
Dwelling A (at the western end of the proposed road as indicated on the AEE document). This will require mitigation from the expected noise levels.	65 dBA
All other existing* dwellings west of the Weiti River Dwelling 1 on Lot 1 DP 138956 Dwelling 2 on Lot 4 DP 64380 Dwelling 3 on Lot 6 DP 64380 Dwelling 4 on Lot 7 DP 64380 This will require mitigation from the expected noise levels particularly for the properties at 173, 250, 301, 305 and 307 Duck Creek Road and that identified as Dwelling B in the AEE document along Weiti Station Road.	55 dBa
Dwellings at 7 to 37 Cedar Terrace inclusive.	62 dBA
All existing* dwellings on Whangaparaoa Rd.	65 dBa or ambient (whichever is greater)

*Existing at 14 April 1998

Note:

The assessment point for Table A is 1m in front of the most exposed point on the facades of the dwellings.

3.3 In addition to the standards in Table A above, the road alignment shall be designed with the appropriate noise mitigation measures to achieve compliance with a single event noise limit of 78 dBA Lmax at the façade of any residential building situated within 12 metres from the new road carriageway. This shall not apply to residential buildings currently located within 12 metres of the existing road carriageway.

Explanation:

This is in accordance with the NZS6806:2010 Acoustics - Road Traffic Noise - New and altered roads.

3.4 If it is impracticable to meet the Design Limits in the above Conditions 3.2 and 3.3, then prior to completion of the road widening, the requiring authority (or its agents) shall, with the agreement of the owner of the dwelling and if so required by them, provide insulation and, if required, mechanical ventilation to all living rooms (including kitchens) and bedrooms, to ensure that an internal criterion of 40 dBA Leq (24 hours) is not exceeded. If it is impracticable or uneconomic to design mitigation to achieve this internal criterion then the requiring authority (or its agents) shall, with the agreement of the owner, and at a price not exceeding market value, purchase the property.

3.5 Without limiting the requirements for consultation imposed under condition 3.4, the requiring authority shall consult with the owners of 236 Duck Creek Road, being Part Lot 3 DP 26549 and 266 Duck Creek Road, being Lot 2 DP 29403 ("the Webster properties") in relation to the location, nature and extent of any proposed noise mitigation measures.

3.6 In undertaking this consultation the requiring authority shall give special consideration to the need for additional or alternative noise mitigation measures which mitigate to the greatest extent practicable the acoustic and amenity effects of the designation upon the Webster properties within the noise limit set out in condition 3.2.

3.7 In undertaking consultation with the owners of the Webster properties the requiring authority shall:

- a. provide copies to the owners of all relevant reports and plans prepared by it in relation to the proposed noise mitigation measures;
- b. ensure that the owners have at least two weeks to peruse this material and respond to the requiring authority with their position; and
- c. the requiring authority shall obtain (at its reasonable cost) a peer review of the proposed mitigation measures and consequential effects on the Webster properties to identify other mitigation measures which may be cost effective and meet the noise limits set out in condition 3.2 and shall give special consideration to the findings of any peer review in deciding what noise mitigation measures it implements for the Webster properties.

4. Ecological Impact Mitigation

4.1 The requiring authority (or its agents) shall, in conjunction with the council and in consultation with directly affected property owners and occupiers, including the Queen Elizabeth II National Trust, produce the following programmes:

- a. An Ecological Mitigation Programme that outlines the methods and implementation and monitoring processes to be used to avoid, remedy or mitigate adverse effects on the environment, particularly in regard to indigenous vegetation, ecosystems and species, geological features and areas of wildlife

habitats; and

b. A Restoration Planting Programme that outlines the methods and implementation and monitoring processes to restore areas of indigenous vegetation, ecosystems or wildlife habitat likely to be affected by the proposed works.

The programmes shall be submitted as part of the outline plan.

4.2 Without limiting the requirements for consultation imposed under condition 4.1, the requiring authority shall consult with the owners of the Webster properties in relation to the location, nature and extent of any proposed ecological mitigation measures.

4.3 In undertaking this consultation the requiring authority shall give special consideration to the need for mitigation measures which mitigate to the greatest extent practicable adverse effects of the designation and related works have upon existing trees and vegetation on the Webster properties.

4.4 In undertaking consultation with the owners of the Webster properties the requiring authority shall:

a. Provide copies to the owners of all relevant reports and plans prepared by it in relation to the proposed ecological mitigation measures; and

b. Ensure that the owners have at least two weeks to peruse this material and respond to the requiring authority with their position; and

c. The requiring authority shall obtain (at its reasonable cost) a peer review of the proposed ecological mitigation measures and consequential effects on the Webster properties and shall give special consideration to the findings of any peer review in deciding what ecological mitigation measures it implements for the Webster properties.

5. Visual Impact Mitigation

5.1 A Visual Mitigation Plan shall be prepared by the requiring authority (or its agents) in consultation with directly affected property owners and occupiers, including the Queen Elizabeth II National Trust. The plan shall incorporate, where relevant, the recommendations of the ecological mitigation programme and the restoration planting programme and be submitted as part of the outline plan.

The Visual Mitigation Plan shall include, but not be limited to, details of all proposed planting (including species, species sizes, densities and locations), the planting programme and the required maintenance programme. Existing trees and vegetation on the properties are to be included in any maintenance programme. Attention shall also be paid to the angle and extent of cut and batter slopes through highly visible ridgelines, for example where cut and batter slopes and the proposed roadway would be viewed from properties in Duck Creek Road. In the event that noise mitigation measures such as bunds or barriers are to be employed then these are also to be incorporated in to the visual mitigation plan.

5.2 Without limiting the requirements for consultation imposed under condition 5.1, the requiring authority shall consult with the owners of the Webster properties in relation to the location, nature and extent of any proposed visual mitigation measures proposed.

5.3 In undertaking this consultation the requiring authority shall give special consideration to the need for measures which mitigate to the greatest extent practicable adverse effects of the designation on the Webster properties. When undertaking consultation in respect of this issue any noise mitigation measures (such as bunds or barriers) that are employed to address the noise effects of the designation on the Websters properties are also to be considered by the requiring authority.

5.4 In undertaking consultation with the owners of the Webster properties the requiring authority shall:

- a. Provide copies to the owners of all relevant reports and plans prepared by it in relation to the proposed ecological mitigation measures;
- b. Ensure that the owners have at least two weeks to peruse this material and respond to the requiring authority with their position; and
- c. The requiring authority shall obtain (at its reasonable cost) a peer review of the proposed mitigation measures and consequential effects on the Webster properties and shall give special consideration to the findings of any peer review in deciding what visual mitigation measures it implements for the Webster properties.

6. Archaeological

6.1 Prior to construction and the obtaining of any necessary consents under the Historic Places Act 1993 the requiring authority (or its agents) shall undertake further investigation of archaeological sites R10/943 and R10/944 if these sites are affected by the proposed works or immediately adjoin the proposed works.

6.2 The archaeological sites recorded in the immediate vicinity of the proposed works shall be clearly marked on construction plans to be provided to the Council and pegged out/fenced off prior to, and during the period of, construction.

7. Vibration

7.1 The road alignment shall be designed with due regard to the effects of vibration.

7.2 In the event that the requiring authority receives, in respect of any building existing as at 14 April 1998, a complaint of vibration induced by construction activities or by traffic on completion of the widened/realigned section of Whangaparaoa Road, then the requiring authority shall:

- a. Monitor traffic induced vibration at location(s) from which complaints have been received where considered appropriate by the Auckland Council; and
- b. Where construction vibration levels exceed the relevant standards of ISO 2631-2, then the requiring authority shall implement practicable mitigation measures.

8. Stormwater

8.1 The requiring authority (or its agents) shall, in consultation with the Council:

- a. Provide suitable detention of concentrated stormwater flows which arise from construction works and the completed roadway to avoid, as far as is practicable, stream erosion by the discharging of this stormwater;
- b. Design, install and operate sediment control ponds to remove, to the maximum extent practicable, sediment from all concentrated discharge from the earthworks;
- c. Arrange all stormwater treatment devices in accordance with the Auckland Council's Technical Publication No. 10 being the Design Guideline Manual : Stormwater Treatment Devices, dated 2003; and
- d. Take all practicable measures to ensure stormwater is not discharged into tributaries or overland flow paths which ultimately directly flow into the Okura River Estuary.

9. Physical Works Contract

9.1 All contract documentation for physical works shall include the designation conditions, the approved outline plan and any other resource consents (including conditions) held for the project.

9.2 Construction shall be limited to the following hours:

- a. Weekdays: 7.00 a.m. to 6.00 p.m;
- b. Saturdays: 8.00 a.m. to 4.00 p.m; and
- c. Sundays and Public Holidays: No work.

9.3 Construction can be extended to the hours of 7.00 a.m. to 6.00 p.m. every day (with the specific consent of the Auckland Council) between East Coast Road and the northern boundary of the Weiti Forest with the agreement of Green and McCahill Ltd and Green and McCahill Holdings Ltd or any successors in title.

9.4 At all times reasonable access shall be maintained to properties directly affected by the construction and operation of the Weiti Crossing and the Whangaparaoa Road widening unless agreement is reached with the property occupier that access can be temporarily stopped.

10. Public Notification

10.1 At six-monthly intervals from the date of this decision the requiring authority (or its agents) shall notify all property occupiers directly affected by the designation of the current status of the project and the estimated date of commencement of final design and construction. In addition, an advertisement is to be placed in the "Rodney Times" outlining the above information.

10.2 A Public Notification Plan shall be prepared and submitted for the approval of the Auckland Council prior to the start of physical works. The plan shall include, but not be limited to, the following:

- a. Dates for the release of newsletters to directly affected and adjoining property occupiers. These letters shall include details of the construction programme and a single point of contact for the requiring authority (or its agents) for any concerns or enquiries relating to the project, including a contact person name and a telephone and facsimile number; and
- b. Details of proposed signage to advise motorists of periods of likely traffic delays.

11. Duration of Designation

11.1 In accordance with s.184 of the Resource Management Act 1991, this designation will lapse five years from being operative in the Unitary Plan unless:

- a. It is given effect to before the end of that period; or
- b. The territorial authority resolves that it has made, and is continuing to make, substantial progress or effort towards giving effect to the designation and fixes a longer period to give effect to the designation; or
- c. The designation lapses earlier by virtue of the Unitary Plan ceasing to be operative.

12. Other

12.1 Prior to preparing an assessment of effects upon the environment under s. 88 of the Act for the resource consents required from the council, the requiring authority (or its agents) shall prepare a Scoping Report for the consideration of the council. This shall indicate what is to be addressed in the assessment of effects and allow some agreement to be reached between the parties prior to the detailed analysis required for the assessment.

13. Costs

13.1 Pursuant to s.36 of the Resource Management Act 1991, the requiring authority shall be responsible for paying administrative charges relating to receiving, processing and making a decision in respect of the requirement. The total amount payable will be communicated to the requiring authority within two months of the process being completed.

14. Local access to Stillwater Community

14.1 Safe and efficient two-way access to the Stillwater community (on both sides of the designated route) shall be provided, including throughout the construction period. Such access shall include provision for public transport (including bus stops) and for the safe and efficient movement of school buses and boat trailers. The design of any such access shall be undertaken in full consultation with

the Stillwater Ratepayers and Residents Association, the owners of the Webster properties and directly affected members of the Stillwater community.

14.2 Following such consultation, the requiring authority will submit the proposed access design to an independent auditor for a safety audit prior to construction. The cost of this audit is to be met by the requiring authority.

15. Water Supply

15.1 During each construction season (1 October – 30 April) the requiring authority shall periodically check and wash down any residences (including the roof) which are located along the designation route and which are affected by the construction of the bridge and its approaches. The cost of this cleaning will be met by the requiring authority.

15.2 The requiring authority will test the water quality of the bores at 165 Duck Creek Road, being the land described in 113B/679 (North Auckland Registry), and 236 Duck Creek Road, being the land described in certificates of title 682/218 and 1020/274 (North Auckland Registry), on a monthly basis.

15.3 In the event that either of the bores at 165 or 236 Duck Creek Road becomes contaminated, the requiring authority will provide an equivalent alternative free water supply.

15.4 The requiring authority will test the water quality of each domestic water tank located along the designation route, including the Webster properties, affected by construction of the bridge and its approaches on a monthly basis during the construction season and for one month following (1 October – 31 May) of each year of the construction period. If the water in any such tank is contaminated, the requiring authority will immediately, and at its cost entirely, have any such tank cleaned out and refilled.

16. Land Stabilisation

16.1 The requiring authority will conduct a “before and after” dilapidation survey of the properties (including the interiors of buildings) located along the designation route, including the Webster properties to assess any effects as a result of construction of the bridge and its approaches.

16.2 In any agreements entered into with any third party to carry out construction of the road and bridge, the requiring authority will require that party to accept liability for any damage or instability to land or buildings caused by construction and will also require that party to monitor slope stability throughout the duration of construction and for a period of 12 months following completion of the project. In the event that the requiring authority undertakes construction itself, it will accept such liability and conduct such monitoring.

17. Noise

17.1 Once the new road is operational, council will pass any bylaw required to enable a restriction on engine braking to be imposed on vehicles using the road in the vicinity of Stillwater, should such a restriction prove necessary.

17.2 The requiring authority will use asphalted concrete on the road surface on the Weiti Bridge and extend this surface along the road up to 307 Duck Creek Road, being the land described in certificate of title 16C/1432 (North Auckland Registry).

17.3 The requiring authority will use its best endeavours to provide a building (which is surplus to roading requirements) to be used as the Stillwater community hall. The requiring authority shall arrange for the transport at its cost of any such building to the agreed site.

18. Stock Underpass

18.1 The requiring authority shall enter into an agreement with the owners of the Webster properties to provide them with a stock underpass (under the new carriageway provided for by the designation) to agreed specifications and with agreed rights of access or tenure, to provide the owners of the properties access between the two parts of the property which will be bisected by the new carriageway.

18.2 During the period of construction of the Weiti Link, while the Webster properties are bisected by works, but before the stock underpass is completed, the requiring authority shall provide reasonable stock access across the carriageway so owners of the properties can utilise all parts of their property.

19. Duck Creek Intersection

19.1 No part of the realigned Duck Creek Road, including its intersection on the eastern side of the Weiti link will be positioned further north than indicated on the plan annexed as Appendix A of the NOR.

20. Water Supply

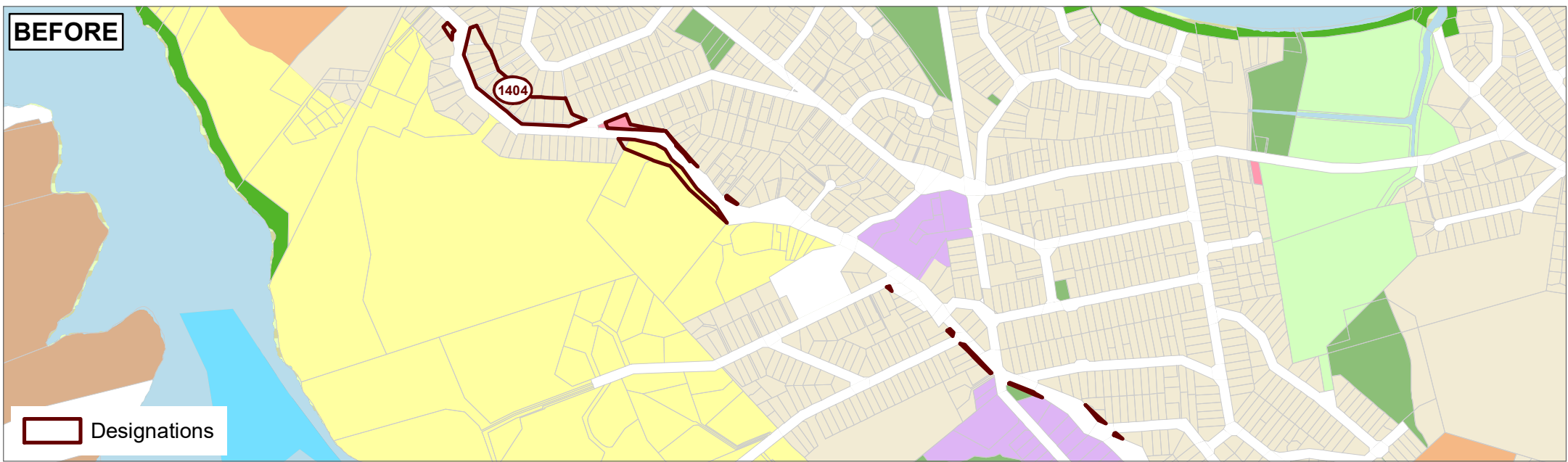
20.1 The requiring authority shall ensure that during construction and operation of the Weiti Crossing Road, a water supply is maintained for the purpose of watering livestock located at 236 Duck Creek Road, being Part Lot 3, DP 26549 and 266 Duck Creek Road, being Lot 2 DP 29403.

Attachments

No attachments.

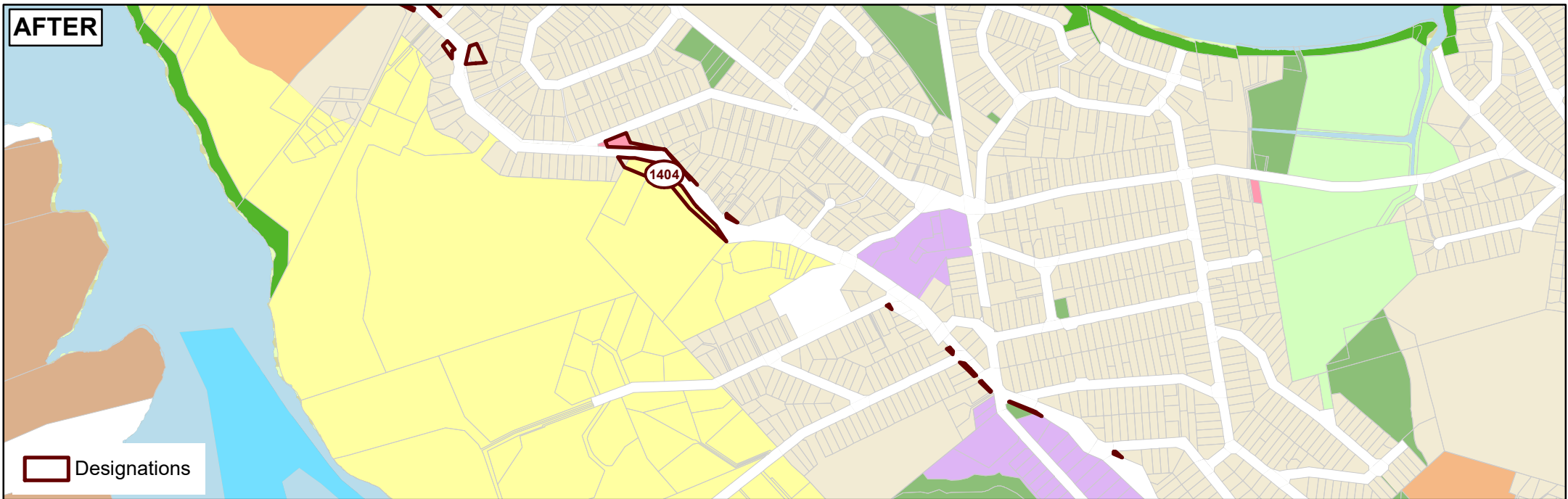
Attachment C: Updated GIS Viewer

BEFORE

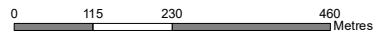


Designations

AFTER



Designations



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: 5/07/2021

Alteration to Designation 1404 Road Widening - Whangaparaoa Road Auckland Transport



Plans and Places