

## UNITARY PLAN UPDATE REQUEST MEMORANDUM

**TO** Warren MacLennan

**FROM** Sarah Wong – Policy Planner, Planning, Regional, North/West and Islands

**DATE** 12/02/2024



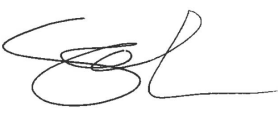


**SUBJECT** **Partial removal of Designation 1404 – Road Widening – Whangaparaoa Road under s182 of the Resource Management Act**



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

<b>Reason for update – Partial Removal of Designation 1404 – Road Widening – Whangaparaoa Road</b>	
Decision has been made to confirm a request to partially remove Designation 1404 – Road Widening – Whangaparaoa Road under s182 of the RMA	
<b>Chapter</b>	Chapter K Designations
<b>Section</b>	Auckland transport GIS Viewer
<b>Designation only</b>	
<b>Designation #</b>	<b>1404 Road Widening – Whangaparaoa Road</b>
<b>Locations:</b>	309, 388 – 402, 441, 454A, 455, 456, 468, 470, 473, 475, 510, 514A, 516A, 518, 520, 522A, 525, 527, 529, 540, 597, 601, 609, 611, 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, Whangaparaoa 2 Cedar Terrace, Whangaparaoa 1, 3, 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
<b>Lapse Date</b>	11 March 2027 unless given effect to prior
<b>Purpose</b>	Road widening
<b>Changes to text (shown in underline and strikethrough)</b>	Changes to location text:  309, 388 – 402, 441, 454A, 455, 456, <del>468</del> , 470, 473, 475, 510, 514A, 516A, 518, 520, 522A, 525, 527, 529, 540, 597, 601, 609, 611, 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, Whangaparaoa 2 Cedar Terrace, Whangaparaoa 1, 3, 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
<b>Changes to diagrams</b>	No changes

<b>Changes to spatial data</b>	Removal of Designation 1404 – Road Widening – Whangaparaoa Road from those areas identified in Attachment 1: s182 Report
<b>Attachments</b>	Attachment 1: s182 Report Attachment 2: RA Letter Attachment 3: Correction to text (Strikethrough and Underlined) Attachment 4: Corrected text Attachment 5: Updated GIS viewer

<b>Maps prepared by:</b> Dean Thompson Geospatial Specialist	<b>Text Entered by:</b> Maninder Kaur-Mehta Planning Technician
<b>Signature:</b> 	<b>Signature:</b> 
<b>prepared by:</b> Sarah Wong Policy Planner	<b>Reviewed by:</b> Peter Vari Team Leader
<b>Signature:</b> 	<b>Signature:</b> 
<b>Authorised by:</b> <b>Warren MacLennan</b> Manager Planning – Regional, North/West and Islands	
<b>Signature:</b> 	

# Attachment 1: 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:** Sarah Wong – Policy planner, Planning Regional, North/West and Islands

**Date:** 14 December 2023

**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 20 November 2023, 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 Auckland Transport.

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 section 182 request from Auckland Transport for the partial removal of Designation 1404 – Road Widening – Whangaparaoa Road in the Auckland Unitary Plan be **accepted** for the following reasons:
  - i) Auckland Transport no longer require the designation on the land; and
  - ii) The effects of the removal of part of the designation are less than minor.
  
2. That Designation 1404 – Road Widening – Whangaparaoa Road be partially removed from the areas of land on 468 and 470 Whangaparaoa Road, as soon as reasonably practicable, in the Designation overlay and Chapter K Designations where the text needs to be amended in the Auckland Unitary Plan.

## 1. Description

### 1.1. References

<b>Designation number:</b>	1404 – Road Widening – Whangaparaoa Road
<b>Lodgement date:</b>	20 November 2023
<b>Requiring authority:</b>	Auckland Transport
<b>Reporting officer:</b>	Sarah Wong
<b>Site address:</b>	Various: <ul style="list-style-type: none"><li>- 468 and 470 Whangaparaoa Road;</li><li>- Road reserve</li></ul>
<b>UP Zoning:</b>	Various: <ul style="list-style-type: none"><li>- Residential - Single House Zone;</li><li>- Road</li></ul>

## 2.0 Background

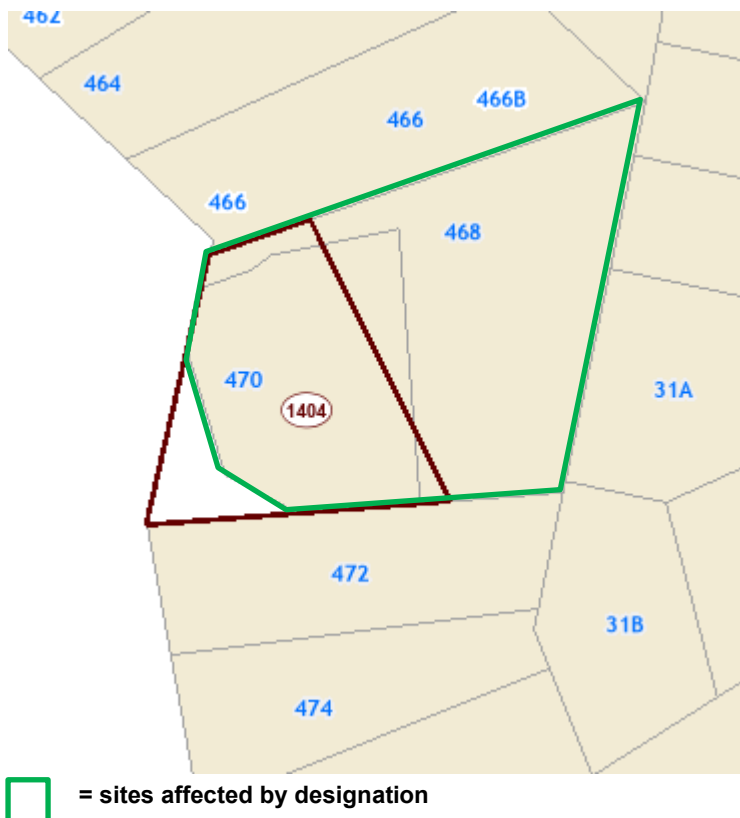
### 2.1 Details of designation

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**.

The designation is proposed to be removed from private land at 468 and 470 Whangaparaoa Road and the adjoining road reserve, which is owned by Auckland Transport/Auckland Council. These areas are removed due to the designation on these sites no longer being required to serve its 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 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 November 2023), 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 no longer required for road widening purposes.

## 2.0 Recommendation

That pursuant to Section 182 of the Resource Management Act 1991 that the partial removal of Designation 1404 – Road Widening – Whangaparaoa Road be accepted and the Auckland Unitary Plan Operative in part designation overlay and text in Chapter K Designations be amended accordingly.

**Prepared by:** Sarah Wong  
Policy Planner  
Planning Regional, North/West and Islands

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

**Signature:**



**Signature:**



Date: 14 December 2023

### **SCHEDULE OF ATTACHMENTS:**

**Attachment A:** Auckland Transport s182 Notice of Removal

**ATTACHMENT A: AUCKLAND TRANSPORT S182 NOTICE OF REMOVAL**



## NOTICE OF PARTIAL REMOVAL OF DESIGNATION UNDER SECTION 182 OF THE RESOURCE MANAGEMENT ACT 1991

**To** Auckland Council  
Private Bag 92300  
Auckland 1142  
Attn: Warren Maclennan, Manager Planning – Regional, North, West and Islands – Plans & Places

Via email: [warren.maclennan@aucklandcouncil.govt.nz](mailto:warren.maclennan@aucklandcouncil.govt.nz)

### And to

Owner/Occupier	Postal Address	Property Address
WD Herd & AJ Herd	309 Whangaparaoa Road, Red Beach 0932	309 Whangaparaoa Road, Red Beach
JK Pointon & MP Huxford	388-402 Whangaparaoa Road, Stanmore Bay 0932	388-402 Whangaparaoa Road, Stanmore Bay
Arena Living Peninsula Club Limited	441 Whangaparaoa Road, Stanmore Bay 0932	441 Whangaparaoa Road, Stanmore Bay
JJ Davies & CK Davies	454A Whangaparaoa Road, Stanmore Bay 0932	454A Whangaparaoa Road, Stanmore Bay
MR Freeman & LJ Freeman	18 Garadice Road, Rothesay Bay, Auckland 0630	454A Whangaparaoa Road, Stanmore Bay
Occupier	454B Whangaparaoa Road, Stanmore Bay, Whangaparaoa 0932	454B Whangaparaoa Road, Stanmore Bay
Neil Construction Limited	PO Box 8751, Newmarket, Auckland, 1149	455 Whangaparaoa Road, Stanmore Bay
Occupier	455 Whangaparaoa Road, Stanmore Bay	455 Whangaparaoa Road, Stanmore Bay
CM Cronje & FG Cronje & JH Cronje	456 Whangaparaoa Road, Stanmore Bay, Whangaparaoa 0932	456 Whangaparaoa Road, Stanmore Bay
PR Tuckey & SR Tuckey	P E Tuckey Trust, 32 Islay Street, Glenleith, Dunedin 9010	456A Whangaparaoa Road, Stanmore Bay
Occupier	456A Whangaparaoa Road, Stanmore Bay	456A Whangaparaoa Road, Stanmore Bay

Dmitriy Kivilev	29A Wicklam Lane, Greenhithe, Auckland 0632	468 Whangaparaoa Road, Stanmore Bay
Occupier	468 Whangaparaoa Road, Stanmore Bay	468 Whangaparaoa Road, Stanmore Bay
DJ Douche & JM Douche	470 Whangaparaoa Road, Stanmore Bay, Whangaparaoa 0932	470 Whangaparaoa Road, Stanmore Bay
MT Doel & BL Doel	Ultimo Group, PO Box 302284, North Harbour, Auckland 0751	473 Whangaparaoa Road, Stanmore Bay
Occupier	473 Whangaparaoa Road, Stanmore Bay	473 Whangaparaoa Road, Stanmore Bay
Lanna Investments Limited	151B Hutchinson Avenue, New Lynn, Auckland 0600	475 Whangaparaoa Road, Stanmore Bay
Occupier	475 Whangaparaoa Road, Stanmore Bay	475 Whangaparaoa Road, Stanmore Bay
Jurgen James Dentener	6K/189 Hobson Street, Auckland Central, Auckland 1010	510 Whangaparaoa Road, Stanmore Bay
Occupier	510 Whangaparaoa Road, Stanmore Bay	510 Whangaparaoa Road, Stanmore Bay
AT Derbyshire & JC Derbyshire	514A Whangaparaoa Road, Stanmore Bay, Whangaparaoa 0932	514A Whangaparaoa Road, Stanmore Bay
Owner Occupier	516A Whangaparaoa Road, Stanmore Bay, Whangaparaoa 0932	516A Whangaparaoa Road, Stanmore Bay
G Tome & MB Ewert	518 Whangaparaoa Road, Stanmore Bay, Whangaparaoa 0932	518 Whangaparaoa Road, Stanmore Bay
TI Andreassen & LM Andreassen	520 Whangaparaoa Road, Stanmore Bay, Whangaparaoa 0932	520 Whangaparaoa Road, Stanmore Bay
BM Battersby & PJ Battersby	522A Whangaparaoa Road, Stanmore Bay, Whangaparaoa 0932	522A Whangaparaoa Road, Stanmore Bay
Her Majesty The Queen	Darroch Auckland (Waka Kotahi New Zealand Transport Agency), PO BOX 3490, Shortland Street, Auckland 1140	525 Whangaparaoa Road, Stanmore Bay

Her Majesty The Queen	Darroch Auckland (Waka Kotahi New Zealand Transport Agency), PO BOX 3490, Shortland Street, Auckland 1140	527 Whangaparaoa Road, Stanmore Bay
Her Majesty The Queen	Darroch Auckland (Waka Kotahi New Zealand Transport Agency), PO BOX 3490, Shortland Street, Auckland 1140	529 Whangaparaoa Road, Stanmore Bay
MA Johnson & MD Johnson & KC Robinson	540 Whangaparaoa Road, Stanmore Bay, Whangaparaoa 0932	540 Whangaparaoa Road, Stanmore Bay
MH Zhou & J Zhou	38 Ballymore Drive, Pinehill, Auckland 0632	597 Whangaparaoa Road, Stanmore Bay
Occupier	597 Whangaparaoa Road, Stanmore Bay	597 Whangaparaoa Road, Stanmore Bay
G Rempe & S Rempe & Gibson Nominees Limited	601 Whangaparaoa Road, Stanmore Bay, Whangaparaoa 0932	601 Whangaparaoa Road, Stanmore Bay
Auckland Council	Private Bag 92300, Victoria Street West, Auckland 1142	609 Whangaparaoa Road, Stanmore Bay
Black Anchor Limited	59 Downer Access Road, RD 3, Kaukapakapa 0873	642A Whangaparaoa Road, Stanmore Bay
Occupier	642A Whangaparaoa Road, Stanmore Bay	642A Whangaparaoa Road, Stanmore Bay
JA Coast Limited	642B Whangaparaoa Road, Stanmore Bay, Whangaparaoa 0932	642B Whangaparaoa Road, Stanmore Bay
LH Sergeant & AM Parr-Sergeant	1 Charmaine Road, Torbay, Auckland 0630	644A Whangaparaoa Road, Stanmore Bay
Occupier	644A Whangaparaoa Road, Stanmore Bay	644A Whangaparaoa Road, Stanmore Bay
ER Abkilan & MT Abkilan	644B Whangaparaoa Road, Stanmore Bay, Whangaparaoa 0932	644B Whangaparaoa Road, Stanmore Bay
SJ Lumsden & Lumsden Trustees Limited	Lumsden Family Trust, PO BOX 444, Whangaparaoa 0932	663 Whangaparaoa Road, Stanmore Bay
Occupier	663 Whangaparaoa Road, Stanmore Bay	663 Whangaparaoa Road,

		Stanmore Bay
Auckland Council	Private Bag 92300, Victoria Street West, Auckland 1142	722 Whangaparaoa Road, Stanmore Bay
Auckland Council	Private Bag 92300, Victoria Street West, Auckland 1142	724 Whangaparaoa Road, Stanmore Bay
Auckland Council	Private Bag 92300, Victoria Street West, Auckland 1142	726 Whangaparaoa Road, Stanmore Bay
Christine Mary Brehmer	728 Whangaparaoa Road, Stanmore Bay, Whangaparaoa 0930	728 Whangaparaoa Road, Stanmore Bay
GW Wilson & CF Wilson & SR Massey & CK Massey	736 Whangaparaoa Road, Stanmore Bay, Whangaparaoa 0930	736 Whangaparaoa Road, Stanmore Bay
DDC Portoer & CM Porter & CM Velasquez & GEM Gibson	64 Elliot Avenue, Bayview, Auckland 0629	2A Homestead Road, Manly
Occupier	2A Homestead Road, Manly, Whangaparaoa 0930	2A Homestead Road, Manly
Yan Lu	Y & L Family Trust, 262 Bucklands Beach Road, Bucklands Beach, Auckland 2012	2B Homestead Road, Manly
Occupier	2B Homestead Road, Manly, Whangaparaoa 0930	2B Homestead Road, Manly
Ian Alfred Angove	2C Homestead Road, Manly, Whangaparaoa 0930	2C Homestead Road, Manly
MA Rosenberg & AF Rosenberg	2D Homestead Road, Manly, Whangaparaoa 0930	2D Homestead Road, Manly
WH Taylor & TB Taylor	740 Whangaparaoa Road, Manly, Whangaparaoa 0930	740 Whangaparaoa Road, Manly
DG Elias & JY Elias	742 Whangaparaoa Road, Manly, Whangaparaoa 0930	742 Whangaparaoa Road, Manly
Helena Josephine Burnett	PO BOX 1221, Whangarei, Whangarei 0140	746 Whangaparaoa Road, Manly
Occupier	746 Whangaparaoa Road, Manly, Whangaparaoa 0930	746 Whangaparaoa Road
MW Pearce & AR Pearce	748 Whangaparaoa Road, Manly, Whangaparaoa 0930	748 Whangaparaoa Road, Manly

Owner Occupier	750A Whangaparaoa Road, Manly, Whangaparaoa 0930	750A Whangaparaoa Road, Manly
SR Nixon & RA Nixon	C/- Mr S Nixon Nixon Family Trust, PO BOX 302575, North Harbour, Auckland 0751	750B Whangaparaoa Road, Manly
Occupier	750B Whangaparaoa Road, Manly, Whangaparaoa 0930	750B Whangaparaoa Road, Manly
L Evans & JG Evans	752 Whangaparaoa Road, Manly, Whangaparaoa 0930	752 Whangaparaoa Road, Manly
Wayne Joseph Lisk	756 Whangaparaoa Road, Manly, Whangaparaoa 0930	756 Whangaparaoa Road, Manly
Carol Anne McGregor	758 Whangaparaoa Road, Manly, Whangaparaoa 0930	758 Whangaparaoa Road, Manly
TM Dunn & CL McCabe	760 Whangaparaoa Road, Manly, Whangaparaoa 0930	760 Whangaparaoa Road, Manly
Suzanne Evekynne Howarth	1 Castille Courtland, Redland Bay, Brisbane QLD 4165, Australia	770A Whangaparaoa Road, Manly
Occupier	770A Whangaparaoa Road, Manly, Whangaparaoa 0930	770A Whangaparaoa Road, Manly
Paul Wayne Hosking	16 Beach Road, Mellons Bay, Auckland 2014	770 Whangaparaoa Road, Manly
Occupier	770 Whangaparaoa Road, Manly, Whangaparaoa 0930	770 Whangaparaoa Road, Manly
Ralph John Foley	772A Whangaparaoa Road, Manly, Whangaparaoa 0930	772A Whangaparaoa Road, Manly
MC Catlin & GJ Catlin	48 Tiri Road, Manly, Whangaparaoa 0930	772 Whangaparaoa Road, Manly
Occupier	772 Whangaparaoa Road, Manly, Whangaparaoa 0930	772 Whangaparaoa Road, Manly
Margaret Caroline Inger	811 Port Albert Road, RD 3, Wellsford 0973	774 Whangaparaoa Road,

		Manly
Occupier	774 Whangaparaoa Road, Manly, Whangaparaoa 0930	774 Whangaparaoa Road, Manly
Janet Mary Newton	849A Whangaparaoa Road, Manly, Whangaparaoa 0930	849A Whangaparaoa Road, Manly
Janet Mary Newton	849 Whangaparaoa Road, Manly, Whangaparaoa 0930	849 Whangaparaoa Road, Manly
JP Dark & KL Arcus	851 Whangaparaoa Road	851 Whangaparaoa Road, Manly
Patricia Margaret Scally	853A Whangaparaoa Road, Manly, Whangaparaoa 0930	853A Whangaparaoa Road, Manly
SNO Timmer & AM Timmer	853B Whangaparaoa Road, Manly, Whangaparaoa 0930	853B Whangaparaoa Road, Manly
SG Mathers & KE Ross	1073 Whangaparaoa Road, Tindalls Beach, Whangaparaoa 0930	1073 Whangaparaoa Road, Tindalls Beach
Gail Ruth Stipich	1075 Whangaparaoa Road	1075 Whangaparaoa Road, Tindalls Beach
Ying Hong	11 Ruth Craig Place, Stanmore Bay, Whangaparaoa 0932	2 Cedar Terrace, Stanmore Bay
Occupier	2 Cedar Terrace, Stanmore Bay, Whangaparaoa 0932	2 Cedar Terrace, Stanmore Bay
Her Majesty The Queen	Darroch Auckland (Waka Kotahi New Zealand Transport Agency), PO BOX 3490, Shortland Street, Auckland 1140	1 Brightside Road, Stanmore Bay
Barbel Properties Limited	72 Beach Road, Castor Bay, Auckland 0620	3 Brightside Road, Stanmore Bay
Occupier	3 Brightside Road, Stanmore Bay, Whangaparaoa 0932	3 Brightside Road, Stanmore Bay
David John Hullah	5 Brightside Road, Stanmore Bay, Whangaparaoa 0932	5 Brightside Road, Stanmore

		Bay
PF Maegaard & KM Maegaard & Hibiscus Independent Trustees 2006 Limited	P & K Maegaard Family Trust, 5B Brightside Road, Stanmore Bay, Whangaparaoa 0932	5B Brightside Road, Stanmore Bay
A Hamlin & GC Hamlin	3/148 Brightside Road, Stanmore Bay, Whangaparaoa 0932	7 Brightside Road, Stanmore Bay
AT Robinson & AD Robinson	9 Brightside Road, Stanmore Bay, Whangaparaoa 0932	9 Brightside Road, Stanmore Bay
TJ Simpson & KS Simpson	1 Penton Road, Stanmore Bay, Whangaparaoa 0932	1 Penton Road, Stanmore Bay
Chorus New Zealand Limited	PO BOX 632, Wellington 6140	1 Tower Hill, Stanmore Bay
NP Watikins & AG Widdison	1A Homestead Road, Manly, Whangaparaoa 0930	1A Homestead Road, Manly
Teh Properties Limited	51 View Road, Campbells Bay, Auckland 0630	1 Homestead Road, Manly
Occupier	1 Homestead Road, Manly, Whangaparaoa 0930	1 Homestead Road, Manly
Willrock Investments Limited	145 Tioroa Avenue, Te Atatu South, Auckland 0610	7 Homestead Road, Manly
Occupier	7 Homestead Road, Manly, Whangaparaoa 0930	7 Homestead Road, Manly
Theresa Ann Kerr	778 Whangaparaoa Road, Manly, Whangaparaoa 0930	778 Whangaparaoa Road, Stanmore Bay
B Hajderaj & F Hajderaj	1 Zita Avenue, Tindalls Beach, Whangaparaoa 0930	1 Zita Ave, Stanmore Bay
JG Refoy & FL Refoy	1 Scott Road, Stanmore Bay, Whangaparaoa 0930	1 Scott Road, Stanmore Bay
WJ Field & FL Field	2 Scott Road, Stanmore Bay, Whangaparaoa 0930	2 Scott Road, Stanmore Bay
P Meyer & A Meyer	2 D'Oyly Drive, Stanmore Bay, Whangaparaoa 0930	2 D' Oyly Drive, Stanmore Bay

Auckland Transport gives notice that it no longer requires the following part of a designation:







Auckland Transport requests Auckland Council amend the Auckland Unitary Plan (Operative in Part) 2016 accordingly as required by Section 182 of the Resource Management Act 1991.

Yours faithfully,



**Jane Small**

Group Manager – Strategic Programmes and Property

Electronic address for service of requiring authority: [julia.siddall@at.govt.nz](mailto:julia.siddall@at.govt.nz)

Telephone: 021 240 5823

Postal address: 20 Viaduct Harbour Avenue, Auckland 1010

Contact person: Julia Siddall, Consent Planner

## Attachment 2: RA Letter

14 December 2023

Kelly Durham, Auckland Transport  
[Kelly.Durham@at.govt.nz](mailto:Kelly.Durham@at.govt.nz)

**Partial removal of Designation 1404 – Road Widening – Whangaparaoa Road**

Auckland Transport requested the uplift of this designation in a letter to the council dated 20 November 2023.

In response to Auckland Transport's request, the partial removal of Designation 1404 – Road Widening – Whangaparaoa Road in the Auckland Unitary Plan takes effect on 14 December 2023.

The amendment will be included in the next update of the Auckland Unitary Plan.

A copy of the designation uplift report is attached.

Yours faithfully



**Sarah Wong**  
**Policy Planner**  
**Planning Regional, North/West and Islands**  
**Plans and Places**

## Attachment 3: Correction to text (Strikethrough and Underlined)

## 1404 Road Widening - Whangaparaoa Road

Designation Number	1404
Requiring Authority	Auckland Transport
Location	309, 388 – 402, 441, 454A, 455, 456, <del>468, 470</del> , 473, 475, 510, 514A, 516A, 518, 520, 522A, 525, 527, 529, 540, 597, 601, 609, 611, 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, Whangaparaoa 2 Cedar Terrace, Whangaparaoa 1, 3, 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
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	11 March 2027 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:*

<b>Location</b>	<b>Traffic Noise Design Limits Leq (24 hours)</b>
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	55 dBa

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.	
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 section 184 of the Resource Management Act 1991, this designation will lapse on 11 March 2027 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 4: Corrected text

## 1404 Road Widening - Whangaparaoa Road

Designation Number	1404
Requiring Authority	Auckland Transport
Location	309, 388 – 402, 441, 454A, 455, 456, 473, 475, 510, 514A, 516A, 518, 520, 522A, 525, 527, 529, 540, 597, 601, 609, 611, 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, Whangaparaoa 2 Cedar Terrace, Whangaparaoa 1, 3, 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
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	11 March 2027 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:*

<b>Location</b>	<b>Traffic Noise Design Limits Leq (24 hours)</b>
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	55 dBA

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.	
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 section 184 of the Resource Management Act 1991, this designation will lapse on 11 March 2027 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 5: Updated GIS viewer

