

Comments on applications for referral under the COVID-19 Recovery (Fast-track Consenting) Act 2020

This form is for persons requested by the Minister for the Environment to provide comments on an application to refer a project to an expert consenting panel under the COVID-19 Recovery (Fast-track Consenting) Act 2020.

Organisation providing comment	Auckland Transport
Contact person (if follow-up is required)	Elmira Vatani
	Principal Development Planner
	s 9(2)(a)

Comment form

Please use the table below to comment on the application.

Project name	Te Puru Business Park
General comment	AT does not have any significant concerns about the proposed development.
Other considerations	Further information such as tracking plans, site plans and construction management plan is required to ensure that vehicles do not reverse turn into the arterial road, that pedestrian facilities are provided by upgrading site frontage on Whitford – Maraetai Road, and that adverse effects associated with the construction are managed and mitigated.
[Insert specific requests for comment]	Click or tap here to insert responses to any specific matters the Minister is seeking your views on.

Note: All comments, including your name and contact details, will be made available to the public and the applicant either in response to an Official Information Act request or as part of the Ministry's proactive release of information. Please advise if you object to the release of any information contained in your comments, including your name and contact details. You have the right to request access to or to correct any personal information you supply to the Ministry.

Background

A pre-application meeting was held with the Applicant's Planner and Traffic Engineer on the 16th of March 2023. A copy of the meeting minutes is attached in Appendix A.

Summary of the Proposal

It is proposed to redevelop the Manukau Quarries site with an industrial business park under two stages. The proposed business park will be accessed via a new private access that will be located around 220m south of the existing roundabout (Whitford-Maraetai Road). To mitigate the traffic effects including the 220-trip generated during peak hour of the proposed development, it is proposed to carry the following transport mitigation measures:

- To construct a roundabout at the intersection of the new access to the business park and Whitford-Maraetai Road,
- To upgrade Whitford-Maraetai Road from the existing roundabout to the proposed roundabout with a separated pedestrian and cycling facilities; and
- To close the existing quarry access and a residential driveway that is located adjacent to the existing roundabout.

It is noted that the water will be provided on site via an existing bore and water treatment plant, which cannot vest with Watercare. Since the proposed access is private, the private water pipe can traverse the access. Please note that the private pipe cannot run under the public road reserve.

The subject site is zoned Rural – Countryside Living and it is in Whitford sub-precinct B. The precinct focuses on maintaining landscape character and rural amenity values. Whitford Precinct : Precinct Plan 4 – location of road corridors shows the location of Whitford road corridor and it is required any roads within the subject site. The subject site is affected by AT's Designation – 1806, Road Widening – Beachlands Road. The proposal includes Whitford-Maraetai Road upgrade that is within the designation. Whitford-Maraetai Road may be upgraded to four lane, as AT has a road widening designation over this corridor. An assessment is required to demonstrate the proposed roundabout and access can safely and efficiently operate in the event corridor is upgraded to four lanes and a s176 approval from AT is required for the works within the designation. However, this section of the road may not ultimately require four lanes.

Overall, AT supports, in principle, the proposed roundabout as a safe intersection treatment and the construction of active mode facilities along Whitford-Maraetai Road. The proposed business park creates additional business land that can support the Beachlands residential suburb.

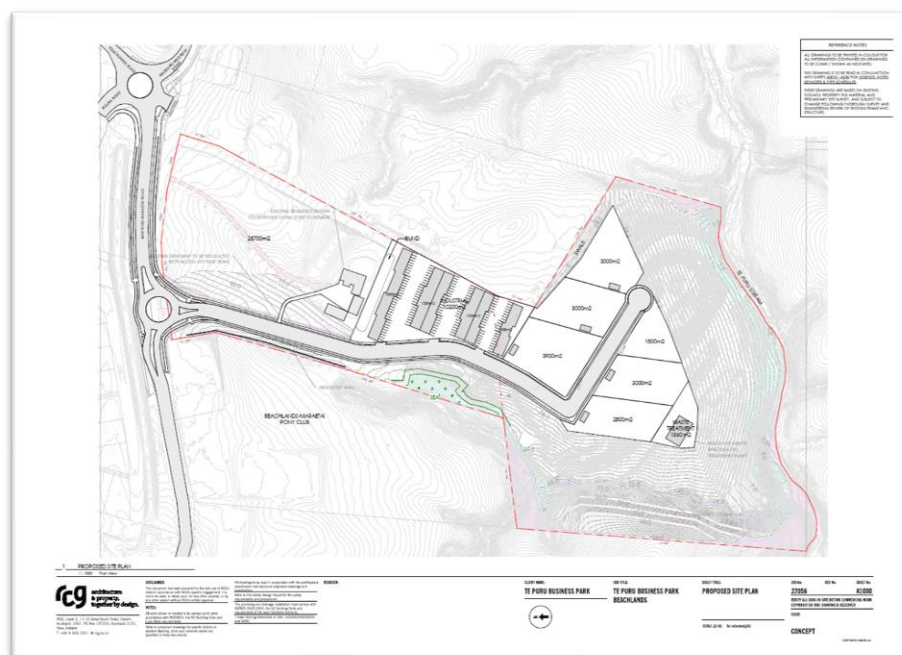
Appendix A

Meeting minutes

Te Puru- 867 Whitford- Maraetai Road, Whitford

Date: 16 March 2023
Time: 12:30 pm
Venue: Teams meeting
Attendees: Elmira Vatani (EV) – Auckland Transport (AT)
Chris Freke (CF) – Auckland Transport (AT)
Terry Church (TC) - Flow
Renee Fraser -Smith (RF) - Tollemache

Purpose	<p>An introductory meeting was requested to discuss the potential redevelopment of the Manukau Quarries site for an industrial business park (Te Puru Business Park).</p> <p>The meeting was intended to bring AT up to speed with two (2) high-level concepts for the proposed access via Whitford-Maraetai Road before the Applicant applies to have their project referred for fast-track consenting under the Covid-19 Recovery (Fast-track Consenting) Act 2020.</p>
Pre-App Agenda	
Introduction	<p>Terry Church (TC) provided an introduction to his client's proposal, specifically explained that:</p> <ul style="list-style-type: none"> • The proposed Business Park will be accessed by new access that will be located to the south of the existing roundabout, rather than using the existing service lane (quarry access), • A new roundabout will be constructed at the intersection of this new access with Whitford-Maraetai Road, • The proposed new access will likely be privately owned, but the intersection itself would be upgraded to a roundabout with all associated roading assets vested to Council, • As part of this development, the section of Whitford-Maraetai Road between the existing and proposed roundabouts will also be upgraded with separate pedestrian and cycling facilities, • As a result of the new access, the existing quarry access and one residential driveway will be closed. However, the existing service lane adjacent to the existing roundabout will remain open and in use as it provides access to neighbouring sites, the Chorus site, and water tanker loading. <p>Prior to the meeting, two plans were provided to AT that presented two different internal layouts and yields. However, TC explained that Option 1 was the preferred option as Option 2 had ecological constraints impacting it's viability. Below is a screenshot of the preferred conceptual plan:</p>



A cover letter prepared by TC, dated 16 March 2023 was also sent to both EV and CF following the close of the meeting further explaining the proposed development.

Proposed access and a roundabout

During the discussion, EV raised concern about potential visibility issues due to the steep contour of the access point. Additionally, a question was raised about the closure of the service access lane at the Beachlands Road roundabout. In response, RF explained that the neighbouring property has a water-take consent that is not yet implemented, and therefore the access to the neighbouring site cannot be removed. No discussion has been held with the neighbouring site regarding the closure of this service lane. However, access to the subject site will be provided from the proposed access.

TC confirmed that the access gradient will be 5% and will comply with the AUP requirements for all modes of transport. He also stated that the visibility assessment has been conducted and taken into consideration during the design of the roundabout.

RF explained that the intention is to design the private access in accordance with AT's local road standard, but not to vest it to the Council. However, a public access easement will be provided over this access for pedestrians and cyclists. During the inquiry, CF raised a question about the Pony Club's access to the proposed accessway. RF clarified that the Pony Club will have its access off Whitford-Maraetai Road and no discussion has been carried out to relocate their access off the proposed accessway. However, they can relocate it if they wish, provided that the gradient from this access is acceptable; but, if they choose to relocate, then it will require a right-of-way easement (if not vested as public road).

CF mentioned that Whitford-Maraetai Road may be upgraded to four lane, as AT has a road widening designation over this corridor. An assessment is required to demonstrate the proposed roundabout and access can safely and efficiently operate in the event corridor is upgraded to four

	<p>lanes. It was acknowledged by AT that this section the road may not ultimately require 4 lanes though, something that PC88 (if approved) would be unlikely to change. However, any significant infill in the event the PC78 qualifying matter is not upheld may necessitate the need for 4 lanes.</p> <p>TC expressed view that proximity to and future upgrading of Jack Lachlan Drive to either roundabout or signals would be unlikely lead to any operational issues with the proposed roundabout.</p>
Post meeting comments/ information required	<ul style="list-style-type: none"> - The intersection, its treatment, and the active mode facilities along Whitford-Maraetai Road are supported in principle and are not considered to have any outright “fatal flaws” that cannot be resolved through a consenting and subsequent detailed design process. - The proposed land use would create some additional business land to support the current Beachlands dormitory suburb and is supported in principle. It is a discrete piece of former quarry land with clear natural boundaries and therefore presents very low risk of encouraging further urban expansion to adjoining sites. - It is agreed the new roundabout presents a better access option than the current one serving the quarry. - AT supports ancillary “tidying up of the current access to the quarry” and removal of current driveways onto Whitford-Maraetai Road. It therefore would support the new access being used by the pony club in the event this proved feasible. Any required treatment of run off from the new roundabout needs to be located within a public road reserve or protected by way of easement if within a private access. - AT would be open to the new access being design, constructed and vested as public road. - A visibility assessment should be provided in support of the preferred access Option as the contours are very steep. Guard railing may also be required. - The proposed intersection and a roundabout should be subject to a Road Safety Audit to ensure that the design/layout is safe and functional as part of detailed design (Engineering Approval stage) before any road assets are constructed and vested to the Council. The overall assessment and ‘general’ design needs to occur as part of the resource consent (or Fast Track) process and there needs to be a high level of certainty that the design / layout agreed as part of a resource consent (or Fast Track) is safe, functional and workable. - A s176 approval should be provided as part of the resource consent (or Fast Track) application for the proposed works located within AT’s Designation – 1806, Road Widening – Beachlands Road, Designation. Otherwise, the effects should be assessed/addressed in the AEE accordingly.

Comments on applications for referral under the COVID-19 Recovery (Fast-track Consenting) Act 2020

This form is for local authorities to provide comments to the Minister for the Environment on an application to refer a project to an expert consenting panel under the COVID-19 Recovery (Fast-track Consenting) Act 2020.

Local authority providing comment	Auckland Council
Contact person (if follow-up is required)	Romel Layco – Senior Planner, Resource Consents South
	s 9(2)(a)
	28 April 2023

Comment form

Please use the table below to comment on the application.

Project name	Te Puru Business Park
General comment – potential benefits	The proposal will provide employment opportunities within the Beachlands and Maraetai areas.
General comment – significant issues	<ol style="list-style-type: none"> 867 Whitford- Maraetai Road is zoned Rural – Countryside Living Zone and is located with Whitford Sub-Precinct B while 885 Whitford-Maraetai Road has a split zone of Rural – Countryside Living Zone and Special Purpose – Quarry Zone and is also within Whitford Sub-Precinct B. The application site is not zoned for light industrial use (light manufacturing, automotive repair and sales, warehousing and logistics, trade retail and services) and therefore a plan change is required to be approved and adopted before the land can be considered for urban use. The proposal is contrary to the objectives and policies of the Rural – Countryside Living and Special Purpose – Quarry Zones, Whitford Precinct – Sub-Precinct B of the Auckland Unitary Plan (Operative in part). However, it is acknowledged that the existing quarry consent does require rehabilitation of the quarry land upon completion of the quarrying activity.
Is Fast-track appropriate?	Not in this instance as this proposal should go through a Plan Change process and subsequent resource consent application, if required.
Environmental compliance history	Three abatement notices were issued against Knight Investments Ltd in the past with all of them still active. It is noted that these abatement notices relate to sites at Clarks Beach, Auckland.
Reports and assessments normally required	<p>For this application a full set of application reports would be required, including but not limited to:</p> <ul style="list-style-type: none"> Overall Assessment of Environmental Effects. Subdivision application plans. These should include all intended easements in favour of Council or land intended to vest in Council. Preliminary Site Investigation (PSI) report to assess activities with respect to the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011. A

	<p>Detailed Site Investigation (DSI) report may then be required together with a Remedial Action Plan (RAP).</p> <ul style="list-style-type: none"> • Integrated Transport Assessment addressing the effects of the sites combined as well as individually. • Infrastructure report • Stormwater design management plan/report • Flooding and hydrology design reports • An assessment against the Resource Management (National Environmental Standards for Freshwater) Regulations 2020 and the National Policy Statement for Freshwater Management 2020 • Geotechnical assessment report • Wastewater design report • Earthworks and sediment control report and plans • Construction management plan • Landscape Plans • Assessments of construction effects including noise, vibration, dust and traffic.
Iwi and iwi authorities	<p>The following iwi have been identified as relevant to this rohe using the Council's Mana Whenua contacts tool.</p> <ul style="list-style-type: none"> • Ngāi Tai ki Tāmaki Tribal Trust • Ngāti Maru Rūnanga Trust • Ngāti Paoa Iwi Trust • Ngāti Paoa Trust Board • Ngāti Tamaterā Settlement Trust • Te Ara Rangatū o Te Iwi o Ngāti Te Ata Waiohū • Ngāti Whanaunga Incorporated • Makaurau Marae Māori Trust • Te Ākitai Waiohū Iwi Authority • Te Whakakitenga o Waikato Incorporated
Relationship agreements under the RMA	N/A
Insert responses to other specific requests in the Minister's letter (if applicable)	Please see response to these questions on the following pages
Other considerations	Feedback from the Franklin Local Board is included on page 7 of this response.

Note: All comments, including your name and contact details, will be made available to the public and the applicant either in response to an Official Information Act request or as part of the Ministry's proactive release of information. Please advise if you object to the release of any information contained in your comments, including your name and contact details. You have the right to request access to or to correct any personal information you supply to the Ministry.

Answers to specific queries from the Minister:

- 1. Are there any reasons that you consider it more appropriate for the project, or part of the project, to proceed through existing Resource Management Act 1991 (RMA) consenting processes rather than the processes in the FTCA?**

The Council considers that this proposal should go through Plan Change process rather than through the FTCA. The Council recommends that the request for referral to a fast-track consenting panel be **DECLINED**. The reasons for this are summarised as follows:

1. The sites concerned are not zoned for urban use and therefore a plan change is required to be approved and adopted before the land can be considered for light industrial activities.
2. The proposal is contrary to the objectives and policies of the Auckland Unitary Plan (Operative in Part).

These matters are further explored below:

Under the Auckland Unitary Plan (Operative in Part), 867 Whitford- Maraetai Road is zoned Rural – Countryside Living and is located within Whitford Sub-Precinct B, while 885 Whitford- Maraetai Road has a split zone of Rural – Countryside Living Zone and Special Purpose – Quarry Zone. The latter is also located within Whitford Sub-Precinct B.

The proposal is not consistent within the intent of the zoning and precinct of the site. Rural – Countryside Living zone provides for rural lifestyle living in identified areas of rural land which are closer to urban Auckland or rural and coastal towns while the Special Purpose – Quarry zone provides for significant mineral extraction activities to ensure that mineral extraction can continue in a manner that minimises adverse effects. However, it is acknowledged that some form of rural commercial services and rural industries could be appropriate for land zoned Special Purpose – Quarry zones.

The proposal is also not consistent with the purpose of Whitford Precinct which is to provide for countryside living development that is subject to a management framework to maintain and enhance landscape character, rural amenity values and the environment quality of the area.

Overall, the proposal presents significant issues in the absence of a plan change that has been approved to change the zoning of this land.

- 2. Does the applicant, or a company owned by the applicant, have any environmental regulatory compliance history in your region?**

The following enforcement action has been taken against Knight Investment Limited:

- *An Abatement Notice, ABT21664403 was issued against Knight Investments Limited on 5 April 2023 for carrying out earthworks activities on 2 Kaitaiki Drive, Clarks Beach without sediment controls in place to prevent the discharge of sediment from the Property.*

- *An Abatement Notice, ABT21654764 was issued against Knight Investments Limited on 24 January 2023 for carrying out earthworks activities on 115 Mutetai Road, Clarks Beach without sediment controls in place to prevent the discharge of sediment from the Property.*
- *An Abatement Notice, ABT21583535 was issued against Knight Investments Limited on 28 October 2021 for carrying out earthworks activities on 20 Mutetai Road, Clarks Beach without sediment controls in place to prevent the discharge of sediment from the Property.*

These abatement notices are still active as of 24 April 2023.

Feedback from Franklin Local Board

The Franklin Local Board has provided the following feedback on the referral request:

- *Returning the land from a quarry to productive local use would be favourable on the edge of an urbanised isolated township.*
- *Beachlands and Maraetai is limited in commercial business zones and is mostly a commuting township.*
- *Request Auckland Transport review the proposal with a projected growth/future proof approach given Plan Change 88 and 78 in process.*
- *Request Auckland Transport review the number of roundabouts and if appropriate for the current and future traffic of Beachlands, Maraetai and further south, given there is to be a roundabout at Jack Lauchlan Drive.*
- *Note the development will provide its own wastewater treatment plant. Watercare are considering their long-term strategy for this region and any developments should be required to connect to a centralised system. Request Watercare be asked for their views.*
- *There are examples where Healthy Waters are now having to rectify private wastewater plants that pose ongoing maintenance and ownership issues (e.g. Whitford Manor), so recommend requesting views from Healthy Waters.*
- *Careful consideration to be given for an overland flow path and any impacts of this given climate change effects.*
- *The fast-track process does not provide the Community an opportunity to participate/comment on the process or have ability to request mitigation from the developers, that would offset the change in use or provide further amenity value. However, the board appreciates the opportunity to be asked for input and it should be noted that members may not reflect all community views.*

Asset Owners

- *Overall, Auckland Transport supports, in principle, the proposed roundabout as a safe intersection treatment and the construction of active mode facilities along Whitford-Maraetai Road.*

- *Designation 1806 applies to Whitford-Maraetai Road fronting the site and as such a s176 under the RMA from Auckland Transport must be obtained prior to undertaking any works within the road.*

Subject Matters Experts

- *Stormwater – the application is broadly supported subject to the design of the stormwater management system being in alignment with the Auckland Unitary Plan (Operative in part) and Auckland Council’s GD01 requirements for both quality and quantity control.*
- *Wastewater - The initial application document is non-existent on detail of what will happen to the treated wastewater at the site. However, the application states that the final design will be in accordance with Council Guideline Document 06 (GD06), but GD06 is not a regulatory document at this stage – it is in draft form only. It is intended that it will replace Technical Publication 58 (TP58) which is the regulatory document and is in many ways similar to GD06. GD06 does, however (like TP58) address design as it relates to wastewater discharges to land. It is assumed that the discharge will be to land, even as the application document doesn’t specify this. Significant high-level issues are therefore:*
 - *Is it a discharge to land or to water? There is a potential for significant adverse effects if the discharge is to a surface water body.*
 - *If to land, where will the disposal field be and is there enough space?*
 - *What other options have been investigated e.g. the Beachlands/Maraetai sewer main runs past the front of the site. Is it possible to connect to that?*
- *Contaminated Land – Soil contamination is likely to pose a relatively low risk for this project, however further information is required to determine the risk level and given the commercial nature of the proposed development (and the land is not change to a more sensitive land use), this information could be sought by way of condition of consents.*
- *Regional Earthworks, Streamworks and Works in Proximity to Natural Inland Wetlands:*
 - *The proposed earthworks avoid direct impact on natural inland wetlands, and potential sediment discharges can be managed via best practice (GD05) erosion and sediment controls, as proposed. The final application would need to provide detailed cut and fill plans, an Erosion and Sediment Control Plan, and supporting earthworks methodology to demonstrate how sediment related effects would be managed and mitigated during earthworks.*
 - *The proposed stream diversion under this application must ensure that the level of effect is no greater than previously approved by Council. There is insufficient information at this stage in order to confirm this.*

The final application will need to compare the proposed stream diversion against the stream diversion already consented to confirm compliance with the existing

resource consent and seek improvements / reduction in level of effect if possible – noting the existing consent was granted in 2007.

The assessment should cover the timing and staging, potential time lags, riparian planting details, instream enhancement features, morphology, detailed design drawings, and any residual loss of stream extent or values and how this would be addressed.

- *The location of the natural inland wetland is not entirely clear. However, due to the nature of the wetland being induced by an undersized culvert in a stream, the earthworks are unlikely to affect the hydrological functioning of the wetland. No other areas of potential wetland were identified upon review.*

