

Before the Board of Inquiry
Waterview Connection Project

in the matter of: the Resource Management Act 1991

and

in the matter of: a Board of Inquiry appointed under s 149J of the Resource Management Act 1991 to decide notices of requirement and resource consent applications by the NZ Transport Agency for the Waterview Connection Project

First Statement of evidence of Amelia Linzey (Planning – Notices of Requirement) on behalf of the **NZ Transport Agency**

Dated: 13 November 2010

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FIRST STATEMENT OF EVIDENCE OF AMELIA LINZEY (PLANNING – NOTICES OF REQUIREMENT) ON BEHALF OF THE NZ TRANSPORT AGENCY

INTRODUCTION

- 1 My full name is Amelia Joan Linzey. I am the joint Planning Team Leader (with Owen Burn) and the Consultation Manager for the Waterview Connection Project (*Project*).
- 2 I have the following qualifications and experience relevant to the evidence I shall give:
 - 2.1 I am a Technical Director of Planning for Beca Carter Hollings & Ferner Ltd (Beca). I hold a Master of Science in Geography (First Class Honours) from the University of Auckland and a Bachelor of Science. I am a member of the New Zealand Planning Institute and the International Association of Public Participation.
 - 2.2 I have over 13 years experience in the fields of planning, environmental impact assessment and consultation. My work has been in the areas of consultation and facilitation; social impact assessment; infrastructure and environmental planning; strategic and policy planning; and civil defence and emergency management planning.
 - 2.3 I have provided technical direction on a number of key projects while in Beca Planning, particularly focussing on major infrastructure projects and policy planning. I also lead planning project teams on major projects including environmental and strategic policy advice.
 - 2.4 I have provided planning advice on a number of infrastructure and transport projects including:
 - (a) Statutory planning advice on the Manukau Harbour Crossing, for the Manukau Harbour Crossing Alliance between 2007-2008;
 - (b) Planning and environmental assessment for the Southwestern Corridor to East Tamaki Strategic Study, for the NZTA, between 2007 – 2008;
 - (c) The assessment of route options for Marsden Rail, Northland Regional Council between 2002 – 2008;
 - (d) Consenting applications for the Britomart Transport Centre, for Auckland City Council between 1999 – 2005;

- (e) Environmental assessment for the Belize Airport Link Road, for the Government of Belize (Ministry of Transport) in 2002;
- (f) The assessment of route options, environmental and planning assessment and consultation for the Hastings Northern Arterial, for Hastings District Council between 2000 – 2003; and
- (g) For State Highway 16/18 realignment, for Transit New Zealand between 1997 – 2000.

2.5 Each of the above projects has required management and co-ordination of environmental assessment, planning assessment and consultation on the likely effects of transport infrastructure projects. These considerations are shared with the Waterview Connection Project.

2.6 In addition to the above, I have provided social impact assessment for a number of projects, which I detail further in my subsequent statement of evidence in relation to the Social Impact Assessment report.

3 My evidence is given in support of notices of requirement (*NORs*) and applications for resource consents lodged with the Environmental Protection Authority (*EPA*) by the NZ Transport Agency (*NZTA*) on 20 August 2010 in relation to the Project. The Project comprises works previously investigated and developed as two separate projects, being:

3.1 The State Highway 16 (*SH16*) Causeway Project; and

3.2 The State Highway 20 (*SH20*) Waterview Connection Project (prior to 2006 referred to as the *SH20 Avondale Project*).

4 I am familiar with the area that the Project covers, and the State highway and roading network in the vicinity of the Project. I have visited the site on numerous occasions.

5 I have read the Code of Conduct for Expert Witnesses as contained in the Environment Court Consolidated Practice Note (2006), and agree to comply with it. In preparing my evidence, I have not omitted to consider material facts known to me that might alter or detract from my opinions expressed.

SCOPE OF EVIDENCE

6 My evidence will deal with the following:

6.1 Executive summary;

- 6.2 Background and role;
 - 6.3 Overview of the Notices of Requirement (*NORs*) for the Project;
 - 6.4 Statutory considerations relating to the *NORs*;
 - 6.5 Investigation process for the AEE;
 - 6.6 Consideration of alternatives;
 - 6.7 Existing designations held by other requiring authorities;
 - 6.8 Other statutory approvals required for the Project;
 - 6.9 Summary of the existing environment;
 - 6.10 Post lodgement events;
 - 6.11 Comments on submissions; and
 - 6.12 Comments on conditions.
- 7 My evidence will focus on planning matters related to the *NORs* seeking new and altered designations for the Project. Mr Owen Burn will present evidence focussed on planning matters related to the resource consent applications lodged for the Project.
- 8 I have prepared a second statement of evidence which will address the assessment of social effects and a summary of the consultation undertaken.
- 9 Finally, I have prepared a third statement of evidence which will summarise the assessment of effects generally for the Project, and then assess the Project against the relevant statutory tests for *NORs* (as outlined in this evidence), providing comment on the revised suite of conditions proposed for the *NORs* (in light of the evidence presented by the NZTA).

EXECUTIVE SUMMARY

- 10 The NZTA is seeking to designate three contiguous areas of land (one of which is a substrata designation) and to make three alterations to two existing designations.
- 11 It is my opinion that the AEE accurately sets out the relevant planning documents and identifies the objectives and policies of these documents (with minor amendments as noted later in my evidence).

- 12 Pursuant to section 171 (and 181) of the Resource Management Act (*RMA*), I consider that the NZTA has undertaken an extensive assessment of alternatives that, subject to Part 2, has had regard to the Project objectives, the relevant planning documents and the effects of the Project on the environment.
- 13 The Project NORs overlap existing designations. Approvals will be required from five Requiring Authorities under section 177 of the RMA for works within existing designations. I understand that the NZTA is progressing these approvals and see no reason that such approvals should not be given.
- 14 It is my opinion that the process of investigation, reporting and documentation that has been lodged by the NZTA in support of the NORs is appropriate and adequately addresses those matters required for the consideration of a requirement.

BACKGROUND AND ROLE IN THE PROJECT

- 15 In 2000, the NZTA (then Transit New Zealand) retained a Beca-led consultancy team to assist in the investigation, engineering and planning of the SH20 Avondale Project. Between 2000 and 2006, I was the Planning and Consultation Team Leader on the Project, involved in the assessment of route options for the connection of SH20 to SH16. Over this period I was responsible for the co-ordination of environmental and planning assessments, consultation and reporting on the Project.
- 16 In 2006, the NZTA retained Beca as part of a consortia team ('Westlink') to assist with the investigation, engineering and planning of the Project. Over the period 2006 through to 2009 I provided planning and consultation advice to the Project team, particularly focussing on the Social Impact Assessment and environmental and planning evaluation of alignment options being considered.
- 17 Since 2009, with the amalgamation of the SH16 Causeway and SH20 Waterview Connection SH16 Projects, I have had the role of joint Planning Team Leader. My role (shared with Mr Owen Burn) over this period has been the co-ordination of the environmental assessments, preparation of the AEE, NORs and consent applications, and supporting the NZTA in their consultation. I have also been responsible for the preparation of the Social Impact Assessment, which is more specifically discussed in my second statement of evidence.

- 18 The AEE was lodged with the EPA on 20 August 2010. The AEE is comprised of seven (7) parts¹ as follows:
- 18.1 Part A: Project Description;
 - 18.2 Part B: Statutory Matters;
 - 18.3 Part C: Existing Environment;
 - 18.4 Part D: Project Assessment;
 - 18.5 Part E: Appendices to the AEE Report;
 - 18.6 Part F: Plans and Drawings; and
 - 18.7 Part G: Technical Reports (comprised of 20 Technical Assessments Reports, 2 Management Plan Reports, 8 Technical Supporting Reports and 1 Addendum Report).²
- 19 Parts A through to D, of the AEE, were prepared by a team of planners from Beca and Greengroup³ (including me) and was reviewed by Mr Mike Foster of Zomac Planning Solutions.
- 20 My role was to scope, guide development, undertake review of the AEE and to undertake the Assessment of Planning Documents (Chapter 23 of Part D). I also prepared the Overview supplied with the NORs and Consent Applications Volume.

OVERVIEW OF THE NOTICES OF REQUIREMENT FOR THE PROJECT

- 21 The NZTA is seeking to designate three contiguous areas of land as new designation (one of which is substrata), and undertake three alterations to two existing designations. The total area of designation proposed for the Project is shown on Plans F.0: Notice of Requirement Plans (located in Part F of the AEE).
- 22 The location of the six (6) NORs and their relationship to the Sectors (the broad geographic areas by which the environmental assessment has been undertaken), is provided in Figure 7.1 of the AEE, a copy of which is attached for convenience as **Annexure B** to this evidence. I note that this figure includes the NOR for the Cradock Street emergency smoke exhaust stack (marked as NOR 6). This NOR is now withdrawn.

¹ A summary document map of the AEE is set out in **Annexure A** to this evidence.

² The Addendum Technical Report G.31 was lodged in September 2010.

³ A complete list of contributing authors is identified in the Quality Assurance Statement of the Assessment of Environmental Effects, August 2010.

- 23 A description of the designations (and alterations to designations) sought by the NORs is provided in section 7.2 of the AEE and in pages O.16 through to O.19 of the Overview document. A summary description of the designations sought is attached as **Annexure C** to this evidence⁴.

STATUTORY CONSIDERATIONS RELATING TO THE NORs

- 24 Chapter 6 of the AEE sets out the relevant statutory matters and considerations for the Project. Section 6.2.2 sets out the relevant considerations of process and procedure for a notice of requirement to designate or alter a designation (Sections 166 to 186 of the RMA).
- 25 Section 171 of the RMA sets out the matters a territorial authority must have regard to when considering a notice of requirement and any submissions received.
- 26 Section 6.4 of Chapter 6 of the AEE identifies relevant planning documents in accordance with Section 171(1)(a) of the RMA - though it is noted that the Hauraki Gulf Marine Park Act, cited in section 6.3.1 of the same Chapter, should be included in that list.
- 27 Section 6.5 of Chapter 6 and Appendix E.3 of the AEE go on to cite the specific provisions of the relevant planning documents that are relevant to the Project.
- 28 I assess the Project against the statutory criteria of section 171 of the RMA and the relevant provisions of the planning documents in my third statement of evidence.
- 29 The relevant tests and considerations for the resource consent applications will be addressed in the evidence of Mr Owen Burn.

INVESTIGATION PROCESS FOR THE AEE

- 30 As noted earlier, there has been a long investigation process undertaken for the Project. In the case of the SH20 elements, this investigation has spanned over a decade. As the Joint Planning Team Leader on the Project, I have provided advice and direction in the investigation process, particularly on consultation, environmental and planning assessments.
- 31 Chapter 9 of the AEE provides an overview of the investigation process. Drawing from this Chapter, I make the following key observations regarding the investigation process:

⁴ The entry for NOR 6 has been removed.

- 31.1 With guidance from the Planning Team Leaders, environmental issues (including social) have been scoped from the outset of the investigation process;
 - 31.2 Route and alignment option development has included collaborative engineering, economic, planning, environmental and social assessments, which have been consulted on with stakeholders and the community;
 - 31.3 The potential environmental impacts of construction and design have been considered in the development of alignment and construction options; and
 - 31.4 Since 2009, detailed investigations have been undertaken on the combined Waterview Connection project, which has included significant assessment of detailed design options, and confirmation of the designation footprint for construction, maintenance and operation of the Project. This work has been informed by consultation with iwi, stakeholders and the community and the technical environmental assessments which were lodged with the AEE (set out in Part G of the AEE).
- 32 It is my opinion that the scope of the investigation process has been appropriate and sufficient for the consideration of the effects on the environment, the assessment of relevant provisions of planning documents, the assessment of alternatives⁵ and to inform the NZTA on the degree to which the Project meets and is necessary for their objectives.

CONSIDERATION OF ALTERNATIVES

- 33 Section 171(1)(b) RMA requires that the territorial authority, or in this case the Board, have particular regard to whether adequate consideration has been given to alternative sites, routes or methods of undertaking the work. Section 181(2) also requires an assessment of alternatives when considering an alteration to designation.
- 34 A history of the assessment of alternatives for route and alignment options is provided in Sections 11.2 through to 11.5 of Chapter 11 of the AEE. Mr Tommy Parker provides an overview of this assessment in his evidence. His evidence also explains how the NZTA has considered and confirmed options for the Project, and includes additional information on the assessment of options for SH16.

⁵ Discussed specifically in more detail below.

- 35 I have been involved in the environmental assessment of alternatives for route alignments and methods of undertaking the work for the SH20 components of the Project since 2000 and for the design options considered for SH16 since 2009.
- 36 Since 2009 after the 'preferred alignment' was finalised, detailed investigations and option design alternatives assessments have been undertaken. These option assessments are within the 'preferred alignment' option for the Project, but identify specific design options to avoid, remedy and mitigate adverse effects on the environment.⁶ The assessment has been undertaken where:
- 36.1 Potentially significant adverse effects on the environment had been identified;
 - 36.2 The land required for a design option was not designated or owned by the NZTA;
 - 36.3 Planning documents and policy directions (relevant provisions) require that regard shall be had to alternatives;
 - 36.4 Where the costs of the design option were potentially significant; or
 - 36.5 Where the mitigation options had a range of subsequent environmental effects.
- 37 Together with Mr Owen Burn, I have provided co-ordination for the alternatives assessments over this phase of the Project and in particular the planning, social and environmental assessments.
- 38 The alternatives assessment is described in Chapter 11 of the AEE. In the interests of brevity I have not repeated the overview of the assessment here. Instead I refer the Board to the following particular sections, which I oversaw the investigation and drafting of:
- 38.1 Sections 11.5 and 11.6 which describe the assessment of design options for the Project; and
 - 38.2 Section 11.7 which describes the process and assessment of mitigation options.
- 39 Further detail is provided on the assessment of alternatives in response to specific submissions, which I address later in this statement.

⁶ Refer sections 11.5 and 11.6 of Chapter 11 of the AEE.

- 40 Mr Owen Burn's evidence will address the consideration of alternatives as that relates to the resource consent applications lodged for the Project.
- 41 I consider that there has been an extensive assessment of alternatives that has included consideration of route options, alignment and construction methods and design alternatives. This assessment has been undertaken through a range of evaluation processes and frameworks that have had regard to the matters of Part 2 of the RMA, the objectives of the Project, the engineering and technical constraints and the potential effects (adverse and beneficial) of options on the environment. In my opinion this process has been robust in terms of the requirements of Section 171 and 181 of the RMA.
- 42 Consideration has also been given to alternative methods to designation. For example, the alternative of land use consents to permit the works. This alternative was not considered appropriate. In particular, it is my opinion that the alternative methods are not appropriate for the following reasons:
- 42.1 The complexity of consenting requirements, particularly as the Project covers numerous separate land parcels and zones; and
- 42.2 Transparency in process; as the designation and land affected by the designation will be clearly identified on the Planning Maps for others.

EXISTING DESIGNATIONS HELD BY OTHER REQUIRING AUTHORITIES

- 43 The Project designation overlaps existing designations held by other requiring authorities. Those designations are considered in Part B: Statutory Matters - Chapter 7 (section 7.1) of the AEE and identified on F.1: Designation Plans of the AEE. It is noted that while Auckland Council's public roads designation B08-04 is not mapped on these Plans, it is noted on them.
- 44 In addition to those designations identified on F.1: Designation Plans in the AEE, the following additional designations are noted: Building lines for Road Widening, Patiki Road (C01-03 and C01-05) and for Road Widening, Great North Road (D04-07). The Requiring Authority for these designations is the Auckland Council.

- 45 A list of the existing designations and Requiring Authorities from whom section 177 approvals are required is attached as **Annexure D** to this evidence.⁷
- 46 Consultation has been undertaken with all Requiring Authorities with existing designations.
- 47 In respect of necessary Requiring Authority approvals (pursuant to section 177 of the Resource Management Act), the following is noted:
- 47.1 As identified in the evidence of Mr Walter, written approval has been obtained from Watercare and this includes its s177 approval to the work;
- 47.2 KiwiRail, in its submission on the Project, has indicated that it 'sees no reason it could not give its approval on the various interface and replacement rail land issues';⁸
- 47.3 Auckland City has provided a letter, dated 14 October 2010, which confirms that its Approval will be provided through its Road Opening Notice approval process (attached as **Annexure E** to this evidence). In consultation with Auckland City Council (now Auckland Council) it has not identified any reason why this approval would be withheld, subject to its standard Road Opening Notice processes being followed; and
- 47.4 I understand that the Ministry of Education has verbally indicated that it does not currently use the designated accessway from Great North Road to the Waterview Primary School. On this basis, I see no reason that this approval will be withheld.⁹

OTHER STATUTORY APPROVALS REQUIRED FOR THE PROJECT

- 48 A number of other approvals will also be required for the Project under various statutes. These include approvals for works to modify and destroy archaeological sites, through the Historic Places Act 1993, approvals to revoke reserve status through the Reserves Act 1977, and the stopping of public roads through the Public Works Act 1981.

⁷ Existing designations for which the NZTA is the Requiring Authority are not included in this list.

⁸ Page 5 of KiwiRail's submission, dated 14 October 2010 (Submission No. 164).

⁹ I note that the accessway designation is not raised as a concern or issue in their Submission (or from the Board of Trustees of the School, Submission Nos. 176 and 175 respectively).

49 I understand that NZTA proposes that the above approvals will be sought once consents and designations have been obtained, so that any relevant decisions made through the Board of Inquiry process can be incorporated into these processes.

50 Mr Owen Burns will also cover other statutory approvals required for the Project (including the Marine Reserves Act 1971 and the Wildlife Act 1953).

SUMMARY OF THE EXISTING ENVIRONMENT

51 A detailed summary of the existing environment is provided in Part C: Existing Environment - Chapter 8 of the August 2010 AEE for the Project. This assessment considers the regional context and then the local context in a Sector by Sector analysis, covering the physical, planning, social, transport and ecological environments.

52 In the interests of brevity I will not repeat the summary in Part C of the AEE here. Instead I refer the Board to Chapter 8, which I oversaw the investigation and drafting of. I also note that the existing environment is further assessed in *each* of the Sector Assessments in Part D: Project Assessment - Chapters 14 to 22 of the AEE; and in *each* of the technical assessment reports in Part G: Technical Reports (contained in the separate folders G1 to G22).

POST-LODGEMENT EVENTS

Amendment to the Relevant Statutory Considerations

53 Since lodgement, I have reviewed the AEE again, read the section 149G reports from the relevant Councils and the submissions made on the Project. From this, a number of amendments or changes to planning documents are noted with respect to Section 6.5 and Appendix E.3 of the AEE. These include:

53.1 The revised New Zealand Coastal Policy Statement (*NZCPS*) 2010 (to come into effect by Gazette on December 3 2010) replacing the previous *NZCPS* 1994. There are several differences between the two documents. The provisions I consider relevant to the Notices of Requirement are attached as **Annexure F**. My third statement of evidence provides an assessment against these matters;

53.2 The Auckland Regional Plan: Air, Land and Water becoming operative in part on the 21st of October 2010. However, it is noted that a number of chapters still remain under appeal including Chapters 3, 4, 5, 6, 7 and 8 (many of which are relevant to the Project). The change in status to the Plan has meant that some minor amendment has been made to the number referencing of provisions of the Plan, but I do not

consider that there are any subsequent wording amendments that are relevant;

- 53.3 Change 8 – Volcanic Features to the ARPS becoming operative by a consent order made by the Environment Court on the 19th of October 2010. However, I do not consider this materially changes our assessment of these provisions;
- 53.4 Change 10 to the Auckland Regional Policy Statement (ARPS) becoming operative on the 29th October 2010. Change 10 amends Chapter 11 (Natural Hazards) of the ARPS including amendments to objectives and policies relevant to this application, and a new Policy (11.4.1 – 6). These amended provisions are attached as **Annexure F**. My third statement of evidence provides an assessment against these matters;
- 53.5 The provisions of the National Policy Statement on Electricity Transmission (March, 2008) were omitted from the AEE. This National Policy Statement seeks to enable the management of the effects of the electricity transmission network under the RMA. Objectives and policies relevant to this application are attached as **Annexure F**. My third statement of evidence provides an assessment against these matters;
- 53.6 The Policies 5.4.1, 5.4.3, 5.4.4, 5.4.4A and 5.4.4B of the Auckland Regional Plan: Air, Land and Water were not identified in Chapter 6 or Appendix E.3. They were however assessed in Chapter 23 of that AEE; and
- 53.7 The Objectives and Policies of Part 5E Hazardous Facilities (in the Auckland District Plan: Isthmus Section) were omitted from the AEE. These objectives and policies contain provisions for the management of contaminated sites. The Section 149G report from Auckland City Council identifies that these provisions may be relevant for consideration of the Construction Yards (in Sectors 3, 5, 6, 7, and 9). My third statement of evidence provides an assessment against these matters.

Additional Design and Assessment

- 54 In light of the conclusions made (particularly in the landscape and visual assessment) with respect to the northern and southern ventilation building design concepts presented in the Project (as lodged), particularly in respect to the visual and landscape effects but also in response to the consultation undertaken with the community in August 2010, I advised the NZTA that further design development and assessment of these elements of the Project should be undertaken.

55 The NZTA has therefore commissioned a more detailed assessment of the technical requirements for these buildings, and commissioned Mr David Gibbs (Construkt Architects) to develop alternative design options. The purpose of this process was to demonstrate that design options could be developed that respond to and mitigate a number of the adverse environmental effects (as identified in the lodged designs).

56 The relevant experts (particularly Ms Lynne Hancock, Mr David Little and Mr Stephen Brown) have provided further assessment on the effects of these revised design options (presented in their evidence). In my third statement of evidence, I will address the overall planning assessment of these buildings in the designation and propose conditions for the designation, to ensure that appropriate mitigation is provided in the final design outcomes for these buildings.

Withdrawal of NOR 6¹⁰

57 In addition to the above, the NZTA has reviewed the design assumptions for the emergency exhaust stack at 36 Cradock Street and has confirmed that it is not required for the safe and efficient operation of the tunnels. On this basis, Notice of Requirement 6 has been withdrawn by the NZTA and the operation scheme designs for this facility will be removed.

Open Space Restoration Options

58 Consultation with the Auckland Council (as landowner of the Parks) has progressed since lodgement.¹¹ In light of this, amendments have been made to Appendix E.4 of the AEE – Open Space Restoration Options. These changes include:

58.1 Waterview Reserve Plan - Recognising the 20m esplanade corridor beneath the ramps of the Great North Road Interchange as retained open space; and removing land identified as 'replacement open space' adjoining Cowley Reserve (from the calculation of open space replacement) where this land was already owned by Auckland Council; and

58.2 Alan Wood Reserve Plan - Updating the operational land impact due to further CPTED¹² considerations; and increasing the size of the replacement esplanade strip adjoining Oakley Creek in Hendon Park from 10m to 20m.

¹⁰ It is noted that a number of submitters including Submitter Nos. 102, 113, 114, 116 and 127 had concerns regarding NOR 6 specifically. The concerns raised in these submissions are considered to be addressed with the withdrawal of this NOR.

¹¹ At the time of preparing this statement, this consultation is ongoing.

¹² Crime prevention through environmental design.

- 59 Overall these amendments result in an increase of around 0.6 ha of reserve replacement proposed in both the Alan Wood Reserve and Waterview Reserve locality.

Minor Text Changes in AEE

- 60 Four minor text changes are proposed to the lodged AEE application due to post-lodgement events and review. These changes are attached as **Annexure G**.

COMMENTS ON SUBMISSIONS

- 61 With Mr Owen Burn, I reviewed the submissions lodged on the Project and sought specific technical comment on matters raised where relevant. These are responded to in the evidence of the relevant experts.
- 62 I have further read the submissions lodged on the Project that raise planning related issues relevant to my area of expertise. In this section of my evidence I will address submissions to the extent that the issues and/or concerns raised have not already been addressed in the AEE or elsewhere in my evidence.
- 63 I have grouped key issues/concerns and addressed these as a whole as follows:
- 63.1 Submissions relating to the designation process;
 - 63.2 Submissions relating to objectives of the Project; and
 - 63.3 Submissions relating to the assessment of alternatives.
- 64 I address submissions which raise points regarding the overall planning assessment and amendments to the Conditions (to mitigate or manage the effects) in my third statement of evidence.

Designation Process

- 65 A number of submitters¹³ raise concern regarding the overall designation process under Part 8 of the RMA. Particular concerns include that the detail of the design of the ventilation stacks was inadequate and that the building design details should be presented prior to the hearing commencing. A number of submissions, for example the Star Mills Preservation Group, stated that *"the presentation of an Outline Plan outside the application and consent process is not acceptable. The design must be publicly notified with opportunity for those affected to respond"*.
- 66 In response to these submissions I note that further work has been undertaken since lodgement of the Project on design options for the

¹³ Including Submitter Nos. 185, 186, 199, 202, 223, 225 and 230.

northern and southern ventilation buildings and stacks. Following the review of these design options by the technical expert team, I recommend conditions in my final statement of evidence to address subsequent design development of these elements of the Project. I note that this includes provision for consultation (via the Community Liaison Group).¹⁴

- 67 A number of submitters¹⁵ raise concern regarding the designation process for rail. An example, as stated in the submissions of Margi Watson and Rob Black "*the rail line designation must be considered as part of the Waterview Connection proposal because of the relocated nature of the rail line and because it is an integral part of the project corridor, design and adverse effects*".¹⁶
- 68 I have been involved in the consultation between the NZTA and KiwiRail and it is my opinion that the Project design has maintained the opportunity for the development of the Southdown Rail Line in the future. As noted by KiwiRail in its submission,¹⁷ it recognises the need for a future planning process for the designation of this rail corridor and, as the relevant Requiring Authority, it has confirmed that it will do this **following** the confirmation of the Board of Inquiry process for this Project.
- 69 As the two projects will be developed separately - likely over quite different timeframes and by different Requiring Authorities - I consider the separation of these processes reasonable (in fact, the alternative of compelling either Requiring Authority to concurrently time their works seems impracticable and unreasonable).
- 70 In my opinion the process undertaken by the Project and the assessment with respect to the existing designation G08-05 have been appropriate.

Objectives of the Project

- 71 A number of submitters¹⁸ raised concerns that the Project does not meet the NZTA's aims and objectives of the Project. An example, as stated in the submission of Dr Alison Towns and Belinda Chase, included the community/environmental effects created by the Project, the lack of accessibility for individuals and businesses within the Project area and that the Project does not support mobility/transport choices and economic growth within the wider region.

¹⁴ I also clarify that we are not proposing to submit an OPW as the details of the Work are incorporated in the designation.

¹⁵ Including Submitter Nos. 118, 127, 186, 202, 223, 225 and 230.

¹⁶ Submitter Nos. 225 and 186.

¹⁷ Submission No. 164, page 4.

¹⁸ Including Submitter Nos. 43, 121, 126, 186, 199, 223, 225, 230 and 239.

72 The evidence of Mr Tommy Parker provides comment on the NZTA's objectives and how the Project provides for them. Other technical assessments, and in particular the Transport Assessment as presented in the evidence of Mr Andrew Murray, provides more detailed comment on the specific transport outcomes of the Project and concludes that the Project does deliver the Project objectives.

73 On the basis of these assessments and on my involvement in the investigation process (as set out earlier in my evidence), it is my opinion that the Project (and its designation) is reasonably necessary to achieve the NZTA's objectives.

Assessment of Alternatives

74 A number of submitters¹⁹ raised concerns regarding the rationale as to why the proposed Project design was chosen over other options. Alternative options preferred by submitters included:

74.1 Promoting long term sustainable transport options such as encouraging public transport;

74.2 Options extending to Rosebank Road instead of passing through Waterview; and

74.3 Options with less cost and land use/community impacts.

75 More specific design elements were also raised in submissions and included the design alternatives considered for both the Great North Road Interchange and Te Atatu Interchange, vent buildings and stacks, tunnel location and pedestrian/cycle way networks. For example two submitters (Jocelyn Logan and Caroline Phillips) seek an alternative of the Te Atatu Interchange on the basis of providing easier north-south and east-west access for walkers and cyclists. I consider that the designation as proposed adequately provides for pedestrian / cyclist connections.

76 As discussed earlier in my evidence, there has been an extensive assessment of alternatives provided in Chapter 11 of the AEE. I can confirm that this assessment has considered options that extend the SH20 alignment through to Rosebank Peninsula, options of less and greater cost and with less and greater environmental impacts (including land use and social impacts). This assessment has enabled the NZTA to identify the 'preferred option' (lodged as the Project) with an understanding of how these alternatives would achieve the Project objectives and the wider social, economic and environmental costs and benefits of these options. Mr Tommy Parker provides further evidence on the process of assessing these options.

¹⁹ Including Submitter Nos. 2, 15, 43, 78, 168, 169, 179, 201 and 245.

77 The Springleigh Residents Association (Submitter No. 43) raised specific concern that no alternatives for SH16 have been considered in the AEE.

78 The evidence of Mr Tommy Parker has elaborated on the assessment of options for SH16. I acknowledge that the assessment of alternatives for SH16 did not include a full corridor review compared to the SH20 elements of the Project (e.g. alternative alignment options). However, I consider this appropriate; given the significant existing physical resource of the Northwestern Motorway.

Undergrounding and relocating of ventilation buildings and stacks

79 Numerous submitters²⁰ addressed the need to bury the ventilation buildings and relocate the stacks in the first instance. Some submitters such as Graeme Easte²¹ stated that where this could not be achieved, the ventilation buildings and stacks need to be relocated and/or redesigned.

80 It was requested by submitters such as the North Western Community Association that the northern ventilation building be relocated away from the school to a position adjoining the BP Service Station or between the Interchange Ramps. Alternative requests, such as that of Mr Easte asked that the ventilation building be split into separate buildings in order to reduce the bulk and form of the building.

81 I consider that the alternatives as proposed by these submitters would represent a change in the effects of the Project, resulting in both positive and negative environmental effects. Chapter 11 of the AEE describes the alternatives considered for the ventilation stacks and buildings. In my opinion the assessment has, within the (quite limiting) engineering constraints, adequately considered and balanced the environmental, land use, social and cost constraints to determine the proposed locations, and that this assessment of alternatives has been adequate.

Unitec Institute of Technology (Unitec)

82 Unitec²² identifies the former Oakley Hospital Building as having Category 1 heritage status, and notes any alteration to the building will require the approval of the New Zealand Historic Places Trust (NZHPT).

83 The evidence of Mr Peter Millar and Ms Siiri Wilkening will describe the potential effects on the Unitec property, however I note that the Historic Places Register is an information and advocacy tool for the

²⁰ Including Submitter Nos. 50, 55, 175, 190, 191, 200, 202, 211, 218 and 238.

²¹ Submitter No. 211.

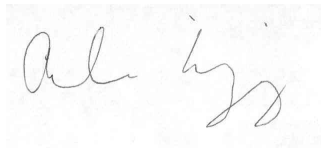
²² Submitter No. 160.

protection of heritage that does not directly create regulatory controls for items registered. Any alterations required in future to the building as a result of Ms Siiri Wilkening's Category C assessment will be considered against the Auckland Council District Plan requirements. I note that such alterations could likely be considered 'permitted'.

- 84 I note however, that it would be good practice for the NZTA to consult with the Historic Places Trust regarding any proposed works on this building, given its Category 1 status.

COMMENTS ON CONDITIONS

- 85 In the AEE lodged in support of the NORs and resource consent applications a number of conditions were proposed (in Appendix E.3 of the AEE and subsequently in the Addendum - Technical Report G.31,²³ where the conditions were assigned to the consent applications).
- 86 With Mr Owen Burn, I was responsible for the drafting of these proposed conditions, with advice from the relevant technical specialists.
- 87 In my final statement, I will provide comment on the proposed amendments and additions to the suite of conditions which have been made in response to works undertaken since lodgement and to submissions lodged on the Project.



Amelia Linzey
November 2010

Annexures:

- A - Overview of Project AEE Structure
- B - Location of Project NORs
- C - Summary of NORs sought
- D - Requiring Authorities and Existing Designations
- E - Auckland City Council correspondence, 14 October 2010 re s177
- F - Additional objectives and policies relevant for planning consideration
- G - Minor Text Changes to AEE Post Lodgement

²³ Appendix 9 to Technical Report G.31.

ANNEXURE A: OVERVIEW OF PROJECT AEE STRUCTURE

Statutory Applications Overview, EPA Applications, NOR's Resource Consent Applications

Assessment of Environmental Effects (AEE)

AEE Report (Part A - F)

Part A - Project Description:

Introduction to the Project, objectives and Project description.

Part B - Statutory Matters:

Statutory and Strategic Matters and Consents and Designations sought.

Part C - Existing Environment

Part D - Project Assessment:

Investigation process, consultation, assessment of alternatives, assessment of effects (regional and sector based), assessment of planning documents and mitigation.

Part E - Appendices:

Proposed consent conditions, planning maps, statutory references, open space restoration options, consultation summary, cultural impact report and schedule of trees.

Part F - Plans and Drawings:

Designation and Scheme Plans, Sections, Construction Plans, Works in CMA and Streams, Urban Design and Landscape Plans and Plans of other structures and features.

Supporting Technical Reports (Part G)

G.1: Air Quality Effects

Air Emissions, including assessment of impacts from the emissions to air during construction and operation of the Project.

G.2: Air Archaeology Effects

Assessment of Archaeology and Heritage effects, including identification and assessment of impacts of construction and operation of the Project on sites and areas of heritage and historic value.

G.3: Avian Ecology

Avian Ecology, including consideration of impacts on avifauna and habitats for avifauna over construction and operation of the Project.

G.4: Coastal Processes

Assessment of the effects on Coastal Processes: the impacts and changes to the physical processes of the coastal marine environment (as a natural resource).

G.5: Construction Noise

Noise Emissions, including assessment of impacts from noise emitting from the Project during construction and operation.

G.6: Freshwater Ecology

Freshwater Ecology, including consideration of impacts on fauna and habitats for fauna in freshwater areas.

G.7: Groundwater

Assessment of Groundwater (as a natural resource) effects of the construction and operation of the Project.

G.8: Herpetofauna

Herpetofauna Ecology, including consideration of impacts herpetofauna and habitats for herpetofauna over construction and operation of the Project.

G.9: Land and Groundwater Contamination

Contamination Effects, including the effects of construction works on contaminated land.

G.10: Assessment of Lighting Effects

Light Emissions, including assessment of impacts from lightspill from the Project during construction and operation.

G.11: Assessment of Marine Ecological Effects

Marine Ecology, including consideration of impacts on fauna and habitats for fauna in the coastal marine area.

G.12: Assessment of Operational Noise Effects

Noise Emissions, including assessment of impacts from noise emitting from the Project during construction and operation.

G.13: Assessment of Ground Settlement Effects

Effects of Ground Settlement (resulting from construction and operation of the Project) on built resources and the neighbourhood.

G.14: Assessment of Social Effects

Social impact assessment, including assessment of impacts of the construction and operation of the Project on communities and neighbourhoods.

G.15: Assessment of Stormwater and Streamworks Effects

Assessment of the effects on Streams (as a natural resource), including the effects of stream realignment associated with the construction and operation of the Project.

G.16: Assessment of Temporary Traffic Effects

Transport assessment, including assessment of impacts on the transport network during construction and operation.

G.17: Assessment of Terrestrial Vegetation Effects

Vegetation ecology, including consideration of impacts of construction and operation of the project on significant vegetation and habitats for fauna.

G.18: Assessment of Transport Effects

Transport assessment, including assessment of impacts on the transport network during construction and operation.

G.19: Assessment of Vibration Effects

Vibration Emissions, including assessment of impacts from vibration emitting from the Project during construction and operation.

G.20: Assessment of Visual & Landscape Effects

Visual and Landscape assessment, including consideration of amenity impacts during construction and operation.

G.21: Construction Environmental Management Plan (CEMP)

A description of the environmental management and monitoring procedures proposed to manage the effects of the Project's construction.

G.22: Erosion and Sediment Control Plan (ESCP)

Discharge of Contaminants (stormwater): including the effects of land disturbing activities and the discharge of contaminants from these activities to receiving environments.

G.23: Coastal Works

Information on the project works in relation to reclamation and occupation of the Coastal Marine Area.

G.24: Geotechnical Interpretative Report

An interpretative assessment of the geotechnical/geological conditions for the proposed alignment route of the project.

G.25: Traffic Modelling Report

The assumptions, inputs and outcomes of the forecast year traffic modelling that has been undertaken to assess the transport effects of this project at a regional, project assignment and operational level.

G.26: Operational Model Validation Report

Information on the development and validation of the base year micro-simulation (or 'Operational') traffic model.

G.27: Stormwater Design Philosophy Statement

An outline of the philosophy (design parameters and guidelines) that will be used for design of stormwater systems and stream works for the Project.

G.28: Geotechnical Factual Report - 500 Series

A factual report of geotechnical field investigations undertaken along the project route (see G.29 for further investigations).

G.29: Geotechnical Factual Report - 700 Series

A factual report of geotechnical field investigations undertaken along the project route (see G.28 for further investigations).

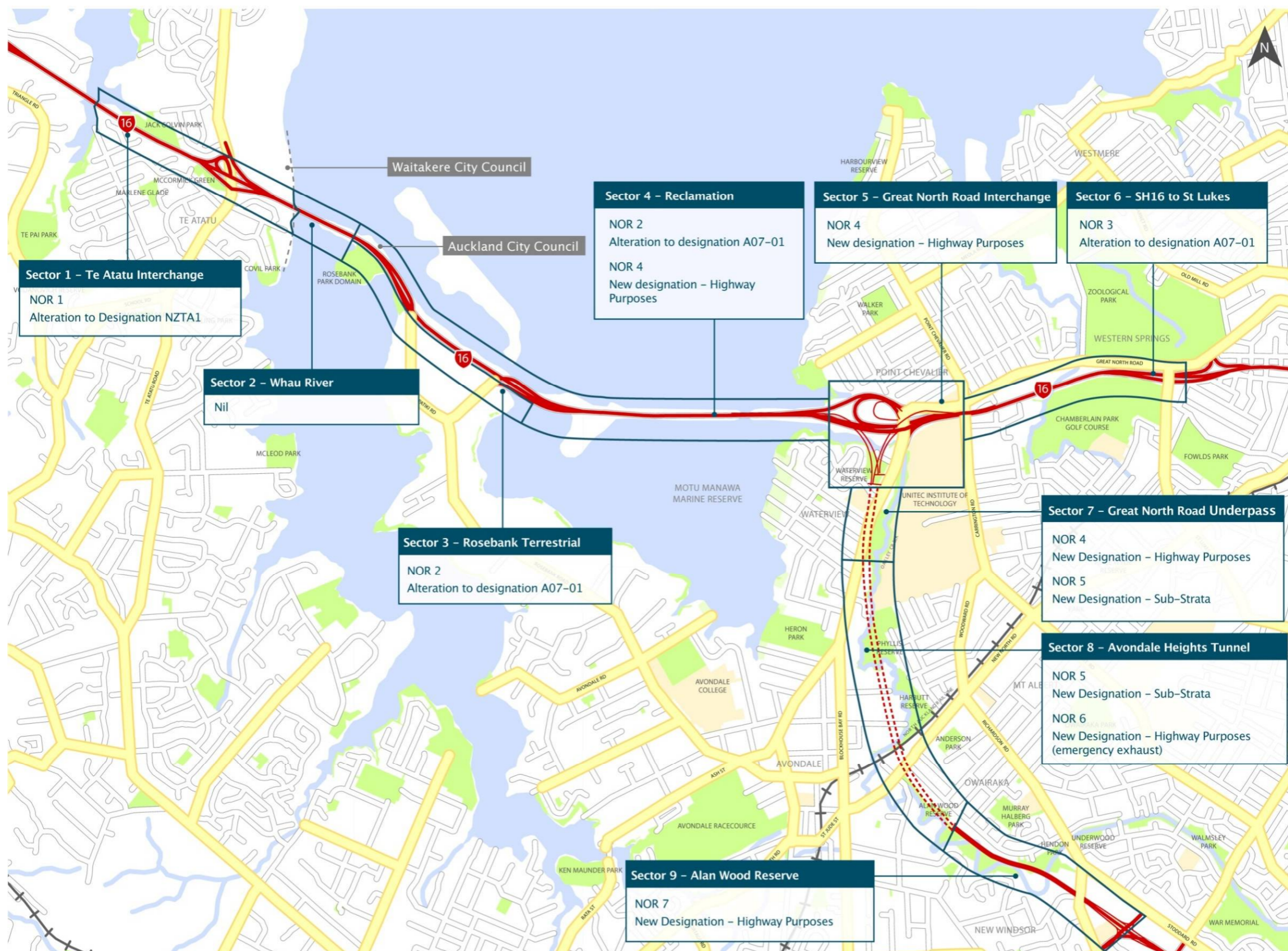
G.30: Assessment of Sediment and Contaminant Loads

The methodology and results of expected sediment and contaminant loads delivered to the Waterview Inlet.

G.31: Additional Technical Information

Provides further technical information to support the application of notices of requirement and resource consents for the project.

ANNEXURE B: LOCATION OF PROJECT NORS



ANNEXURE C: SUMMARY OF NORS SOUGHT

REF	DISTRICT PLAN	LOCATION	DESCRIPTION
NOR 1	Waitakere City District Plan: Alteration of Designation NZTA1	From the western banks of the Whau River to Henderson Creek. The alteration includes include properties on either side of the existing SH16 including the Te Atatu Interchange, the Reserves (McCormick Green and Jack Colvin Park and the Harbourview-Orangihina Park) as well as residential properties.	<p>Required for the construction, operation and maintenance of State Highway 16 (to be vested in part as "motorway"). Works include capacity and safety improvements to SH16 and at Te Atatu Interchange, improvements to and extension of the Northwestern Cycleway, stormwater treatment, noise barriers, ancillary safety and operational services, temporary construction areas, maintenance and access areas, vegetation removal and restoration works, including relocation of services, footpaths, landscaping and planting.</p> <p>Restrictions will apply to access of this land for construction purposes, and in part maintenance and operation of SH16</p>
NOR 2	Auckland City District Plan: Alteration to Designation A07-01	State Highway 16 along the Causeway and Rosebank Peninsula (in existing terrestrial locations only). This designation includes those properties adjoining Rosebank Interchange and the Patiki bridges and the Recreation Reserve Rosebank Park Domain.	<p>Required for the construction, operation and maintenance of State Highway 16 (to be vested in part as "motorway"). Works will include modifications to land on the existing causeway (for capacity and raising of SH16 and for improvements to the existing Northwestern Cycleway), ancillary safety and operational services, temporary construction areas, maintenance and access areas, vegetation removal and restoration works, relocation of services, pedestrian and cycleway and landscaping and planting.</p> <p>Restrictions will apply to access of this land for construction purposes, and in part maintenance and operation of SH16</p>
NOR 3	Auckland City District Plan: Alteration to Designation A07-01	State Highway 16 between Great North Road and St Lukes Interchanges. This designation includes minor land take from properties on either side of the State Highway, including residential, vacant land and open space.	<p>Required for the construction, operation and maintenance of State Highway 16 (to be vested in part as "motorway"). Works will include construction of two new lanes on SH16, stormwater treatment, a new wetland pond discharging to Meola Creek, noise barriers, ancillary safety and operational services, temporary construction storage areas, vegetation removal and restoration works, relocation of services, works on the existing north-western cycleway, landscaping and planting.</p> <p>Restrictions will apply to access of this land for construction purposes, and in</p>

REF	DISTRICT PLAN	LOCATION	DESCRIPTION
			part maintenance and operation of SH16.
NOR 4	Auckland City District Plan: Plan Modification 202	From SH16 (Great North Road Interchange) to Oakley Creek Esplanade Reserve. This designation includes local roads (Cowley Street and Herdman Street), Reserve (Waterview Reserve, Cowley Reserve and Oakley Creek Esplanade Reserve), and residential properties (adjoining Great North Rd, Waterbank Crescent and Herdman Street).	<p>Required for construction, operation and maintenance of SH20 for a new interchange to provide motorway to motorway connections between SH16 and SH20 and structures associated with tunnel operation including ventilation building and stack, mitigation and local road access. Works will include modifications to SH16 for construction and operation of the SH20 ramps, stormwater treatment and new wetland ponds, ancillary safety and operational services, the ventilation building and stack, temporary construction storage areas and office facilities, maintenance and access areas, vegetation removal, restoration works, relocation of services, works on the existing Northwestern Cycleway, landscaping and planting, open space restoration and restoration of the Oakley Inlet heritage area.</p> <p>Restrictions will apply to access of this land for construction purposes, and in part maintenance and operation of SH20.</p>
NOR 5	Auckland City District Plan: Plan Modification 202	A new strata (subsoil) designation from Great North Road to Alan Wood Reserve. This designation traverse beneath roads (Great North Road, Waterview Downs, Cradock Street, Powell Street, New North Road, and Hendon Avenue), reserves (Oakley Esplanade Reserve, Phyllis Reserve and Harbutt Reserve), and residential properties (adjoining those local roads listed).	<p>A new strata (subsoil) designation is required for construction, operation and maintenance of SH20 in the form of cut-cover and deep excavated tunnels. An operation designation encompasses the strata through which the tunnels will be formed and will be legalised as road/motorway.</p> <p>Restrictions will apply to excavation or disturbance of land at depths greater than the 4 metres (for roads, reserves and two properties at 1550 and 1510 Great North Road) or 7 metres (other residential and commercial properties). Restrictions will apply to access to that land area of the operation designation.</p>
NOR 6		36 Cradock Street, Avondale.	
NOR 7	Auckland City District Plan: Plan Modification 202	From Alan Wood Reserve, Owairaka, to the existing designation for SH20 Maioro Street Interchange. Land required includes open space (Hendon Park), reserve (Alan	Required for construction, operation and maintenance of SH20 including additional ramp connections to the Maioro Street Interchange. Works will include construction, operation and maintenance of SH20 from the southern tunnel portal to the connection of SH20 at the Maioro Street interchange,

REF	DISTRICT PLAN	LOCATION	DESCRIPTION
		Wood Reserve), land owned by the Crown for rail and residential properties (adjoining Hendon Avenue and Valonia Street).	<p>stormwater treatment, new wetlands ponds discharging to Oakley Creek, ancillary safety and operational services, the ventilation building and stack, temporary construction storage areas, office facilities, maintenance and access areas, vegetation removal, restoration works, relocation of services, works for the SH20 cycleway extension, landscaping and planting, open space restoration of the Alan Wood Reserve area, pedestrian path and cycleway connections across SH20 and Oakley Creek and the installation and maintenance of grout curtain for groundwater management.</p> <p>Restrictions will apply to access of this land for construction purposes, and in part maintenance and operation of SH20.</p>

ANNEXURE D: REQUIRING AUTHORITIES AND EXISTING DESIGNATIONS

Designation	Purpose	Requiring Authority
Waitakere City District Plan		
V3	Electricity Supply Purposes	Vector
WSL9	Wastewater Purposes	Watercare Services Ltd
Auckland City District Plan – Isthmus Section		
B08-04	Public Road Network	Auckland City Council [Auckland Council]
D04 – 09	Council Carpark	Auckland City Council [Auckland Council]
D04-03	Education Purposes (Waterview Primary School)	Ministry of Education
H13-09	Railway Purposes: North Auckland Railway	NZ Railways Corporation (KiwiRail / ONTRACK)
G08-05	Railway Purposes: Avondale Southdown Line	NZ Railways Corporation (KiwiRail / ONTRACK)

**ANNEXURE E: AUCKLAND CITY COUNCIL CORRESPONDENCE, 14 OCTOBER 2010,
RE S177**



14 October 2010

Mr Deepak Rama
N Z Transport Agency
Private Bag 106602
Auckland 1143

Dear Deepak,

Re: Waterview Project

Confirming our recent discussion, RMA section 176(1) approval for carrying out works in, on or above roads under the control of Auckland City Council and designated under the RMA can and will be provided through the road opening notice (RON) process by appending the following statement to the RON approval.

The Council has issued and publicly notified on 24 November 2008 a notice of requirement to designate its local road network. By issuing this road opening notice approval the Council gives its written consent as requiring authority under section 176(1) of the Resource Management Act 1991 for the works specified in this approval.

The RON approval will be subject to the standard conditions set out in the Code of Practice for Working in the Road, Auckland Region or the National Code of Practice for Utilities Access to the Transport Corridors should the latter have been adopted by Auckland City Council at the time the RON is submitted and approved. Conditions include but are not limited to acceptable temporary traffic management plans and construction methodology.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Barry Williams'.

Barry Williams
Operations Manager, Transport

ANNEXURE F: ADDITIONAL OBJECTIVES AND POLICIES RELEVANT FOR PLANNING CONSIDERATION

New Zealand Coastal Policy Statement (2010)

Objective 1	<p>To safeguard the integrity, form, functioning and resilience of the coastal environment and sustain its ecosystems, including marine and intertidal areas, estuaries, dunes and land, by:</p> <ul style="list-style-type: none"> ● maintaining or enhancing natural biological and physical processes in the coastal environment and recognising their dynamic, complex and interdependent nature; ● protecting representative or significant natural ecosystems and sites of biological importance and maintaining the diversity of New Zealand's indigenous coastal flora and fauna; and ● maintaining coastal water quality, and enhancing it where it has deteriorated from what would otherwise be its natural condition, with significant adverse effects on ecology and habitat, because of discharges associated with human activity.
Objective 2	<p>To preserve the natural character of the coastal environment and protect natural features and landscape values through:</p> <ul style="list-style-type: none"> ● recognising the characteristics and qualities that contribute to natural character, natural features and landscape values and their location and distribution; ● identifying those areas where various forms of subdivision, use, and development would be inappropriate and protecting them from such activities; and ● encouraging restoration of the coastal environment.
Objective 3	<p>To take account of the principles of the Treaty of Waitangi, recognise the role of tangata whenua as kaitiaki and provide for tangata whenua involvement in management of the coastal environment by:</p> <ul style="list-style-type: none"> ● recognising the ongoing and enduring relationship of tangata whenua over their lands, rohe and resources; ● promoting meaningful relationships and interactions between tangata whenua and persons exercising functions and powers under the Act; ● incorporating mātauranga Māori into sustainable management practices; and ● recognising and protecting characteristics of the coastal

	environment that are of special value to tangata whenua.
Objective 4	<p>To maintain and enhance the public open space qualities and recreation opportunities of the coastal environment by:</p> <ul style="list-style-type: none"> ● recognising that the coastal marine area is an extensive area of public space for the public to use and enjoy; ● maintaining and enhancing public walking access to and along the coastal marine area without charge, and where there are exceptional reasons that mean this is not practicable providing alternative linking access close to the coastal marine area; and ● recognising the potential for coastal processes, including those likely to be affected by climate change, to restrict access to the coastal environment and the need to ensure that public access is maintained even when the coastal marine area advances inland.
Objective 5	<p>To ensure that coastal hazard risks taking account of climate change, are managed by:</p> <ul style="list-style-type: none"> ● locating new development away from areas prone to such risks; ● considering responses, including managed retreat, for existing development in this situation; and ● protecting or restoring natural defences to coastal hazards.
Objective 6	<p>To enable people and communities to provide for their social, economic, and cultural wellbeing and their health and safety, through subdivision, use, and development, recognising that:</p> <ul style="list-style-type: none"> ● the protection of the values of the coastal environment does not preclude use and development in appropriate places and forms, and within appropriate limits; ● some uses and developments which depend upon the use of natural and physical resources in the coastal environment are important to the social, economic and cultural wellbeing of people and communities; ● functionally some uses and developments can only be located on the coast or in the coastal marine area; ● the coastal environment contains renewable energy resources of significant value; ● the protection of habitats of living marine resources contributes to the social, economic and cultural wellbeing of people and

	<p>communities;</p> <ul style="list-style-type: none"> ● the potential to protect, use, and develop natural and physical resources in the coastal marine area should not be compromised by activities on land; ● the proportion of the coastal marine area under any formal protection is small and therefore management under the Act is an important means by which the natural resources of the coastal marine area can be protected; and ● historic heritage in the coastal environment is extensive but not fully known, and vulnerable to loss or damage from inappropriate subdivision, use, and development.
Objective 7	To ensure that management of the coastal environment recognises and provides for New Zealand's international obligations regarding the coastal environment, including the coastal marine area.
Policy 1	<p>Extent and characteristics of the coastal environment</p> <p>(1) Recognise that the extent and characteristics of the coastal environment vary from region to region and locality to locality; and the issues that arise may have different effects in different localities.</p> <p>(2) Recognise that the coastal environment includes:</p> <ul style="list-style-type: none"> (a) the coastal marine area; (b) islands within the coastal marine area; (c) areas where coastal processes, influences or qualities are significant, including coastal lakes, lagoons, tidal estuaries, saltmarshes, coastal wetlands, and the margins of these; (d) areas at risk from coastal hazards; (e) coastal vegetation and the habitat of indigenous coastal species including migratory birds; (f) elements and features that contribute to the natural character, landscape, visual qualities or amenity values; (g) items of cultural and historic heritage in the coastal marine area or on the coast; (h) inter-related coastal marine and terrestrial systems, including the intertidal zone; and

	(i) physical resources and built facilities, including infrastructure, that have modified the coastal environment.
Policy 2	<p>The Treaty of Waitangi, tangata whenua and Māori heritage</p> <p>In taking account of the principles of the Treaty of Waitangi (Te Tiriti o Waitangi), and kaitiakitanga, in relation to the coastal environment:</p> <p>(a) recognise that tangata whenua have traditional and continuing cultural relationships with areas of the coastal environment, including places where they have lived and fished for generations;</p> <p>(c) with the consent of tangata whenua and as far as practicable in accordance with tikanga Māori, incorporate mātauranga Māori in regional policy statements, in plans, and in the consideration of applications for resource consents, notices of requirement for designation and private plan changes;</p> <p>(d) provide opportunities in appropriate circumstances for Māori involvement in decision making, for example when a consent application or notice of requirement is dealing with cultural localities or issues of cultural significance, and Māori experts, including pūkenga, may have knowledge not otherwise available;</p> <p>(e) take into account any relevant iwi resource management plan and any other relevant planning document recognised by the appropriate iwi authority or hapū and lodged with the council, to the extent that its content has a bearing on resource management issues in the region or district; and</p> <p>(i) where appropriate incorporate references to, or material from, iwi resource management plans in regional policy statements and in plans; and</p> <p>(ii) consider providing practical assistance to iwi or hapū who have indicated a wish to develop iwi resource management plans;</p> <p>(f) provide for opportunities for tangata whenua to exercise kaitiakitanga over waters, forests, lands, and fisheries in the coastal environment through such measures as:</p> <p>(i) bringing cultural understanding to monitoring of natural resources;</p> <p>(ii) providing appropriate methods for the management, maintenance and protection of the taonga of tangata whenua;</p> <p>(iii) having regard to regulations, rules or bylaws relating to ensuring sustainability of fisheries resources such as taiāpure,</p>

	<p>mahinga mātaītai or other non commercial Māori customary fishing;</p> <p>(g) in consultation and collaboration with tangata whenua, working as far as practicable in accordance with tikanga Māori, and recognising that tangata whenua have the right to choose not to identify places or values of historic, cultural or spiritual significance or special value:</p> <p>(i) recognise the importance of Māori cultural and heritage values through such methods as historic heritage, landscape and cultural impact assessments; and</p> <p>(ii) provide for the identification, assessment, protection and management of areas or sites of significance or special value to Māori, including by historic analysis and archaeological survey and the development of methods such as alert layers and predictive methodologies for identifying areas of high potential for undiscovered Māori heritage, for example coastal pā or fishing villages.</p>
Policy 3	<p>Precautionary approach</p> <p>(1) Adopt a precautionary approach towards proposed activities whose effects on the coastal environment are uncertain, unknown, or little understood, but potentially significantly adverse.</p> <p>(2) In particular, adopt a precautionary approach to use and management of coastal resources potentially vulnerable to effects from climate change, so that:</p> <p>(a) avoidable social and economic loss and harm to communities does not occur;</p> <p>(b) natural adjustments for coastal processes, natural defences, ecosystems, habitat and species are allowed to occur; and</p> <p>(c) the natural character, public access, amenity and other values of the coastal environment meet the needs of future generations.</p>
Policy 4	<p>Integration</p> <p>Provide for the integrated management of natural and physical resources in the coastal environment, and activities that affect the coastal environment. This requires:</p> <p>(a) co-ordinated management or control of activities within the coastal environment, and which could cross administrative boundaries, particularly:</p> <p>(i) the local authority boundary between the coastal marine area</p>

	<p>and land;</p> <p>(ii) local authority boundaries within the coastal environment, both within the coastal marine area and on land; and</p> <p>(iii) where hapū or iwi boundaries or rohe cross local authority boundaries;</p> <p>(b) working collaboratively with other bodies and agencies with responsibilities and functions relevant to resource management, such as where land or waters are held or managed for conservation purposes; and</p> <p>(c) particular consideration of situations where:</p> <p>(i) subdivision, use, or development and its effects above or below the line of mean high water springs will require, or is likely to result in, associated use or development that crosses the line of mean high water springs; or</p> <p>(ii) public use and enjoyment of public space in the coastal environment is affected, or is likely to be affected; or</p> <p>(iii) development or land management practices may be affected by physical changes to the coastal environment or potential inundation from coastal hazards, including as a result of climate change; or</p> <p>(iv) land use activities affect, or are likely to affect, water quality in the coastal environment and marine ecosystems through increasing sedimentation; or</p> <p>(v) significant adverse cumulative effects are occurring, or can be anticipated.</p>
Policy 5	<p>Land or waters managed or held under other Acts</p> <p>(1) Consider effects on land or waters in the coastal environment held or managed under:</p> <p>(a) the Conservation Act 1987 and any Act listed in the 1st Schedule to that Act; or</p> <p>(b) other Acts for conservation or protection purposes;</p> <p>and, having regard to the purposes for which the land or waters are held or managed:</p> <p>(c) avoid adverse effects of activities that are significant in relation to those purposes; and</p>

	<p>(d) otherwise avoid, remedy or mitigate adverse effects of activities in relation to those purposes.</p> <p>(2) Have regard to publicly notified proposals for statutory protection of land or waters in the coastal environment and the adverse effects of activities on the purposes of that proposed statutory protection.</p>
Policy 6	<p>Activities in the coastal environment</p> <p>(1) In relation to the coastal environment:</p> <p>(a) recognise that the provision of infrastructure, the supply and transport of energy including the generation and transmission of electricity, and the extraction of minerals are activities important to the social, economic and cultural well-being of people and communities;</p> <p>(b) consider the rate at which built development and the associated public infrastructure should be enabled to provide for the reasonably foreseeable needs of population growth without compromising the other values of the coastal environment;</p> <p>(c) encourage the consolidation of existing coastal settlements and urban areas where this will contribute to the avoidance or mitigation of sprawling or sporadic patterns of settlement and urban growth;</p> <p>(d) recognise tangata whenua needs for papakāinga, marae and associated developments and make appropriate provision for them;</p> <p>(e) consider where and how built development on land should be controlled so that it does not compromise activities of national or regional importance that have a functional need to locate and operate in the coastal marine area;</p> <p>(f) consider where development that maintains the character of the existing built environment should be encouraged, and where development resulting in a change in character would be acceptable;</p> <p>(g) take into account the potential of renewable resources in the coastal environment, such as energy from wind, waves, currents and tides, to meet the reasonably foreseeable needs of future generations;</p> <p>(h) consider how adverse visual impacts of development can be avoided in areas sensitive to such effects, such as headlands and prominent ridgelines, and as far as practicable and reasonable apply controls or conditions to avoid those effects;</p>

	<p>(i) set back development from the coastal marine area and other water bodies, where practicable and reasonable, to protect the natural character, open space, public access and amenity values of the coastal environment; and</p> <p>(j) where appropriate, buffer areas and sites of significant indigenous biological diversity, or historic heritage value.</p>
Policy 7	<p>Strategic Planning</p> <p>1) In preparing regional policy statements, and plans:</p> <p>(a) consider where, how and when to provide for future residential, rural residential, settlement, urban development and other activities in the coastal environment at a regional and district level; and</p> <p>(b) identify areas of the coastal environment where particular activities and forms of subdivision, use, and development:</p> <p>(i) are inappropriate; and</p> <p>(ii) may be inappropriate without the consideration of effects through a resource consent application, notice of requirement for designation or Schedule 1 of the Resource Management Act process;</p> <p>and provide protection from inappropriate subdivision, use, and development in these areas through objectives, policies and rules.</p> <p>(2) Identify in regional policy statements, and plans, coastal processes, resources or values that are under threat or at significant risk from adverse cumulative effects. Include provisions in plans to manage these effects. Where practicable, in plans, set thresholds (including zones, standards or targets), or specify acceptable limits to change, to assist in determining when activities causing adverse cumulative effects are to be avoided.</p>
Policy 11	<p>Indigenous biological diversity (biodiversity)</p> <p>To protect indigenous biological diversity in the coastal environment:</p> <p>(a) avoid adverse effects of activities on:</p> <p>(i) indigenous taxa that are listed as threatened or at risk in the New Zealand Threat Classification System lists;</p> <p>(ii) taxa that are listed by the International Union for Conservation of Nature and Natural Resources as threatened;</p> <p>(iii) indigenous ecosystems and vegetation types that are</p>

	<p>threatened in the coastal environment, or are naturally rare⁶;</p> <p>(iv) habitats of indigenous species where the species are at the limit of their natural range, or are naturally rare;</p> <p>(v) areas containing nationally significant examples of indigenous community types; and</p> <p>(vi) areas set aside for full or partial protection of indigenous biological diversity under other legislation; and</p> <p>(b) avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of activities on:</p> <p>(i) areas of predominantly indigenous vegetation in the coastal environment;</p> <p>(ii) habitats in the coastal environment that are important during the vulnerable life stages of indigenous species;</p> <p>(iii) indigenous ecosystems and habitats that are only found in the coastal environment and are particularly vulnerable to modification, including estuaries, lagoons, coastal wetlands, dunelands, intertidal zones, rocky reef systems, eelgrass and saltmarsh;</p> <p>(iv) habitats of indigenous species in the coastal environment that are important for recreational, commercial, traditional or cultural purposes;</p> <p>(v) habitats, including areas and routes, important to migratory species; and</p> <p>(vi) ecological corridors, and areas important for linking or maintaining biological values identified under this policy.</p>
Policy 13	<p>Preservation of natural character</p> <p>(1) To preserve the natural character of the coastal environment and to protect it from inappropriate subdivision, use, and development:</p> <p>(a) avoid adverse effects of activities on natural character in areas of the coastal environment with outstanding natural character; and</p> <p>(b) avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of activities on natural character in all other areas of the coastal environment; including by:</p> <p>(c) assessing the natural character of the coastal environment of the region or district, by mapping or otherwise identifying at least</p>

	<p>areas of high natural character; and</p> <p>(d) ensuring that regional policy statements, and plans, identify areas where preserving natural character requires objectives, policies and rules, and include those provisions.</p> <p>(2) Recognise that natural character is not the same as natural features and landscapes or amenity values and may include matters such as:</p> <p>(a) natural elements, processes and patterns;</p> <p>(b) biophysical, ecological, geological and geomorphological aspects;</p> <p>(c) natural landforms such as headlands, peninsulas, cliffs, dunes, wetlands, reefs, freshwater springs and surf breaks;</p> <p>(d) the natural movement of water and sediment;</p> <p>(e) the natural darkness of the night sky;</p> <p>(f) places or areas that are wild or scenic;</p> <p>(g) a range of natural character from pristine to modified; and</p> <p>(h) experiential attributes, including the sounds and smell of the sea; and their context or setting.</p>
Policy 14	<p>Restoration of natural character</p> <p>Promote restoration or rehabilitation of the natural character of the coastal environment, including by:</p> <p>(a) identifying areas and opportunities for restoration or rehabilitation;</p> <p>(b) providing policies, rules and other methods directed at restoration or rehabilitation in regional policy statements, and plans;</p> <p>(c) where practicable, imposing or reviewing restoration or rehabilitation conditions on resource consents and designations, including for the continuation of activities; and recognising that where degraded areas of the coastal environment require restoration or rehabilitation, possible approaches include:</p> <p>(i) restoring indigenous habitats and ecosystems, using local genetic stock where practicable; or</p> <p>(ii) encouraging natural regeneration of indigenous species, recognising the need for effective weed and animal pest</p>

	<p>management; or</p> <p>(iii) creating or enhancing habitat for indigenous species; or</p> <p>(iv) rehabilitating dunes and other natural coastal features or processes, including saline wetlands and intertidal saltmarsh; or</p> <p>(v) restoring and protecting riparian and intertidal margins; or</p> <p>(vi) reducing or eliminating discharges of contaminants; or</p> <p>(vii) removing redundant structures and materials that have been assessed to have minimal heritage or amenity values and when the removal is authorised by required permits, including an archaeological authority under the Historic Places Act 1993; or</p> <p>(viii) restoring cultural landscape features; or</p> <p>(ix) redesign of structures that interfere with ecosystem processes; or</p> <p>(x) decommissioning or restoring historic landfill and other contaminated sites which are, or have the potential to, leach material into the coastal marine area.</p>
Policy 15	<p>Natural features and natural landscapes</p> <p>To protect the natural features and natural landscapes (including seascapes) of the coastal environment from inappropriate subdivision, use, and development:</p> <p>(a) avoid adverse effects of activities on outstanding natural features and outstanding natural landscapes in the coastal environment; and</p> <p>(b) avoid significant adverse effects and avoid, remedy, or mitigate other adverse effects of activities on other natural features and natural landscapes in the coastal environment;</p> <p>including by:</p> <p>(c) identifying and assessing the natural features and natural landscapes of the coastal environment of the region or district, at minimum by land typing, soil characterisation and landscape characterisation and having regard to:</p> <p>(i) natural science factors, including geological, topographical, ecological and dynamic components;</p> <p>(ii) the presence of water including in seas, lakes, rivers and</p>

	<p>streams;</p> <p>(iii) legibility or expressiveness – how obviously the feature or landscape demonstrates its formative processes;</p> <p>(iv) aesthetic values including memorability and naturalness;</p> <p>(v) vegetation (native and exotic);</p> <p>(vi) transient values, including presence of wildlife or other values at certain times of the day or year;</p> <p>(vii) whether the values are shared and recognised;</p> <p>(viii) cultural and spiritual values for tangata whenua, identified by working, as far as practicable, in accordance with tikanga Māori; including their expression as cultural landscapes and features;</p> <p>(ix) historical and heritage associations; and</p> <p>(x) wild or scenic values;</p> <p>(d) ensuring that regional policy statements, and plans, map or otherwise identify areas where the protection of natural features and natural landscapes requires objectives, policies and rules; and</p> <p>(e) including the objectives, policies and rules required by (d) in plans.</p>
Policy 17	<p>Historic heritage identification and protection</p> <p>Protect historic heritage in the coastal environment from inappropriate subdivision, use, and development by:</p> <p>(a) identification, assessment and recording of historic heritage, including archaeological sites;</p> <p>(b) providing for the integrated management of such sites in collaboration with relevant councils, heritage agencies, iwi authorities and kaitiaki;</p> <p>(c) initiating assessment and management of historic heritage in the context of historic landscapes;</p> <p>(d) recognising that heritage to be protected may need conservation;</p> <p>(e) facilitating and integrating management of historic heritage that spans the line of mean high water springs;</p>

	<p>(f) including policies, rules and other methods relating to (a) to (e) above in regional policy statements, and plans;</p> <p>(g) imposing or reviewing conditions on resource consents and designations, including for the continuation of activities;</p> <p>(h) requiring, where practicable, conservation conditions; and</p> <p>(i) considering provision for methods that would enhance owners' opportunities for conservation of listed heritage structures, such as relief grants or rates relief.</p>
Policy 18	<p>Public open space</p> <p>Recognise the need for public open space within and adjacent to the coastal marine area, for public use and appreciation including active and passive recreation, and provide for such public open space, including by:</p> <p>(a) ensuring that the location and treatment of public open space is compatible with the natural character, natural features and landscapes, and amenity values of the coastal environment;</p> <p>(b) taking account of future need for public open space within and adjacent to the coastal marine area, including in and close to cities, towns and other settlements;</p> <p>(c) maintaining and enhancing walking access linkages between public open space areas in the coastal environment;</p> <p>(d) considering the likely impact of coastal processes and climate change so as not to compromise the ability of future generations to have access to public open space; and</p> <p>(e) recognising the important role that esplanade reserves and strips can have in contributing to meeting public open space needs.</p>
Policy 19	<p>Walking access</p> <p>(1) Recognise the public expectation of and need for walking access to and along the coast that is practical, free of charge and safe for pedestrian use.</p> <p>(2) Maintain and enhance public walking access to, along and adjacent to the coastal marine area, including by:</p> <p>(a) identifying how information on where the public have walking access will be made publicly available;</p> <p>(b) avoiding, remedying or mitigating any loss of public walking</p>

	<p>access resulting from subdivision, use, or development; and</p> <p>(c) identifying opportunities to enhance or restore public walking access, for example where:</p> <ul style="list-style-type: none"> (i) connections between existing public areas can be provided; or (ii) improving access would promote outdoor recreation; or (iii) physical access for people with disabilities is desirable; or (iv) the long-term availability of public access is threatened by erosion or sea level rise; or (v) access to areas or sites of historic or cultural significance is important; or (vi) subdivision, use, or development of land adjacent to the coastal marine area has reduced public access, or has the potential to do so. <p>(3) Only impose a restriction on public walking access to, along or adjacent to the coastal marine area where such a restriction is necessary:</p> <ul style="list-style-type: none"> (a) to protect threatened indigenous species; or (b) to protect dunes, estuaries and other sensitive natural areas or habitats; or (c) to protect sites and activities of cultural value to Māori; or (d) to protect historic heritage; or (e) to protect public health or safety; or (f) to avoid or reduce conflict between public uses of the coastal marine area and its margins; or (g) for temporary activities or special events; or (h) for defence purposes in accordance with the Defence Act 1990; or (i) to ensure a level of security consistent with the purpose of a resource consent; or (j) in other exceptional circumstances sufficient to justify the restriction.
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	<p>(4) Before imposing any restriction under (3), consider and where practicable provide for alternative routes that are available to the public free of charge at all times.</p>
Policy 20	<p>Vehicle access</p> <p>(1) Control use of vehicles, apart from emergency vehicles, on beaches, foreshore, seabed and adjacent public land where:</p> <ul style="list-style-type: none"> (a) damage to dune or other geological systems and processes; or (b) harm to ecological systems or to indigenous flora and fauna, for example marine mammal and bird habitats or breeding areas and shellfish beds; or (c) danger to other beach users; or (d) disturbance of the peaceful enjoyment of the beach environment; or (e) damage to historic heritage; or (f) damage to the habitats of fisheries resources of significance to customary, commercial or recreational users; or (g) damage to sites of significance to tangata whenua; <p>might result.</p> <p>(2) Identify the locations where vehicular access is required for boat launching, or as the only practicable means of access to private property or public facilities, or for the operation of existing commercial activities, and make appropriate provision for such access.</p> <p>(3) Identify any areas where and times when recreational vehicular use on beaches, foreshore and seabed may be permitted, with or without restriction as to type of vehicle, without a likelihood of any of (1)(a) to (g) occurring.</p>
Policy 24	<p>Identification of coastal hazards</p> <p>(1) Identify areas in the coastal environment that are potentially affected by coastal hazards (including tsunami), giving priority to the identification of areas at high risk of being affected. Hazard risks, over at least 100 years, are to be assessed having regard to:</p> <ul style="list-style-type: none"> (a) physical drivers and processes that cause coastal change including sea level rise; (b) short-term and long-term natural dynamic fluctuations of erosion

	<p>and accretion;</p> <p>(c) geomorphological character;</p> <p>(d) the potential for inundation of the coastal environment, taking into account potential sources, inundation pathways and overland extent;</p> <p>(e) cumulative effects of sea level rise, storm surge and wave height under storm conditions;</p> <p>(f) influences that humans have had or are having on the coast;</p> <p>(g) the extent and permanence of built development; and</p> <p>(h) the effects of climate change on:</p> <ul style="list-style-type: none"> (i) matters (a) to (g) above; (ii) storm frequency, intensity and surges; and (iii) coastal sediment dynamics; <p>taking into account national guidance and the best available information on the likely effects of climate change on the region or district.</p>
Policy 25	<p>Subdivision, use, and development in areas of coastal hazard risk</p> <p>In areas potentially affected by coastal hazards over at least the next 100 years:</p> <p>(a) avoid increasing the risk of social, environmental and economic harm from coastal hazards;</p> <p>(b) avoid redevelopment, or change in land use, that would increase the risk of adverse effects from coastal hazards;</p> <p>(c) encourage redevelopment, or change in land use, where that would reduce the risk of adverse effects from coastal hazards, including managed retreat by relocation or removal of existing structures or their abandonment in extreme circumstances, and designing for relocatability or recoverability from hazard events;</p> <p>(d) encourage the location of infrastructure away from areas of hazard risk where practicable;</p> <p>(e) discourage hard protection structures and promote the use of alternatives to them, including natural defences; and</p> <p>(f) consider the potential effects of tsunami and how to avoid or</p>

	mitigate them.
Policy 26	<p>Natural defences against coastal hazards</p> <p>(1) Provide where appropriate for the protection, restoration or enhancement of natural defences that protect coastal land uses, or sites of significant biodiversity, cultural or historic heritage or geological value, from coastal hazards.</p> <p>(2) Recognise that such natural defences include beaches, estuaries, wetlands, intertidal areas, coastal vegetation, dunes and barrier islands.</p>
Policy 27	<p>Strategies for protecting significant existing development from coastal hazard risk</p> <p>(1) In areas of significant existing development likely to be affected by coastal hazards, the range of options for reducing coastal hazard risk that should be assessed includes:</p> <ul style="list-style-type: none"> (a) promoting and identifying long-term sustainable risk reduction approaches including the relocation or removal of existing development or structures at risk; (b) identifying the consequences of potential strategic options relative to the option of "do-nothing"; (c) recognising that hard protection structures may be the only practical means to protect existing infrastructure of national or regional importance, to sustain the potential of built physical resources to meet the reasonably foreseeable needs of future generations; (d) recognising and considering the environmental and social costs of permitting hard protection structures to protect private property; and (e) identifying and planning for transition mechanisms and timeframes for moving to more sustainable approaches. <p>(2) In evaluating options under (1):</p> <ul style="list-style-type: none"> (a) focus on approaches to risk management that reduce the need for hard protection structures and similar engineering interventions; (b) take into account the nature of the coastal hazard risk and how it might change over at least a 100-year timeframe, including the expected effects of climate change; and (c) evaluate the likely costs and benefits of any proposed coastal

	<p>hazard risk reduction options.</p> <p>(3) Where hard protection structures are considered to be necessary, ensure that the form and location of any structures are designed to minimise adverse effects on the coastal environment.</p> <p>(4) Hard protection structures, where considered necessary to protect private assets, should not be located on public land if there is no significant public or environmental benefit in doing so.</p>
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National Policy Statement on Electricity Transmission (March 2008)

Objective 8	managing the adverse effects of third parties on the transmission network
Policy 10	In achieving the purpose of the Act, decision-makers must to the extent reasonably possible manage activities to avoid reverse sensitivity effects on the electricity transmission network and to ensure that operation, maintenance, upgrading, and development of the electricity transmission network is not compromised.

Auckland Regional Policy Statement Change 10: Natural Hazards (October 2010)

Objective 11.3	To avoid, remedy, or mitigate the adverse effects of natural hazards on human life, property, infrastructure and the environment, while minimising the adverse effects of measures implemented to reduce the risks of natural hazards.
Policy 11.4.1	<p>1. Natural hazard management shall be integrated and co-ordinated between the ARC and TAs within the Auckland Region, and with adjoining regional councils.</p> <p>2. Before provision is made enabling development or redevelopment of land, including intensification of land use, any natural hazards, particularly flooding, land instability and coastal hazards, and measures to avoid or mitigate their adverse effects shall be identified.</p> <p>3. Except as provided in 11.4.1.4 below, development shall only be allowed in the 1% AEP flood plain when:</p> <p>a. Any adverse effects of a 1% AEP flood event on new buildings, are avoided or mitigated; except in urban areas, when any adverse effects of the 1% AEP flood event on the habitable floors of new buildings are avoided;</p> <p>b. Any new building, structure or reclamation will not;</p>

	<p>i. Divert overland flows, or</p> <p>ii. Increase runoff volumes to create a new flood hazard, or</p> <p>iii. Accelerate, worsen or exacerbate existing flood hazards; unless any adverse effects, including potential cumulative effects, on other properties are avoided or mitigated;</p> <p>c. Any hazardous substance stored as part of the development, or during the construction, will not create a hazard or significant adverse effect.</p> <p>4. A district plan may provide for an alternative flood standard to that set out in 11.4.1.3 to cater for existing hydrological constraints (including, topographical and geological conditions, the nature of existing development, and the adequacy of overland flow paths), and provided that the alternative district plan provisions shall:</p> <p>a. Require flood protection to a standard that is no less stringent than the 2% AEP; and</p> <p>b. The adverse effects of the 2% AEP flood event on the habitable floors within the development are avoided; and either;</p> <p>i. The adverse effects of the development on flood hazards are contained within the boundary of the site; or</p> <p>ii. Any adverse effects on flood hazards on other properties are not permitted by the district plan.</p> <p>(See Appendix D for the definition of AEP)</p> <p>5. Development that results in changes in the volume of stormwater runoff during a flood event with a greater probability than 1% AEP shall not accelerate, worsen or exacerbate the adverse effects of a flooding hazard unless any adverse effects on other properties are avoided or mitigated.</p> <p>6. Where development or use exists within areas susceptible to natural hazards, construction of mitigation works shall be allowed only where people, property, infrastructure and the environment are subject to risk from hazards, the works are the best practicable option, and any adverse effects on the environment are avoided, remedied or mitigated.</p> <p>The abandonment or relocation of existing structures and the use of non-structural solutions shall also be considered among the options.</p> <p>(See also Chapter 7 Coastal Environment)</p>
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	<p>7. Any works or structures within the 1% AEP flood plain or overland flow path(s) shall not create or exacerbate a flood hazard, during a flood event with a greater probability than 1% AEP, either at the site or at any location upstream or downstream of the works or structures; unless:</p> <p style="padding-left: 40px;">a. The adverse effects of the flood hazard are avoided, remedied, or mitigated; or</p> <p style="padding-left: 40px;">b. The work or structure is required to avoid, remedy or mitigate the adverse environmental effects of a flood event;</p> <p>Works may include (but are not limited to) earthworks, riparian planting, piping of streams and the construction of culverts, bridges, retaining walls.</p> <p>8. Development shall not be allowed in areas subject to erosion/land instability unless it can be demonstrated that the adverse effects can be avoided or mitigated.</p> <p>9. In the coastal environment, new subdivision, use or development should be located and designed, so that the need for hazard protection measures is avoided.</p> <p>10. A precautionary approach shall be used (including the development and implementation of plans) in avoiding or mitigating the adverse effects on people, property, infrastructure and the environment of earthquake, volcanic activity, sea level rise, tsunami and global climate change.</p>
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Part 5E – Hazardous Facilities – Auckland City District Plan 1999

Objective 5E.4.1	To prevent or mitigate adverse environmental effects and risks presented by facilities and activities involving the use and/or storage of hazardous substances.
Policies 5E.4.1	<ul style="list-style-type: none"> •By identifying, through an assessment process, those facilities using or storing hazardous substances which pose a risk to the natural environment or to public health and safety. •By managing hazardous facilities to avoid, remedy, or mitigate adverse effects and unacceptable risks to the environment. •By controlling hazardous facilities to ensure that the cumulative effect of their operations do not pose unacceptable risks to the environment or the community. •By requiring, where appropriate, the preparation and operation of site

	<p>management and emergency plans by operators of hazardous facilities.</p> <ul style="list-style-type: none"> •By promoting a clean production ethic appropriate to the environment of the district for all hazardous facilities.
Objective 5E.4.2	To protect the community from unacceptable risks from hazardous facilities.
Policy 5E.4.2	<ul style="list-style-type: none"> •By controlling hazardous facilities to ensure that they do not give rise to levels of risk that are incompatible with the levels of risk associated with the surrounding land use activities.
Objective 5E.4.3	To minimise the adverse effects of site contamination and to prevent future site contamination.
Policies 5E.4.3	<ul style="list-style-type: none"> •By applying measures which seek to minimise and control the adverse effects of discharges into or onto land. •By requiring, where appropriate, the remediation of land as a prerequisite to its redevelopment.

ANNEXURE G: MINOR TEXT CHANGES TO AEE POST LODGEMENT

AEE Section	Existing Text	Replacement Text
Section 3.6.1 Chapter 3 Huruhuru Road Bridge to Westgate (SH16) Pg 3.7	The alteration to designation and district and regional council consents required for construction of this project were lodged in July 2010 with the relevant consenting agencies.	The alteration to designation required for the project was lodged with Waitakere City Council (WCC) in June 2010. The regional council consents required for construction of this project are expected to be lodged with Auckland Regional Council in late September 2010.
Section 3.6.1 Chapter 3 Henderson Creek to Huruhuru Road Bridge (SH16) Pg 3.8	The alteration to designation and regional council consents required for construction of this project were lodged with Waitakere City Council (WCC) and Auckland Regional Council (ARC) in June 2010.	The alteration to designation required for the project was lodged with Waitakere City Council (WCC) in June 2010. The regional council consents required for construction of this project are expected to be lodged with Auckland Regional Council in late September 2010.
Part A Chapter 4 Section 4.4.9.5 – Key Structures Pg 4.59-4.60	“Bridging of Richardson Road allowing for two lanes of traffic, the potential for parking, a shared pedestrian and cycle path and on road cycle lanes. The three span bridge will be 24.6m wide, and constructed with Super-T precast beams supported on concrete wall piers on piles and piled abutment beams”;	“Bridging of Richardson Road allowing for two lanes of traffic, the potential for parking, a shared pedestrian and cycle path and on road cycle lanes. The three span bridge will be 14.2m wide, and constructed with Super-T precast beams supported on concrete wall piers on piles and piled abutment beams”;
Sector 9 Key Structures Page 4.59	‘the ventilation building will be 86m x 46m and approximately 10m high’	‘the ventilation building will be 86m x 46m and approximately 28m high’