

6 September 2021

The Minister for the Environment  
c/o The Environment Protection Authority  
Private Bag 63002  
Waterloo Quay Wellington 6140

Dear Minister Parker,

We are responding to your invitation for comments on an application before you for referral to the Expert Panel under the COVID-19 Response (Fast Track Consenting) Act 2020 (FTCA).

The application is made by HND TS Limited, HND MK Limited, and HND CB Limited, and will be located over four sites at 6-10 The Strand and 21, 31, and 33-45 Hurstmere Road in Takapuna, Auckland. The project seeks to construct a new mixed-use development comprising two buildings up to 12 storeys with an approximate height of 43.6 metres above ground. There will be up to four levels of basement parking, and associated facilities, and the development will include approximately 300 residential units and serviced apartments, and retail commercial, retail and hospitality spaces.

Having reviewed the proposal material provided, Auckland Council provides the following key points:

- Auckland Transport has stated that, should the application be accepted for fast-track consenting, the requirement for an Integrated Transport Assessment (ITA) is formally stated in the referral order and therefore must accompany any resource consent application. An ITA is required due to the scale of the proposal, the high number of on-site car parking spaces proposed and the potential safety and amenity effects on the surrounding roads, and all users of the high-amenity and high-use public reserve and beach. A series of matters which are required to be canvassed in detail are also outlined, including full justifications on the use of different transport modes in the modelling of potential trip generations.
- Watercare Services Limited (WSL) has indicated that the application has not provided sufficient information to complete a proper assessment. However, high level assessment has confirmed capacity and infrastructural constraints in terms of the existing wastewater and water servicing available. A network upgrade, in consultation with WSL, is likely to be required to accommodate the development.
- Council Parks has concerns relating to the extent of visual dominance & shading on all surrounding public space, the extent to which public access is maintained via Hurstmere Green though to Takapuna Beach, and the safety and amenity of the public spaces. An assessment of the proposal's effects in terms of CPTED (Crime Prevention Through Environmental Design) is also required.
- Healthy Waters considers that the sites are well serviced for stormwater infrastructure and are not affected by significant flood hazards. As the sites are currently nearly fully developed with impermeable surfaces, it is anticipated that any additional effects can be appropriately

managed. There are opportunities to incorporate water sensitive design elements to reflect the development's location adjacent to the popular reserve and beach.

- In terms of aspects such as noise and vibration, contamination, notable tree protection, cultural heritage and built heritage, while not all information is available to make a full determination as to the effects on each, they can be managed to be acceptable, with implementation of best practicable options and good construction techniques.
- In terms of urban design, the proposal will result in significant adverse effects on the character of Takapuna, in particular the public realm and street amenity of the beachfront precinct, the coastal character, beach, beachfront reserve, and the public connection between Hurstmere Green, The Strand and Hurstmere Road. The proposal undermines the strategic outcomes and public benefit aspirations relating to beachfront development sites. These aspects are supported by the AUP(OP) provisions and articulated in the Takapuna Centre Plan on which the public was consulted. The massing of the buildings is also not appropriately managed resulting in significant visual dominance effects that, in combination with the excessive height, cannot be mitigated through the use of high-quality material and cladding. Lack of good connectivity on the ground level will also significantly compromise the anticipated economic benefits the proposal will generate in terms of provision of jobs and growth from the retail and hospitality uses.
- In terms of landscape and visual effects, the proposal will result in very high adverse effects on the coastal metropolitan character of Takapuna, and significantly detract from the amenity values of the landscape, specifically from Takapuna Beach, the bay, Takapuna Reserve, Hurstmere Green and from the centre of Takapuna.
- Overall, there are fundamental aspects of the proposal that are of concern and do not meet the relevant objectives and policies of the AUP(OP). The sites are of an important and strategic location due to its proximity to the beach front and the sense of place to be achieved as required by the Precinct, which is to have lower level development on the bay's edge and building heights rising landward. The extent of height infringement proposed (up to nearly 20m over the 24.5m maximum building height) will, therefore, have a significant effect on the character of Takapuna as a whole. The trip generation from the high number of car parking spaces proposed will also have potentially significant safety and amenity effects on the surrounds where pedestrian use is high. It is also recommended that, should the proposal be considered by an expert panel, draft management plans (including noise and vibration, construction management, construction traffic management) are reviewed, and not left to conditions of consent.
- The Local Board has outlined their opposition to this proposal being considered under the Fast-Track consenting process. The concerns relate to a wide range of matters including the lack of provision of affordable housing in this development, potential unintended consequence of delaying or jeopardising a number of consented projects in Takapuna due to increased demand in building materials and skilled tradespeople which are already in shortage. The Local Board shares council officers' concern with regards to the height of the development and advocates for public participation in the consenting process.

The full commentary provided by the asset owners and Council experts are included in this response as attachment 1.

I also note the following is an outline of the responses to the specific questions raised to Council.

**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?**

On balance, Council considers it more appropriate for the Project to be considered under the RMA 1991 as significant adverse effects have been identified in the application and Council's previous advice to the applicant confirmed notification would be required. The limitations on notification and other time constraints identified within the FTCA could result in a rushed assessment and an outcome that does not meet the interests of the surrounding community and environment.

Additional comment is provided within the planning comments provided in Attachment 1.

**2. Is it appropriate to refer this project under the FTCA given that the Project proposes a height above the precinct standards?**

Overall, it is not considered appropriate to refer the project under the FTCA for the following key reasons:

- As a result of the increased density and height required to accommodate this intensity, the project does not help achieve the purpose of the Act as pursuant to s19(e) of the COVID-19 Recovery (Fast-track Consenting) Act 2020, as the proposed building results in significant adverse environmental effects. These are further described within the Planning comments provided as Attachment 1.
- As per point 1, notification as per the RMA requirements could result in a different outcome than the quicker request for comments process under the FTCA.

**3. How does this Project align with the National Policy Statement for Urban Development?**

The proposal finds some support from Objectives 1, 2 and 4 of the NPS-UD. This is further described within the Planning comments provided as Attachment 1.

**4. Does the Project require any resource consents associated with the construction phases of the Project (ie, water permits and/or discharge permits for the discharge of construction phase groundwater and stormwater) under the Auckland Unitary Plan and/or the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health?**

Based on the information provided, the Project is likely to require a water permit for dewatering and long-term diversion of groundwater, and potentially a discharge permit for discharging contaminants to ground, and a land use consent under the NES:CS for the removal of contaminated soil.

**5. Clarify the impacts of the Project design on the Easement for pedestrians currently registered against the record of title for 6-10 The Strand.**

The proposed design conflicts with the existing pedestrian easement as it seeks to build on this area. The applicant proposes an alternative through-site link on the ground level that does not align with the existing easement area and more significantly, would not provide at-grade access for pedestrians. A detailed history and assessment of the proposed through-site link can be found in paragraphs 12 to 17 of the urban designer's memo in Attachment 1.

**6. Clarify whether the Project would be likely to be notified under standard RMA processes.**

The proposal is likely to be publicly notified under the RMA consenting process due primarily to the significant adverse effects on the adjacent public spaces and the wider Takapuna area and its character.

**7. Clarify the capacity of the existing three waters infrastructure to service the Project.**

The preliminary assessment has identified capacity and infrastructural constraints in water and wastewater servicing and that a major network upgrade is required to accommodate the development. Stormwater runoff can be accommodated by the existing reticulated network.

**8. What reports and assessments would normally be required by the Council for a project of this nature in this area?**

A full list of the technical reporting and assessment that Council would require in assessing this application is included in the planning memo included as Attachment 1.

**9. Do the applicants, or any companies owned by the applicants, have any environmental regulatory compliance history in your region?**

The Council has not identified any environmental regulatory compliance history for the applicant. A review of the compliance history has been undertaken, and the outcome is included in the planning memo as Attachment 1.

I trust the response as outlined above is of assistance. Should you have any queries, please feel free to contact me.

Yours faithfully,

A handwritten signature in blue ink, appearing to read 'Ian Smallburn'.

Ian Smallburn  
General Manager – Resource Consents  
Auckland Council

Enclosed as Attachment 1:

- Comments from asset owners being, Auckland Transport, Watercare, Healthy Waters and Council Parks
- Comments from Council experts for planning, urban design, landscape, contamination, noise, compliance, built heritage, cultural heritage, and heritage arborist
- Comments from Devonport-Takapuna Local Board

Released under the Provision of  
the Official Information Act 1982

## Council officer response to The Strand – Takapuna project

### **6-10 The Strand and 21, 31 and 33-45 Hurstmere Road, Takapuna**

From: Erica Su, Senior Planner, Resource Consents, Auckland Council

Date: 3 September 2021

#### Character, amenity and vitality of Takapuna

I have serious concern of over height buildings being proposed on the subject sites to the extent that it is proposed, noting that the height exceedance is between 10m to 19.4m above the maximum building height of 24.5m, as required by the Takapuna 1 Precinct. This is primarily for the following three reasons and they are so fundamental such that these adverse effects cannot simply be mitigated by good materiality and cladding.

- The Precinct Plan identifies the coastal setting of Takapuna and requires that coastal setting to be respected while quality built environment is enabled which would complement the coastal setting and supports the revitalisation of the beach front environment (I540.1 Precinct description, and I540.2 Objective of the AUP(OP)). It is my view that the proposal detracts from the coastal setting due to the excessive height proposed and the massing is not being appropriately managed. Further details are outlined in the urban design and landscape effects assessment.
- The Precinct Plan also requires that development achieves a sense of place which involves buildings being sympathetic to the natural structure of the bay and headlands, with lower level development on the bay's edge and building heights rising as the land does to maintain the amphitheatre-like form of the bay (as per Policy I514.3(2), Objective H9.2(3), and identified in I540.8.2 Assessment criteria (2)(b)). I consider this stepping height to form part of the receiving environment, albeit in a general sense, and as such, the height exceedance at this location results in a significant effect on the character of the wider precinct as this development will be directly adjoining the beach front.
- The potential amenity effects (visual dominance and shading) on the adjacent beach and reserve areas (I540.8.2(1) as well as the adjacent residents are also of concern. In addition to the extremely high number of car parking spaces proposed and the vehicle access on to The Strand, it further detracts from the amenity of this high quality and popular reserve and also results in safety concern.

The service apartment block to the west also fairly significantly exceeds the maximum building height and while the addition of pedestrian canopies along this frontage is positive compared to previous design, the height exceedance makes the 4m setback above the lower four storeys redundant as the added height will overshadow the street which is what the standard seeks to avoid.

The through site link is not provided at one of the prescribed locations in order to qualify for a 'bonus floor', nor does it align with the existing pedestrian easement registered to the title of 6-10 The Strand. While the through site link standards in the Precinct are not applicable, it does however,



provide a good guideline as to what constitute an appropriate through site link in the context of Takapuna. In this respect, the proposed north-south link does not appear to create a sufficiently direct and logical pedestrian route through the site, and the level changes do not enable at-grade access that will result in some barrier to those with mobility constraints. Pedestrian linkages have important role to play in this context in terms of establishing an attractive place to live, work and visit with vibrant commercial and retail areas as anticipated by the zone (Objective H9.2(7)).

It is also noted that retail and commercial tenancies are located in ground level and a lack of a sensible and logical through-site link does not encourage foot traffic through the site and consequently, the proposal may not generate the economic benefits it claims to provide, particularly by ways of FTE and sales generation.

General Commercial Frontage along Channel View Road are instead proposed to be used for apartments on the ground level. This may compromise the revitalisation of the beachfront environment sought by the Precinct, potentially results in reverse sensitivity effects on the adjacent retail and commercial uses, and does not result in street activation as required by the Metropolitan Zone policy H9.3(19).

With regards to the vehicle access on to The Strand serving the number of car parking spaces proposed, I have serious concern on the adverse amenity and safety effects on the public while using and traveling to and from the beach front, and the effects on the operation of the surrounding roads, particularly given the recent changes on Hurstmere Road now providing only one-way access.

Given the scale of the development and the site's strategic and high-profile location, I consider it appropriate to subject the development to a high standard, as required by zone objective H9.2(5). In my opinion, the proposal has fundamental issues that will require fairly substantial changes in order to result in an appropriate relationship with its surrounds, and meets the objective and policies of the Takapuna 1 Precinct. The development is also the first one of its scale that has been proposed in the Takapuna precinct and has significant impact on the wider area such that it would benefit from public notification and seek comments from the local communities and the wider public.

#### Relevance of National Policy Statement on Urban Development 2020

The NPS-UD came into force on 20 August 2020.

When considering an application for a resource consent and any submissions received, the consent authority must, subject to Part 2 of the RMA, have regard to any relevant provisions of a national policy statement.

Objectives 1, 2 and 4 of the NPS-UD are of potential relevance to the application.

Objective 1 states:

*New Zealand has well functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.*

Objective 2 states:

*Planning decisions improve housing affordability by supporting competitive land and development markets.*

Objective 4 states:

*New Zealand's urban environments, including their amenity values, develop and change over time in response to the diverse and changing needs of people, communities, and future generations.*

The proposal finds some support from these objectives. However, these considerations must be balanced against the existing objectives and policies of the AUP(OP), which form the main planning framework for consideration.

#### List of technical reporting and assessment required

The below is a list of information required, details are included in the various specialist assessments. I note that a number of the technical assessments provided to date, including transport, geotechnical, noise and vibration do not contain the details necessary to enable a comprehensive and robust assessment commensurate to the scale of the proposal and its effects.

- Assessment of environmental effects
- Full sets of drawings including architectural, engineering, landscaping
- Urban design assessment and design statement
- Landscape effects assessment
- Infrastructure report detailing how the development will be serviced by three waters infrastructure and other utilities
- Integrated transport assessment (ITA) with justification on modal splits and the resultant trip generation results
- Comprehensive geotechnical report and groundwater assessment
- Contamination assessment with a detailed site investigation (DSI) and a proposed site management plan (SMP) prepared in accordance with the recently revised Contaminated Land Management Guidelines Nos 1 and 5 (MfE, revised 2021). Assessment against the provisions of chapter E30 of the AUP(OP) is also required.
- Noise and vibration assessment detailing the effects from the construction noise and vibration and a draft construction noise and vibration management plan (CNVMP). A noise assessment on the operational noise and whether there will be reverse sensitivity effects on the adjacent reserve, and existing retail and commercial operators in the surrounds, and proposed
  - Construction management plan – this can include erosion and sediment control measures, any staging of earthworks, and construction traffic management plan
  - Arboricultural assessment
  - Wind assessment
  - Waste management plan
  - Archaeology assessment
  - Evidence of iwi consultation and comments received and a cultural value assessment, if obtained



## Asset Owner and Specialist Input Request Details – Response to an Application to the Expert Panel

<b>From</b>		Planning, North-west Resource Consents		
<b>Date that invitation from MfE was received:</b>	<b>Current Working Days</b>	<b>Brief sent</b>	<b>Asset Owner / Specialist report due</b>	
23/08/2021		24/08/2021	30/08/2021	
<b>Proposal</b>		<p>Proposal is for a large residential mixed-use development comprising 195 apartments with a mix of 30 one-bed, 90 two-bed, 75 three-bed formats and 100 serviced apartments, with pool and/or gym facility and private gardens within a 11-12-storey development, exceeding the 24.5m height limit by 10-17m (approximately 3-5 storeys), excluding rooftop plant. A total of 406 parking spaces are provided in semi basement and basement floors, in addition to cycle parking and storage.</p> <p>Commercial tenancies front Hurstmere Road, Hurstmere Green and face the Rangitoto path, and others are internally focused on to an east-west arcade and a link from Hurstmere Green, via steps, to The Strand where portions of the proposed building front the walkway.</p>		
<b>Site address and Legal Description:</b>		<p>6-10 The Strand, Takapuna, Auckland 0622</p> <ul style="list-style-type: none"> <li>• Lot 12 DP 4872</li> <li>• Lot 13 DP 4872</li> <li>• Lot 14 DP 4872</li> <li>• Pt Lot 15 DP 4872</li> <li>• Lot 16 DP 4872</li> </ul> <p>21 Hurstmere Road, Takapuna, Auckland 0622</p> <ul style="list-style-type: none"> <li>• Lot 1 DP 208645</li> </ul> <p>31 Hurstmere Road, Takapuna, Auckland 0622</p> <ul style="list-style-type: none"> <li>• Pt Lot 4 DP 4872</li> </ul> <p>33-45 Hurstmere Road, Takapuna, Auckland 0622</p> <ul style="list-style-type: none"> <li>• Pt Lot 4 DP 4872</li> <li>• Lot 5 DP 4872</li> <li>• Pt Lot 4 DP 4872</li> </ul>		
<b>Applicant</b>		HND TS Limited, HND MK Limited & HND CB Limited		
<b>Related applications and consents (old Regional Permits, related current consents or applications)</b>		PRR00038283, PRR00035865		
<b>Applicant's stated Activity Status</b>		Restricted Discretionary Activity		
<b>Link to plans and relevant information</b>		<a href="#">Data Box Folder</a>		

### Asset Owner / Specialist Response

**From:** John Stenberg, Principal Urban Designer, Urban Design Unit, Auckland Council

**Date:** 30.08.2021

**Urban Design Comments:**

1. I have reviewed the plans and I consider that the proposal will result in significant adverse effects on the character of Takapuna, in particular the public realm and street amenity of the beachfront precinct, the coastal character, beach, beachfront reserve (Gould Reserve), and the public connection between Hustmere Green, The Strand and Hurstmere Road. The proposal undermines the strategic outcomes and public benefit aspirations relating to beachfront development sites. These aspects are supported by the AUP-OP provisions and articulated in the Takapuna Centre Plan 2014-2044 that was consulted on. Other potential adverse effects would include reverse sensitivity, the reduced opportunity for business activity along the beachfront and impacts on future development opportunities to the west of Hurstmere Road, including reduced returns to development, and increased investment thresholds to overcome the impacts created by additional height and shading.

### Height and Massing

2. I have serious concerns relating to the extent of building height proposed on the subject site, given the proximity to the beach front and the sense of place sought by the Precinct provisions, with lower-level development on the bay's edge and building heights raising as the land rises further west (as per Policy I514.3(2), and Objective H9.2(3)). The height standards for Takapuna progress from 24.5m (beachside sub-precinct A), before stepping up to 36.5m (B) and then an unlimited height in the Sub precinct C (Metropolitan Zone height standard) for the benefit of all. I consider this stepping height to form part of the receiving environment, albeit in a general sense, and as such, the height exceedance at this location would result in a significant effects on the character of the wider precinct.
3. I540.8.2 (2) 'sense of place', requires an assessment of the appropriateness of development to the beach environment, reflecting the bays structure with lower (height) level development on the bay's edge. The AUP-OP recognises in its zonings, that a sense of place is strongly influenced by building heights. Height standards have been developed for the beachfront precincts to provide an environment, in spite of Auckland's temperate climate, that will ensure good levels of access to sun & sky and able to moderate the adverse effects of wind on street environments. Effectively the outcomes attempt to take advantage of these positive qualities to support council's investment in open spaces and business investment in retail/food/beverage activities, even on a sunny winter's day. The resulting environment sought through the provisions of the AUP-OP have a high level of public support, and its implementation is of high interest to the public.
4. The proposal has been to the Auckland Urban Design Panel on two occasions, and while the panel was generally supportive of the development concept, they have not fully accepted the design rational and approach to building design that would provide them with sufficient confidence to support the height proposed.

*"The Panel is supportive of development as permitted by the Unitary Plan and, while cautiously supportive of the proposal, considers that height infringement of this scale requires a more robust design rationale. A clear approach to the proposed overall massing and elevations of the development with a view to expressing greater differentiation of height and proportion across the site is recommended."* (Auckland Urban Design Panel Recommendations – 11.03.2021 Building Height)

*"The Panel is encouraged by the progression of the design with respect to mitigation of the height as proposed. In order to provide further confidence in the additional height, the Panel recommends the following design amendments:*

- *Given the prominence of the south elevation particularly when viewed from Hurstmere Road/Lake Road intersection and the likelihood that this will remain visible for a considerable period of time, a review of the façade strategy is required to address the following concerns and opportunities:*
    - *The lack of differentiation between the elevations on either side of the vertical circulation core.*
    - *The lack of 3-dimensional articulation on the façade behind the heritage building.*
    - *The approach to the fenestration, including the feasibility of windows on the property boundary.*
  - *Greater variety on the Channel View Road elevation to differentiate between the three building elements above the building base.*
  - *Colour/material variation on the Hurstmere Road frontage to better reduce the visual bulk of the building.” (Auckland Urban Design Panel Recommendations – 15.07.2021 Building Height)*
5. The buildings proposed are 10-12 storeys in height and infringe the 24.5m height standard by between 10m and 19.4m, with the proposal being a maximum of 43.9m in height (excluding roof top plant). The building would sit significantly above other development proposed fronting Hurstmere Road, the two-storey former library, and would be a very dominant intrusion, even given future development of the precinct, in relation to the street and intersection of Hurstmere Road and Lake Road. I also consider that the additional height will impose impediments to development of sites on the western side of Hurstmere Road to overcome the effects of additional height and shading of their frontages.
  6. The design of the building, and the facades lack of strong differentiation, and elevation treatment undermine its ability to manage its built dominance, and while the frontage to channel view road has four separated built components, the similarity of these buildings strongly emphasises the horizontal massing in even slightly oblique views, which only serves to exacerbate the dominance of its mass. The grain of commercial development is much finer in relation to Hurstmere Road, the former council building unfortunately ran contrary to this grain and as evident in the photos of Takapuna on page 14 of the Arachnological Assessment (Clough & Associates Ltd) the council building was initially screened by residential development when viewed from Takapuna Beach, and fortunately having been revealed is only two storeys in height.

#### **Street and Public Realm Interface**

7. The proposal responds to the eastern edge of Hurstmere Green and the Rangitoto path running from Hurstmere Green to the beachfront, with retail/commercial tenancies. The building is setback from the northern boundary to comply with the Air and Light easement (C625305.2) which the former North Shore City Council placed on the site, prior to the Council selling the site. The approach to the design of the space between building and the Rangitoto path supports a reasonable level of public amenity. The frontage to Hurstmere Road consists of two retail tenancies, split by an 8m wide arcade entrance leading to an internal atrium and private arcade, providing a very limited ability to engage pedestrians. I do have reservations about the ability of ‘arcade retail’ to work, in the absence of anchors (e.g., car parking) or strong destinations. However, its success or failure does not affect the amenity of the street.
8. This site has a commanding position in relation to the beachfront, and beachfront activities generated by the playground, tables & seating, changing facilities and ramps. The potential to develop a beachfront promenade with retail/commercial tenancies to support pedestrian activity is of considerable interest to the public, and a disappointment to date primarily a consequence of access easements and difficulty in generating a co-ordinated landowner response.

9. The proposed development has a 134m of frontage to The Strand and Channel View Road, only 7m of commercial activity directly addresses the pedestrian footpath on Channel View Road, with a further 25m of commercial frontage between 4-16m away from The Strand's footpath. In my opinion getting the ground level of the building working is fundamental to the public amenity and activity on these streets. I consider that residential ground level activities undermine the use of Channel View Road, and potentially creates reverse sensitivity issues for businesses and reserve use. This has been the case in relation to the Mondesire site further north along Hurstmere Road, and in other primarily residential developments in Auckland's Viaduct. This matter was also of concern to the AUDP.

*"The Panel notes the large number of residential apartments in this development in close proximity to public spaces and non-residential uses (particularly hospitality) and recommends that the applicant considers reverse-sensitivity issues."* (Auckland Urban Design Panel Recommendations – 15.07.2021 Building Height)

10. The metropolitan zone provisions actively discourage dwellings at the ground floor level (Policy H9.3.10) and encourages ground floor premises to be adaptable to a range of uses over time (Policy H9.3. 9). Policy H.9.19 requires those parts of buildings subject to the General Commercial Frontage, which applies to the sites The Strand and Channel View Road frontages, to achieve a reasonable level of activation, building continuity, and pedestrian amenity. The activation of a commercial frontage is more than just entrances to residential buildings, it relates to providing a reason for the public to be present and to engaged with an activity within the development. Channel View Road currently provides for car parking, supporting the beaches use, and a variety of sporting events which take place from Gould Reserve. Reduction in car parking would be considered only if a stronger retail/commercial response to Channel View Road supporting public amenity and activity would eventuate.
11. The developments presentation to The Strand also fails to provide a strong built edged to the street, and while setbacks around the Norfolk Pine are recognised as a necessity to retain protected trees, the space created does not embrace the tree or create a focal point for public use, rather walls and planting are positioned around the tree in a minimal effort to accommodate the tree's functional needs. The remainder of The Strand's frontage is made up of various built elements, ramp to the north south private pedestrian link, walls, steps, paved and planted spaces with any activities contained within buildings somewhat disconnected from the street edge and lacking street presence. Views along the Strand to the beach are not impaired.

#### **Public Realm Connectivity**

12. In 1994 the North Shore City Council sold 6-10 The Strand and at the same time placed a pedestrian easement (ROW) (C625305.4TE) over a portion of the development site in order to create an at-grade pedestrian area between Hurstmere Green and the plaza areas around the Library and Octagonal Building at 1-7 The Strand, that would be delivered once the strand site was redeveloped. The pedestrian ROW easement approximated the area for a plaza space that would meet the requirements for the 'then' bonus provisions set out in section 15.6.2.6 Bonus Provisions for Sub-regional 3 Zone Areas A, B, C, and D the NSCC District Plan. Consequently, no height limit was included over that easement area.
13. Practical arrangements for the present uses were considered in the interim, including car parking and access could be incorporated into the easement arrangements, with the proviso that should the new owners re-arrange vehicle access, parking and turning areas that would be unsuited to the safe transit of pedestrians, the council could construct a pedestrian only footpath on the site along the western boundary.

14. This easement area has always been identified as a linkage and illustrated in this way in the Takapuna Centre Plan 2014-2044. There remains significant interest in this easement area forming part of a well-connected public realm for the beachfront precinct. This pedestrian easement is approximately 10m wide at The Strand frontage, and would be added to by the area around the Norfolk Pine, and then expanding to 14m in width before narrowing to 7m closer to Hurstmere Green. This connecting space continues to be of interest to council as the basis of creating a convenient, seamless, and at-grade linkage for all users between Hurstmere Green and Council's other public open space interests and facilities on 1-t The Strand.
15. I have read the legal opinion by Alexander Dorrington Lawyers and council has sought legal advice in response to Alexander Dorrington Lawyers (para 2.3 & 2.4) contention that recognises the right for construction of a two-meter-wide footpath and that building over the ROW above 2.4m is consistent with previous court decisions. Council initial legal advice maintains that pedestrian ROW covers the entire easement area, even though it allows for vehicle passage and parking, and that no buildings or building structures are to be built on the easement area. The Council also reserves its position in relation to limiting the height of any cantilevered buildings over the easement area, as the circumstances under which the easement was formed and the reduced selling price of the land to Council differs markedly from the normal pedestrian easements considered by the courts.
16. The current easement could be replaced if the performance of an alternative would match or offer similar key attributes of the current easement. This would include.
- Minimising the distance for all pedestrian users, including wheelchair users and those with mobility impairments (noting almost 50% of people over the age of 65 have mobility limitations). Currently the distance between The Strand, adjacent the Norfolk Pine, and Hurstmere Green is approximately 75-80m.
  - Direct line of sight between The Strand and Hurstmere Green that enables good pedestrian judgments to be made about the desirability of using the linkage.
  - Linkage wide enough to offer views along the linkage from public spaces to commercial activities at either end to provide useful passive surveillance. This natural surveillance opportunity could be supplemented by residential traffic to access parking that would assist in bringing evening activity and surveillance to the linkage, and residential apartments overlooking the space.
17. The north-south pedestrian linkage through the development raises concerns.
- The applicant's proposal would increase this distance for wheelchair users by an additional 140-160m or require mobility impaired persons to negotiate 19 steep steps rising approximately 3m from Hurstmere Green to the podium level above the carparking. The AUDP
- "strongly encouraged the delivery of an accessible link in an equitable way to both northern and southern ends to maximise the functionality and convenience of this space". (Auckland Urban Design Panel Recommendations – 15.07.2021 Building Height)*
- The applicant's north-south pedestrian link offers limited overlook from The Strand, and none from Hurstmere Green into the linkage, and while on the surface, commercial activities and retail offers along the linkage sound promising, the lack of visibility into the link remains problematic for commercial exposure, and safety after these activities close.



- The proposed link doesn't create a strong visual link between The Strand and Hurstmere Green

Overall, in my opinion, the effects of the additional height sought across the site have not been appropriately managed, and it is difficult to see the design of the buildings, its façade treatment being capable of mitigating the developments dominant massing in the context of the beachfront environment.

The north-south connection privileges the location of car parking over the provision of an equitable, and convenient pedestrian link, and the relationship of ground level activities to Channel View Road, The Strand undermine street activation and amenity on a highly visible and strategically positioned beachfront site while residential activities at ground floor level opens up reverse sensitivity issues.

#### Further information:

18. The following information would aid in providing a more comprehensive assessment of the proposal and its effects on street amenity.

Additional cross sections at right angles along Channel View Road and The Strand to more accurately account for the street edge condition and relationship between street pavements and built form and associated activities.

More detailed elevation plans at an increased scale to assess the overall approach to street frontages.

Eye-level view (1.6m) from Hurstmere Green looking towards the steps and north-south through-site linkage to gage overlook to the space and legibility of the linkage.

Eye-level view from the Rangitoto Path looking east towards the beach approximately 5-6m east of the entry and steps to the old post office building at 51 Hurstmere Road to understand the view of level changes, spaces and frontages created adjacent the Rangitoto path.

The affects of shading on 'standard' compliant future development facades on the western side of Hurstmere Road to determine the level of additional shading, affect access to sun.

by:	John Stenberg Principal Urban Designer
Date:	30.08.2021



## Asset Owner and Specialist Input Request Details – Response to an Application to the Expert Panel

From		Planning, North-west Resource Consents		
Date that invitation from MfE was received:	Current Working Days	Brief sent	Asset Owner / Specialist report due	
23/08/2021		24/08/2021	xx/08/2021	
<b>Proposal</b>		The proposal is a large-scale mixed use urban development comprising residential, commercial and retail activities in central Takapuna. The development will include approximately 300 apartments in a mixture of studio (serviced apartments), one bedroom, two-bedroom, two bedroom and study, three bedroom, and three bedroom and study configurations, a pool and/or gym facility, private gardens, associated basement vehicle parking and storage, as well as retail and hospitality spaces.		
<b>Site address and Legal Description:</b>		6-10 The Strand, Takapuna, Auckland 0622 <ul style="list-style-type: none"> <li>• Lot 12 DP 4872</li> <li>• Lot 13 DP 4872</li> <li>• Lot 14 DP 4872</li> <li>• Pt Lot 15 DP 4872</li> <li>• Lot 16 DP 4872</li> </ul> 21 Hurstmere Road, Takapuna, Auckland 0622 <ul style="list-style-type: none"> <li>• Lot 1 DP 208645</li> </ul> 31 Hurstmere Road, Takapuna, Auckland 0622 <ul style="list-style-type: none"> <li>• Pt Lot 4 DP 4872</li> </ul> 33-45 Hurstmere Road, Takapuna, Auckland 0622 <ul style="list-style-type: none"> <li>• Pt Lot 4 DP 4872</li> <li>• Lot 5 DP 4872</li> <li>• Pt Lot 4 DP 4872</li> </ul>		
<b>Applicant</b>		HND TS Limited, HND MK Limited & HND CB Limited		
<b>Related applications and consents (old Regional Permits, related current consents or applications)</b>		PRR00038283, PRR00035865		
<b>Applicant's stated Activity Status</b>		Restricted Discretionary Activity		
<b>Link to plans and relevant information</b>		<a href="#">Data Box Folder</a>		

### Asset Owner / Specialist Response

**From:** Gabrielle Howdle, Specialist Landscape Architect, Urban Design Unit, Auckland Council

**Date:** 25.08.2021

#### Landscape Comments:

1. It is my professional opinion that the proposal will result in very high adverse effects on the coastal metropolitan character of Takapuna, will significantly detract from the amenity values

of the landscape, specifically from Takapuna Beach, the bay, Takapuna Reserve, Hurstmere Green and from the centre of Takapuna (intersection of The Strand, Lake Road, Northcroft Street and Hurstmere Road).

2. I am not convinced that the current location and design of massing and height, will achieve the outcomes sought by the Precinct under the Auckland Unitary Plan (Operative in Part); specifically,

*Takapuna Precinct Policy I540.3 (1) – Avoid development that visually dominates or overshadows the beachfront area and esplanade reserve by imposing building height controls and specific design assessment criteria.*

*Policy I540.3 (2) – Require graduation of building heights, including a stepped building height approach between Hurstmere Road and the beachfront, to maintain the beach front environment whilst enabling tall development in less sensitive areas.*

*Policy H9.3 (3) (b) & (c) – Require development to be of a quality and design that positively contributes to the visual quality and interest of streets and other public open spaces and pedestrian amenity.*

*Policy H9.3 (5) – Require large-scale development to be of a design quality that is commensurate with the prominence and visual effects of the development.*

3. The Takapuna Precinct allows for some height in recognition of its underlying metropolitan zoning; however, the precinct is highly influenced by the value of its coastal landscape setting. The height in the precinct responds to this change in character from beach to centre and is stepped away from the coastal edge towards the centre, with the site and much of the sites along the eastern side of Hurstmere Road having a height control of 24.5m, before stepping up to 36.5m and then Unlimited / 72.5m (Metropolitan Zone height standard). In my opinion, this sets out a clear character and built form anticipated within Takapuna which identifies that while height can be accommodated, the more open and natural features (beach, sky, water) are to be retained. The proposal includes buildings up to 12 storeys in height, with a maximum height infringement of **19.4m**, for a maximum height of 43.9m high. This would result in a building of a greater height than the built form that would sit behind it, as such the stepping down to the coast would not be achieved and built form would dominate the interface between beach front and Takapuna.

4. There have been some design changes to the proposal since the Council first saw the project at Pre-Application. These changes were influenced by the comments provided by the Auckland Urban Design Panel and Council Specialists, which included the following:

*“The Panel is supportive of development as permitted by the Unitary Plan and, while cautiously supportive of the proposal, considers that height infringement of this scale requires a more robust design rationale. A clear approach to the proposed overall massing and elevations of the development with a view to expressing greater differentiation of height and proportion across the site is recommended.”- Auckland Urban Design Panel Recommendations – 11.03.2021 Building Height*

*“From an initial review, I hold preliminary concerns that the bulk of the proposed buildings, the interface with the street and public spaces, in combination with the lack of perceptible transition of height from the coast to the centre, that the proposal could have adverse visual amenity, visual dominance and landscape character effects.” – Landscape Comments dated 24.11.2020 – Pre-Application Comments*

5. However, in my view, as evident in the Visual Simulations (specifically VS1D, VS3D, VS4D, VS5D & VS7D), I still retain the view that the height and bulk of the building will have adverse visual

amenity, visual dominance and landscape character effects. I do not agree that the form, bulk, height and architectural finish has successfully alleviated or mitigated the visual dominance effects created by the building when viewed from the surrounding public open spaces, including from The Strand and Hurstmere Road.

While the building has been designed as four separate buildings along Channel View Road, the repetitive proportions of the buildings, materiality finish, limited variation to height and narrow gaps between the building mean that the overall form is not seen as a 'tall tower', to be in keeping with the existing character of Takapuna (e.g., Sentinel Building).

Similarly, when viewed from one of the key intersections in Takapuna (The Strand, Hurstmere, Lake Road and Northcroft Street) where views to the coast are visible, but the area is more influenced by the commercial retail element of Takapuna, the wide institutional bulk, incohesive design to the southern façade of the building appears visually dominant and does not respond to the transitional space of this area (between town and coast).

6. The pedestrian connection to the north of the building between Hurstmere Green and Channel View Road / The Strand is well designed and retains the visual and physical connection between the main street and coast. However, the north south connection through the development is not as successful and I hold concerns as it has not been designed to be universally accessible, doesn't create strong visual link from The Strand to Hurstmere Green, and could result in CPTED issues.
7. Overall, in my opinion, the additional height sought across the site (up to an additional 19.4m) has not been successfully integrated into the design of the building and as a result appears disproportionate, bulky and dominant within the landscape. In my view the development will adversely detract from the landscape character and amenity values of Takapuna for locals and visitors to a very high degree.

#### **Further information:**

8. The following information would aid in providing a more comprehensive assessment of the proposal and its effects on the landscape.
  - A Landscape Effects Assessment, including effects on Natural Character Values / Coastal, visual amenity effects from public places., as well as how the development is in line with the underlying AUP (OP) zone and precinct; including the ratings of the effects.

I note that a Landscape Comment / Summary is provided, however it does not provide an assessment from the viewpoints provided, or provide a rating of effects which would typically be provided to aid decision makers in addressing whether the effects were of a scale that warranted limited or public notification

- Visual Simulations indicating more accurate / realistic building appearance outcomes in terms of the proposed materiality / colour palette
- Clear indication on the elevations and /or visual simulations the permitted massing / height and that which is above the permitted height

- Long Sections - Sections at the wider contextual scale illustrating the building's scale and form relative to existing topography and built form, e.g., a cross-section from the Sentinel to Takapuna Beach.

Request peer reviewed by:	Ainsley Verstraeten Principal Landscape Architect
Date:	25.08.2021

Released under the provision of  
the Official Information Act 1982

**Erica Su**

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**From:** Timothy O'Grady  
**Sent:** Thursday, 2 September 2021 5:02 pm  
**To:** Erica Su  
**Cc:** Amanda De Jong  
**Subject:** Re: COVID Fast Track Application - environmental regulatory compliance history check

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**From:** Tim O'Grady – Principal Specialist Regulatory Compliance

**Date:** 02/09/2021

**Overall Summary:**

Upon request compliance monitoring have looked at the compliance enforcement history of:

*HND TS Limited*

*HND MK Limited*

*HND CB Limited*

I note as the application states, these companies were set up with the purpose of facilitating the Takapuna Project, so as expected there is no enforcement history or action outstanding.

To be thorough I also reviewed the below individuals' and companies' compliance history:

*Sky Cai*

*Si Feng Liu*

*Sunrise Management Limited*

*OakTree Construction Limited*

There are no enforcement actions against any of the aforementioned parties.

There are no significant outstanding compliance concerns for the abovementioned parties that I am aware of.

Ngā mihi | Kind regards

**Tim O'Grady | Principal Specialist Regulatory Compliance**  
**Licensing & Regulatory Compliance**  
Phone (09) 301 0101 | M: s 9(2)(a)  
Auckland Council  
Visit our website: [www.aucklandcouncil.govt.nz](http://www.aucklandcouncil.govt.nz)

## Asset Owner / Specialist Response

**From:** Tessa Craig, Major Developments Interface Lead, Auckland Transport

**Date:** Tuesday 31st August 2021

### Overall Summary:

Thank you for the opportunity to provide comment on the referral of The Strand, Takapuna, for consideration under the COVID 19 Recovery (Fast-track Consenting) Act 2020 (FTCA). Auckland Transport does not currently have enough information to assess the effects of the Project.

The subject site is proposed to be redeveloped to approximately 300 apartments, vehicle parking and storage, and retail and hospitality. The size and scale of the development will therefore be a large trip generator and attractor for the local area.

### Transport Assessment

Auckland Transport requests that, should the Project be accepted for fast track consenting, the full application material include an Integrated Transport Assessment (ITA). The Applicant has proposed to provide an Integrated Transport Assessment, in the 'Transportation Assessment Commentary' dated June 17, 2021 (prepared by Stantec). Auckland Transport requests that should the Project be accepted for fast track consenting, the requirement for an ITA is formally stated in the referral order and therefore must accompany any resource consent application for the Project lodged with the Environmental Protection Authority.

The main objective of an ITA is to ensure that the transportation effects of a new development proposal are well considered, that there is an emphasis on efficiency, safety and accessibility to and from the development by all transport modes where practical; and that the adverse transport effects of the development have been effectively avoided, remedied or mitigated.

The preparation of an ITA seeks to ensure that appropriate thought is given to the zoning, Precinct Plan (Takapuna 1 Sub Precinct A), or land use proposed, so that integrated transport and land use outcomes occur that are in keeping with the intent of the area. Guidance to assist in preparing an ITA is available, along with a draft template, on the Auckland Transport website.

An Integrated Transport Assessment provides a more comprehensive assessment than a Traffic Impact Assessment (TIA), with an emphasis on considering the full range of transport modes. An ITA considers measures to reduce travel demand, how to utilise the existing network more efficiently, encouragement of other modes and then finally adding road capacity as a last resort.

Assessing the full range of transport modes and the utility provided by each mode is crucial in determining the forecast transport effects, by mode, of this development. The most suitable way to determine an appropriate trip rate and modal split for the proposed development, and its proposed uses, is to undertake surveys of similar occupied and operational developments within the vicinity of the site, as the travel behaviours and mode choices would be reflective of such a development in the area, and the feasibility of any proposed modal splits for trips generated.

The ITA should include an assessment of whether the surrounding roading network is able to accommodate the additional traffic volumes generated by the proposed development. A list of intersections to be assessed have been proposed by the applicant, and these are largely agreed to. However, two further intersections are also of interest to determine effects of the proposal and should be included in the assessment. These are:

- Gibbons Road / The Strand; and
- Lake Road / Bloomfield Spa.



Furthermore, thorough assessment of the traffic volumes to be generated is vital to understanding the effects on all users of the street and the various activities expected, to allow for appropriate mitigation as necessary, and to ensure the pedestrian environment remains attractive and safe, as per the policies of the Precinct Plan (Takapuna 1 Sub Precinct A).

It is understood through the Pre-application Resource Consent process the Applicant received Urban Design Panel feedback regarding the site layout and pedestrian environment around the proposed vehicle crossing location on The Strand. This subsequently led to the applicant considering the relocation of the vehicle crossing from what is currently shown in the application material. Only preliminary discussions have been had with the Applicants' Traffic Engineer regarding an alternative location. The pedestrian environment and active modes trips generated by the development and in the surrounding area are a key consideration. Pedestrian safety and active modes should be prioritised to ensure a well-functioning urban environment.

The proposed vehicle crossing as per the lodged documents, or any alternative vehicle crossing location, will require an assessment of the pedestrian environment to ensure it delivers an outcome consistent with the Auckland Transport 'Urban Street and Road Design Guide,' the zoning and Precinct Plan aspirations, and does not conflict with other vehicle crossing locations. Alternative locations along The Strand are considered highly unlikely to be acceptable, due to conflicts with either intersections or other vehicle crossings, and the number of vehicle manoeuvres that will be generated from the site, creating a high-risk profile where pedestrian amenity is vital. The Applicant should explore vehicle access to the site from Channel View Road.

#### Construction Traffic Management Plan

Along with an ITA, Auckland Transport requests that, should the Project be accepted for fast track consenting, the full application material include a draft Construction Traffic Management Plan (CTMP).

The site should as far as reasonably possible, facilitate all construction traffic activities within the site. Where this is assessed by the Applicant to not be possible, and road reserve is requested for construction traffic purposes, it needs to be thoroughly demonstrated that no onsite alternative is available.

The extent of any temporary occupation of road reserve needs to be clearly set out, with details including area requested to be occupied, and the duration of occupation, given this would mean the loss of on-street carparking spaces. Mitigation may be required for any activities displaced from the road reserve area proposed to be occupied. In addition, the Applicant should prepare a Travel Plan for contractors during construction. Added pressure on the existing on-street parking will result of contractors travel to the site via private vehicle.

**Asset Owner and Specialist Input Request Details – Feedback to the Minister for the Environment on consideration of a referral application**

<b>From</b>	Erica Su, Senior Planner, North West Resource Consents		
<b>Date that invitation from MfE was received:</b>	<b>Current Working Days</b>	<b>Brief sent</b>	<b>Asset Owner / Specialist report due</b>
23/08/2021	1	24/08/2021	31/08/2021
<b>Proposal</b>	<p>Construction of a new mixed-use development comprising two buildings up to 12 storeys with an approximate height of 43.6 metres above ground and with up to four levels of basement parking, that will provide 200 new apartment units, 100 serviced apartments and ground level pedestrian through-site links etc. that involves:</p> <ul style="list-style-type: none"> <li>• bulk earthworks, including the disturbance of contaminated soils</li> <li>• discharge of groundwater, stormwater run-off and contaminants to land (these are particularly of interest to me at this stage)</li> <li>• vegetation removal and works within the root zone of a notable tree</li> <li>• groundwater takes and diversion</li> <li>• construction of three water services</li> <li>• development of vehicle and pedestrian access/linkages, loading and parking areas (the number of car parking spaces, and the location of vehicle access are of a significant area of concern)</li> </ul> <p>Land use and subdivision consents, and water permit under the AUP(OP), and land use consent under the NES:CS are sought.</p>		
<b>Site address and Legal Description:</b>	<p>6-10 The Strand, Lot 12 DP 4872, Lot 13 DP 4872, Lot 14 DP 4872, Pt Lot 15 DP 4872, Lot 16 DP 4872                  21 Hurstmere Road, Lot 1 DP 208645                  31 Hurstmere Road, Pt Lot 4 DP 4872                  33-45 Hurstmere Road, Pt Lot 4 DP 4872, Lot 5 DP 4872, Pt Lot 4 DP 4872</p>		
<b>Applicant</b>	HND TS Limited, HND MK Limited, HND CB Limited		
<b>Related applications and consents (old Regional Permits, related current consents or applications)</b>	<p>No applications or consents appear to be relevant to this specific proposal.</p> <p>The applicant has first engaged council for pre-application meeting, reference PRR00035865 in October 2020. The discussions to date have been primarily on the design, landscape effects, and pedestrian through-site links. The applicant has also held separate pre-application engagement with Auckland Transport.</p>		

<b>Link to plans and relevant information</b>	<div data-bbox="609 222 1312 296" data-label="Text"> <p>s 9(2)(a)</p> </div> <div data-bbox="609 338 1312 405" data-label="Text"> <p>This link is provided by the MfE, please let me know in the first instance if you have difficulty accessing this.</p> </div>
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#### Asset Owner / Specialist Response

**From:** Amir Karimi, Development Engineer, Watercare

**Date:** 31 August 2021

#### Overall Summary:

No infrastructure report, engineering plans, capacity assessment, fire/water supply-demand, or information on wastewater flow and connection points were provided as part of this application.

Based on very limited data provided, Watercare has completed a very high-level assessment for the proposed development at 6-10 The Strand and 21, 31, and 33-45 Hurstmere Road in Takapuna. The proposal is for 300 apartments with a mixture of studio (serviced apartments), one-bedroom, two-bedroom, and study, three-bedroom, and three-bedroom and study configurations, a pool and gym facility, private gardens, as well as retail and hospitality spaces.

The proposed development is likely to exceed the capacity of some sections of the existing public water network. The applicant will be responsible for upgrading the network infrastructure. More detailed information is required to assess the exact impact of the development on the network and the extent of upgrades required.

Based on the information available, there are some potential capacity constraints in the downstream local wastewater network. The developer needs to undertake an asset survey to confirm the network capacity. If there are capacity constraints, the network will need to be upgraded at the developer's cost.

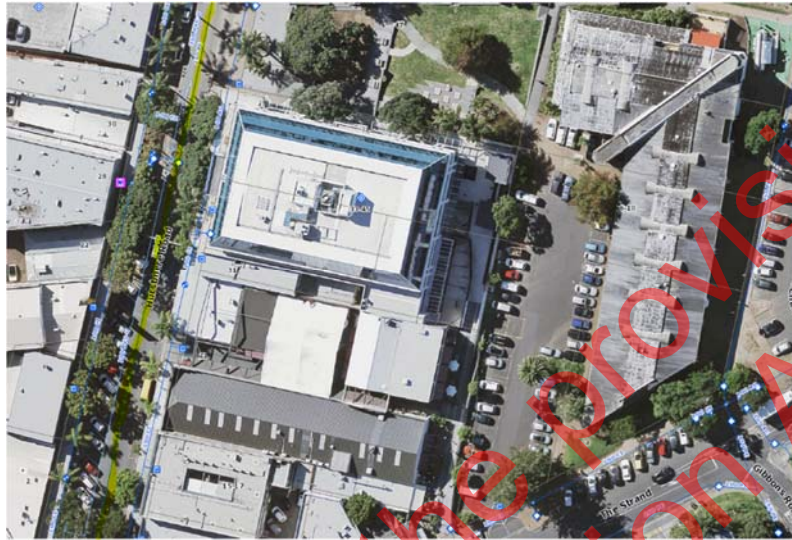
Based on the assumption that the connections for the development are made from the 100mm CI on The Strand (south) and 100mm CI Hurstmere Road (west), an upgrade would be required, as shown below. The single 100mm CI crossing the intersection with Lake Road, The Strand and Hurstmere Road would exceed capacity and require upgrading.

Currently, it is not identified if a sprinkler is to be installed. Therefore any sprinkler would need to be incorporated within the assessment for determining the watermain upgrade sizing and any further upgrade requirements. This could include the two 100mm sections along The Strand and Hurstmere Road.

It is to be noted that there is an existing 250PE watermain located on Hurstmere Road, which could be an opportunity for connecting any sprinkler supply and possible part of the development demand (western buildings). Due to the size of this development, it would not be excepted that the entire development is connected to this pipe as a single connection due to resilience/maintenance considerations along with part of the development already fronting The Strand. It is understood that this road has been re-developed in the past years already. However, these options could be discussed would need to be discussed with Watercare.



**Figure 2: 250PE Watermain along Hurstmere Road**



### **Wastewater Network**

Based on the information available, there is a potential pipe capacity constraint due to very flat pipe gradients located between MH GIS ID 412389 and GIS ID 412391 and needs to be investigated further. The developer requires to undertake a survey of this section of pipe and provide a capacity assessment to confirm there is available network capacity in the local network. Based on assessments done for other developments in the area, a network upgrade is likely to be required.

**Asset Owner and Specialist Input Request Details – Feedback to the Minister for the Environment on consideration of a referral application**

<b>From</b>	Erica Su, Senior Planner, North West Resource Consents		
<b>Date that invitation from MfE was received:</b>	<b>Current Working Days</b>	<b>Brief sent</b>	<b>Asset Owner / Specialist report due</b>
23/08/2021	1	24/08/2021	31/08/2021
<b>Proposal</b>	<p>Construction of a new mixed-use development comprising two buildings up to 12 storeys with an approximate height of 43.6 metres above ground and with up to four levels of basement parking, that will provide 200 new apartment units, 100 serviced apartments and ground level pedestrian through-site links etc. that involves:</p> <ul style="list-style-type: none"> <li>• bulk earthworks, including the disturbance of contaminated soils</li> <li>• discharge of groundwater, stormwater run-off and contaminants to land (these are particularly of interest to me at this stage)</li> <li>• vegetation removal and works within the root zone of a notable tree</li> <li>• groundwater takes and diversion</li> <li>• construction of three water services</li> <li>• development of vehicle and pedestrian access/linkages, loading and parking areas (the number of car parking spaces, and the location of vehicle access are of a significant area of concern)</li> </ul> <p>Land use and subdivision consents, and water permit under the AUP(OP), and land use consent under the NES:CS are sought.</p>		
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<b>Applicant</b>	HND TS Limited, HND MK Limited, HND CB Limited		
<b>Related applications and consents (old Regional Permits, related current consents or applications)</b>	<p>No applications or consents appear to be relevant to this specific proposal.</p> <p>The applicant has first engaged council for pre-application meeting, reference PRR00035865 in October 2020. The discussions to date have been primarily on the design, landscape effects, and pedestrian through-site links. The applicant has also held separate pre-application engagement with Auckland Transport.</p>		



<b>Link to plans and relevant information</b>	<div data-bbox="582 241 1332 318" style="background-color: #cccccc; padding: 2px;">s 9(2)(a)</div> <p>This link is provided by the MfE, please let me know in the first instance if you have difficulty accessing this.</p>
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### Asset Owner / Specialist Response

**From:** Mark Iszard, Growth and Development Manager, Health Waters

**Date:** 30 August 2021

#### Overall Summary:

The site is well serviced for stormwater infrastructure and is not affected by significant flood hazards. Currently the site is nearly fully developed with impermeable surfaces and as such we would not anticipate any additional SW effects from the site that could not be managed via the current Auckland Unitary Plan framework and Regional Stormwater Network Discharge Consent.

There are opportunities to incorporate water sensitive design elements such as water quality treatment or reuse into the design to reflect the developments location adjacent to one of Auckland's premier beaches.

Released under the Official Information Act 1982

**Parks Asset Owner and Specialist Input Request Details – Feedback to the Minister for the Environment on consideration of a referral application**

<b>From</b>	Erica Su, Senior Planner, North West Resource Consents		
<b>Date that invitation from MfE was received:</b>	<b>Current Working Days</b>	<b>Brief sent</b>	<b>Asset Owner / Specialist report due</b>
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<b>Applicant</b>	HND TS Limited, HND MK Limited, HND CB Limited		
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<b>Link to plans and relevant information</b>	<p>s 9(2)(a)</p> <p>This link is provided by the MfE, please let me know in the first instance if you have difficulty accessing this.</p>		

## Parks Asset Owner / Specialist Response

**From:** Hester Gerber, Parks Planning Team Leader

**Date:** 31.08.2021

### Overall Summary:

#### Background information:

The site is within the Business - Metropolitan Centre Zone, and Takapuna 1 sub-precinct A and adjoins Hurstmere Green. There is a pedestrian easement in favour of Auckland Council recorded against the record of title for 6-10 The Strand, Takapuna, in conjunction with the indicative through site access link provided for by I540.10.3 of Takapuna 1 Precinct plan 3.

#### Positives of application

From the site context and concept design provided by the applicant it can be determined that the proposal will provide passive surveillance to Hurstmere Green and Takapuna Beach Reserve.

#### Key Issues from a Parks Planning Perspective

The key issue with the project going through the COVID-19 Recovery Act 2020 fast track consenting process is the potential for inappropriate development adjoining public open space and impact on pedestrian connectivity between open spaces. There is a risk that the impacts of the development on public open space are not adequately assessed, resulting in a detrimental impact on the ability to use this space. Issues of particular concern noted from the information provided, and that would not normally be supported from a Parks Planning perspective, are:

- The extent of shading and dominance generated by the development upon both Hurstmere Green and Takapuna Beach Reserve, two important public spaces within Takapuna.
- The extent to which public access is maintained via Hurstmere Green though to Takapuna Beach Reserve.
- The impact on the safety and amenity of public open spaces.

#### Parks Planning information, reports, and assessment requirements:

- a) subdivision plans identifying whether there will be public access easements provided to allow public access through the site to reserves, as recorded against the record of title for 6-10 The Strand, Takapuna, in conjunction with the indicative through site access link provided for by I540.10.3 of Takapuna 1 Precinct plan 3.
- b) landscape plans sufficiently detailed to properly assess how the current pedestrian easement will be upheld and any proposed assets in the accessway or any public open space.
- c) planting plans with a schedule of species to understand the extent of mitigation from the bulk and dominance, as well as appropriateness from a CPTED perspective, i.e retaining open sightlines.
- d) consideration of a body corporate or other management structure plan for the maintenance of the pedestrian easement and private open space.
- e) consideration of whether the easement and any private assets will be appropriately managed by a private entity such as an incorporated society and that suitable instruments can be put in place to deal with liabilities and its ongoing maintenance.
- f) proposal to inform and update the community on the use and responsibilities associated with the private open space.
- g) consideration of additional impacts the proposal will put on nearby parking and other infrastructure at the Takapuna Beach Reserve.

- h) consideration of the impacts the proposal will have on traffic and access to Hurstmere Green and Takapuna Beach Reserve during construction.

This would provide Council with the means to determine factors such as:

- Whether the impact on Hurstmere Green is acceptable from a crime prevention through environmental design (CPTED) perspective.
- Whether the pedestrian connectivity from Hurstmere Green to Takapuna Beach Reserve will be appropriately upheld and delivered.
- Whether the interfaces between the development, Hurstmere Green and the pedestrian easement are appropriate.
- Whether the increase in vehicles to the site would impact upon public ability to access and use Hurstmere Green and Takapuna Beach Reserve.
- Whether planting is appropriate adjoining public open space or within public easements. Council has significant experience in this area as an asset owner and promotes species which provide attractive streetscapes but species which are also suitable from a maintenance perspective and are practical in their chosen location e.g. will not hinder the sight lines of pedestrians or reduce usability of footpaths over time.
- Whether the development would have an adverse impact on the use and enjoyment of the public open space in the locality.
- Whether any aspects of the design would require the approval of the Local Board or Governing Body to accept any proposed assets as delegated decision makers.
- Whether access ways to parks and reserves are suitable from a crime prevention through environmental design (CPTED) perspective. This includes assessing building interface and boundary treatments adjoining parks and park accessways to ensure appropriate passive surveillance over these areas is provided. Accessway widths and gradients are also important for the safe movement of walkers and cyclists.
- Consideration of whether the private assets/ access easements will be appropriately managed by the private entity.

#### **Overall position of Parks Planning**

Overall, it is considered that measures will need to be put in place under the COVID-19 Recovery Act 2020 fast track consenting process to ensure Council is able to provide sufficient input to decisions around the impact of development on public open spaces. This is to ensure public open spaces remain safe with appropriate access and that the impacts upon open space are consistent with those that have gone through a normal resource consent process.

#### **Conclusion**

Should the EPA decide to allow the development to go through the Covid-19 Fast Tack process, it is recommended that the proposal address all information requirements from a Parks perspective supplemented by a suitable assessment for the matters of concern.



**Prepared by:**

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**Ashleigh Richards,**

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***Senior Parks Planner  
Parks, Sports and Recreation***



**Parks Agency Lead:**

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***Hester Gerber  
Parks Planning Team Leader  
Parks, Sports and Recreation***

Released under the provision of  
the Official Information Act 1982

## Erica Su

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**From:** Andrew Gordon  
**Sent:** Wednesday, 1 September 2021 7:16 am  
**To:** Erica Su  
**Subject:** RE: noise - FW: COVID Fast Track Application Referral - High Level Review Only PRR00038283

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hi Erica,

I have reviewed the application and specifically the acoustic report dated 9 June 2021 by SLR Consulting NZ Ltd (SLR) in regard to a proposed mixed use development comprising residential, commercial and retail activities.

I confirm there are no "red flag" issues.

The key issues in regard to AUP (OP) E25 Noise and vibration are:

- 1) Construction noise (Standard E25.6.28)
- 2) Construction vibration (Standard E25.6.30 (1))
- 3) Operational noise (Standard E25.6.8)
- 4) Internal noise transmitted through common building elements (Standard E25.6.9)
- 5) Internal noise in noise sensitive spaces from external activities (Standard E25.6.10)

SLR do not specifically identify issues in regard to item 4 which relates to noise transmitted between units, for example, retail to residential and retail to commercial. This Standard must be included in the detailed acoustic assessment mentioned below.

In regard to the construction stage (items 1 and 2), as indicated by SLR, noise and vibration during the Stage 1 works (i.e. basement excavation, retaining, foundation works) is expected to exceed permitted standards. Accordingly, a preliminary assessment is required to identify proposed construction methodologies and equipment expected to be used. The assessment must also include predicted noise and vibration levels, specific management and mitigation measures to demonstrate adoption of the "best practicable option" and an assessment of associated effects. A draft Construction Noise and Vibration Management Plan is recommended.

In regard to operational noise (items 3, 4 and 5), acoustic matters must be considered in the site, building and mechanical plant preliminary and detailed design stages. Providing acoustic matters are managed properly I do not anticipate any practical difficulties with the proposal complying with permitted standards. A detailed acoustic assessment is required which must include:

- a description of anticipated retail and commercial activities and associated sound data
- examples of suitable inter-tenancy constructions
- examples of suitable façade constructions
- confirmation the acoustic façade design is based on the maximum permitted noise levels for the Metropolitan Centre Zone
- mechanical ventilation and/or air conditioning of all noise sensitive spaces
- specific noise management and mitigation measures for retail/commercial activities

Overall, with good acoustic design I expect effects: -

- 1) during the construction stage can be managed to a reasonable level
- 2) operational noise can be controlled to comply with permitted standards
- 3) noise transmitted through common building elements can be adequately mitigated to comply with permitted standards
- 4) noise received within noise sensitive spaces (from external activities) can be adequately mitigated to comply with permitted standards
- 5) reverse sensitivity effects will be avoided and/or adequately mitigated (i.e. residential activities would not unduly constrain lawfully established business activities)



**From:** CANconsents  
**Sent:** Monday, 30 August 2021 1:57 pm  
**To:** Erica Su  
**Subject:** RE: contam - FW: COVID Fast Track Application Referral - High Level Review Only PRR00038283

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hi Erica,

Thanks for sending this through. I haven't reviewed a fast track application before so I hope I've done it right. Please let me know if you would like more detail, or comments on any specific matters.

Based on the information in the proposal I understand that the proposal is to construct a multi-storey mixed-use development at 6-10 The Strand and 21, 31, and 33-45 Hurstmere Rd in Takapuna. The applicant has submitted a contamination assessment ('CA') prepared in respect of the National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health ('NES:CS').

The CA makes the following recommendations;

- The existing site has not been subject to activities which are listed on the Hazardous Activities and Industries List (HAIL). However the existing buildings may have lead based paints or asbestos containing material. Where degradation of these materials results in soil contamination which exceeds the relevant human health-based criteria then it is considered to fall under HAIL item I.
- Preliminary soil sample testing did not detect any asbestos.
- Some samples contained lead at concentrations (42 – 320 mg/kg) above the naturally occurring background level (65 mg/kg), but below the human health-based criteria for high-density residential land use (500 mg/kg).
- The CA states that the site's topsoil will be excavate and disposed of due to it's geotechnical unsuitability.
- The CA states that the proposal requires a Controlled Activity consent under regulation 9 of the NES:CS subject to the preparation of a Detailed Site Investigation (DSI) and Site Management Plan (SMP).

Based on my review of the proposal and CA I have the following comments;

- Subject to the provision of a DSI and SMP I agree that the proposal can comply with the Controlled Activity provisions in regulation 9 of the NES:CS.
- The DSI and SMP must be prepared in accordance with the recently revised Contaminated Land Management Guidelines No.s 1 and 5 (MfE, revised 2021). In particular, the SMP will set protocols and procedures for minimising adverse effects from disturbing soil with low levels of contaminants. Additionally, the SMP will ensure that soil containing low levels of contaminants will be disposed at suitable fill facilities which are consented to accept the levels of contaminants identified.
- The CA has not assessed the proposal against the provisions of chapter E30 of the Auckland Unitary Plan (operative in part). I note that one sample returned a lead result (320 mg/kg) greater than the Permitted Activity soil acceptance criteria in chapter E30 (250 mg/kg). On this basis the provisions of E30 may apply if the volume of contaminated soil is greater than 25 m<sup>3</sup>. If the volume of contaminated soil exceeds 200 m<sup>3</sup> then a consent may be needed. As above, a DSI and SMP will largely ensure compliance with the relevant Controlled activity standards in E30.6.2.

Contaminated soil poses a risk to human health and the environment if soil disturbance works and disposal are not managed appropriately. I consider that adherence to a certified SMP during the earthworks will adequately control discharges of contaminants and minimise the risk of adverse human or environmental effects.

**Erica Su**

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**From:** West Fynn  
**Sent:** Friday, 27 August 2021 1:31 pm  
**To:** Erica Su  
**Subject:** FW: COVID Fast Track Application Referral - High Level Review Only PRR00038283  
**Attachments:** The Strand - Consultation Letter - Auckland Council.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hi Erica

Thank you for your time for a chat relating to this proposal.

From my understanding, at this stage you are seeking higher level comments relating towards the validity of the proposed development as a fast track application and more specifically relating to the notable Norfolk Island Pine at the front of the street.

1398 Araucaria heterophylla Norfolk Island Pine 1 The Strand 6-10 Takapuna Pt Lot 15 DP 4872

My first issue is that between the landscaping and architectural plans there seems to be some discrepancies with the layout of the access ways around the notable tree and these need to be consistent to get a clear idea of what is proposed.

I do not have an issue with the general layout footprint of the proposal in terms of encroachment on the tree is the proposed permeable area below the tree which appears to be proposed to be slightly increased in permeable area and provided that area is to be subjected to minimal grade changes and ameliorated to improve growing conditions through the addition of a thin layer of quality topsoil and organic wood mulch, as proposed in the supporting arborist assessment.

I would like to see a plan of the proposed development overlaid on the existing site conditions and also a detailed plan of the proposed earthworks in proximity to the notable tree.

Finally, it would be good to get an up to date arborist assessment of the proposed works including a TMP Tree Management Plan including detailed conditions relating to construction methodologies and appropriate control measures such as isolation fencing, root treatment, earthworks, reinstatement, pruning practices etc. These methodologies and recommended conditions are essential for me to make an assessment and ultimately to ensure the ongoing retention and good health of the subject notable tree and that it is not adversely effected as a result.

With the above details rectified and provided satisfactorily, it is my professional opinion that the proposal could be assessed on a fast track basis and likely supported from my perspective..

Happy to discuss further.

Cheers

**West Fynn | Senior Heritage Arborist**

**Heritage**

**Plans and Places**

**Chief Planning Office**

**Auckland Council**

Mobile s 9(2)(a)

Auckland Council, Level 24, 135 Albert St

# Memo

To : Erica Su, Senior Planner, Northwest Resource Consents Tracey Grant, Principal Project Lead, Premium Resource Consents

From: Mica Plowman, Principal Heritage Advisor – Cultural Heritage Implementation, Heritage Unit

Date: 26/08/2021

**Subject:** PRR00038283 6-10 The Strand, 21, 31, 33-45 Hurstmere Road Takapuna. Application under COVID-19 Recovery (Fast-track Consenting) Act 2020. Proposal to construct a new mixed-use development comprising two buildings up to 12 storeys with an approximate height of 43.6 metres above ground and with up to four levels of basement parking, that will provide for some 300 apartments and commercial uses. Feedback to the Minister for the Environment on consideration of a referral application.

**Note:** This memo is for internal use only.

## 1. Cultural Heritage Implementation Team's assessment

- 1.1. Thank you for requesting that the Cultural Heritage Implementation Team review PRR00038283, fast track application under the COVID 19 Recovery Act 2020 for development at 6-10 The Strand, 21, 31, 33-45 Hurstmere Road Takapuna.
- 1.2. The application area has not been visited. Without a site visit occurring, the results provided by Clough and Associates June 2021<sup>1</sup> are taken in good faith.
- 1.3. The proposed works, as described in the archaeological assessment provided with the application and supporting documentation, do not effect scheduled archaeological sites in Schedule 14.1 (Schedule of Historic Heritage) in the Auckland Unitary Plan Operative in part (updated 20 May 2021) [AUP OIP].
- 1.4. No sites are recorded on the New Zealand Heritage List/Rārangi Kōrero for the application area.
- 1.5. The proposed development site at 6-10 The Strand and 21-45 Hurstmere Road does not contain any known archaeological sites and therefore has no known archaeological value or significance. No sites have previously been recorded within its boundaries and if any were once present, they are unlikely to have survived the extensive 20th century development across the application properties.
- 1.6. The archaeological assessment concludes that the proposed development will not affect any known archaeological sites relating to Maori or early European settlement and is very unlikely to affect unrecorded subsurface archaeological remains. Therefore, no specific fast

<sup>1</sup> Proposed Development at 6-10 The Strand and 21, 31 And 33-45 Hurstmere Road, Takapuna, Auckland: Archaeological Assessment Prepared for HND TS Limited, HND CB Limited And HND MK Ltd By Clough And Associates Limited (S. Macready and J. Low ) June 2021.

track consent conditions relating to archaeology, or an archaeological authority under the HNZPTA (2014) are required.

- 1.7. The very low possibility that archaeological remains may be exposed by future development is provided for under the AUP OP Accidental Discovery Rule (E12.6.1)
- 1.8. Archaeological sites are subject to additional rules to manage activities that have the potential to adversely affect archaeological values, such as land disturbance, or disturbance of the foreshore and seabed. The AUP OIP Accidental Discovery Rule [ADR] is a district / regional rule and provided for in Chapter E11.6.1 and E12.6.1. The rule is there to protect presently unknown archaeological, cultural and natural values that may be discovered when works or development is undertaken. The ADR is an integrated single set of rules that are applicable to any type of discovery.
- 1.9. The ADR rule states that despite any other rule in the AUP OIP permitting earthworks or land disturbance or any activity associated with earthworks or land disturbance: in the event of discovery of sensitive material which is not expressly provided for by any resource consent or other statutory authority<sup>2</sup>, the standards and procedures set out in this rule must apply.
- 1.10. For this rule 'sensitive material' means:
- a) Human remains and kōiwi.
  - b) An archaeological site.
  - c) A Māori cultural artefact/taonga tūturu.
  - d) A protected New Zealand object as defined in the Protected Objects Act 1975 (including any fossil or sub-fossil).
  - e) Evidence of contaminated land (such as discolouration, vapours, asbestos, separate phase hydrocarbons, landfill material or significant odour).
  - f) A lava cave greater than 1m in diameter on any axis.
- 1.11. It is important to note that archaeological / historic heritage sites (such as WW1 or WW2 military camps) that do not meet the definition of archaeological site in the AUP OIP or meet the definitions provided in the Protected Objects Act 1975 are not covered by the ADR and additional management processes need to be considered where there is reasonable to cause to suspect the presence of these sites.
- 1.12. As the ADR is a district / regional rule that requires adherence or compliance it does not need to be included as a condition, but it is recommended that an advice note drawing attention to it is included within any granted consent. An advice note to this effect is recommended in section 2.
- 1.13. As both the Heritage New Zealand Pouhere Taonga Act 2014 and the Protected Objects Act 1975 have a direct relevance to archaeological sites and artefacts, it is recommended that two advice notes drawing attention to these acts are also include within any granted consent. Advice notes to this effect are recommended in section 2.

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<sup>2</sup> For example, if an Authority was granted under the Heritage New Zealand Pouhere Taonga Act 2014 any archaeological sites or land parcel not expressly provided for on the Authority would default to the ADR process.

- 1.14. In reviewing the Assessment of Environmental Effects and supporting documentation the proposed conditions and advice notes in section 2 will minimise the potential effects on known archaeological sites within the application area to give effect to s6 (f) of the RMA.

## 2. Conditions and advice notes

- 2.1. Where the planner supports the resource consent application and the possible granting of resource consent under s104 of the RMA, the Cultural Heritage Implementation Team recommends that the condition and advice notes described in this section are specified in the resource consent.

- 2.2. The following advice notes are recommended:

- Accidental Discovery Rule

*Should the proposed earthworks result in the identification of any previously unknown sensitive materials (i.e., archaeological sites), the requirements of land disturbance - District Accidental Discovery rule [E12.6.1] set out in the Auckland Unitary Plan Operative in part (updated 20 May 2021) shall be complied with.*

- Heritage New Zealand Pouhere Taonga Act 2014

*The Heritage New Zealand Pouhere Taonga Act 2014 (hereafter referred to as the Act) provides for the identification, protection, preservation and conservation of the historic and cultural heritage of New Zealand. All archaeological sites are protected by the provisions of the Act (section 42). It is unlawful to modify, damage or destroy an archaeological site without prior authority from Heritage New Zealand Pouhere Taonga. An Authority is required whether or not the land on which an archaeological site may be present is designated, a resource or building consent has been granted, or the activity is permitted under Unitary, District or Regional Plans.*

*According to the Act (section 6) archaeological site means, subject to section 42(3) –*

*any place in New Zealand, including any building or structure (or part of a building or structure), that –*

- 1) was associated with human activity that occurred before 1900 or is the site of the wreck of any vessel where the wreck occurred before 1900; and*
- 2) provides or may provide, through investigation by archaeological methods, evidence relating to the history of New Zealand; and*
- 3) includes a site for which a declaration is made under section 43(1).*

*It is the responsibility of the consent holder to consult with Heritage New Zealand Pouhere Taonga about the requirements of the Act and to obtain the necessary Authorities under the Act should these become necessary, as a result of any activity associated with the consented proposals.*

*For information please contact the Heritage New Zealand Pouhere Taonga Archaeologist - 09 307 0413 / [archaeologistMN@historic.org.nz](mailto:archaeologistMN@historic.org.nz).*

- Protected Objects Act 1975

*Māori artefacts such as carvings, stone adzes, and greenstone objects are considered to be tāonga (treasures). These are taonga tūturu within the meaning of the Protected Objects Act 1975 (hereafter referred to as the Act).*

According to the Act (section 2) taonga tūturu means an object that –

- (a) relates to Māori culture, history, or society; and
- (b) was, or appears to have been –
  - (i) manufactured or modified in New Zealand by Māori; or
  - (ii) brought into New Zealand by Māori; or
  - (iii) used by Māori; and
- (c) is more than 50 years old.

The Act is administered by the Ministry of Culture and Heritage. Tāonga may be discovered in isolated contexts but are generally found within archaeological sites. The provisions of the Heritage New Zealand Pouhere Taonga Act 2014 in relation to the modification of an archaeological site should be considered by the consent holder if tāonga are found within an archaeological site, as defined by the Heritage New Zealand Pouhere Taonga Act 2014.

It is the responsibility of the consent holder to notify either the chief executive of the Ministry of Culture and Heritage or the nearest public museum, which shall notify the chief executive, of the finding of the taonga tūturu, within 28 days of finding the taonga tūturu; alternatively provided that in the case of any taonga tūturu found during the course of any archaeological investigation authorised by Heritage New Zealand Pouhere Taonga under section 48 of the Heritage New Zealand Pouhere Taonga Act 2014, the notification shall be made within 28 days of the completion of the field work undertaken in connection with the investigation.

Under section 11 of the Act, newly found taonga tūturu are in the first instance Crown owned until a determination on ownership is made by the Māori Land Court. For information please contact the Ministry of Culture and Heritage - 04 499 4229 / [protected-objects@mch.govt.nz](mailto:protected-objects@mch.govt.nz).

### 3. Contact for further information

3.1. Mica Plowman, Principal Heritage Advisor: Cultural Heritage Implementation,  
s 9(2)(a)



**Erica Su**

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**From:** Rebecca Fox on behalf of Heritage Consents  
**Sent:** Monday, 30 August 2021 1:22 pm  
**To:** Erica Su  
**Subject:** RE: COVID Fast Track Application Referral - High Level Review Only PRR00038283  
**Attachments:** PRR00038283\_Red flag checklist\_template-Heritage.docx

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hi Erica,

I have reviewed this application. Red flag checklist attached, and my comments below:

Key Heritage Issues

The project is located immediately adjacent to the former Takapuna Library at 2 The Strand, which is scheduled in the Auckland Unitary Plan as a Category B place. The former library is architecturally significant as an important work of post-war Modernist architecture by notable architects Bartlett & Bartlett, and has historical and social significance for its function as a major public building and the first purpose-built public library in Takapuna.

There has been no information or consideration of the impact that this proposal might have on the built heritage values of this scheduled place, yet this proposal does include some potential sources of adverse effects on heritage.

The proposed development is large, and while it is located outside the scheduled 'extent of place' it will still cause a major change to the setting of the heritage building and may even touch the heritage building at the rear. Given that the development is so substantial and so close to the heritage building, the relationship between the new development and the scheduled heritage building seems worthy of consideration and analysis. More detail about how the new building adjoins the heritage building is also needed.

A development of this scale in such close proximity (from the plans provided, looks like within 1m?) of a scheduled historic heritage place has the potential to cause damage to the heritage building during construction. In particular, piling works, excavation, and truck/crane movements can undermine a nearby heritage structure through vibration, dewatering, collisions, etc. This can usually be avoided through careful construction management techniques that specifically take account of the heritage building, but this has not been provided so the potential for damage still exists.

Further information required

- Close-up plans and especially sections showing the interface between the new development and the scheduled former Takapuna Library. The library is not shown on the application plans, which makes it difficult to ascertain the relationship particularly at the rear of the library (southern boundary of the project site).
- Consideration of impacts on future maintenance of the rear façade of the heritage building (i.e. will there be enough room to maintain the heritage fabric?)
- Information about construction management methods that will protect built heritage. In particular, what methods will be used to combat vibration and dewatering effects caused by piling works and excavation?

Best,  
Rebecca

**Rebecca (Fogel) Fox | Team Leader, Built Heritage Implementation Team**  
**Heritage Unit | Plans & Places | Chief Planning Office**  
Mobile s 9(2)(a)  
Auckland Council, 135 Albert Street - Level 24, Auckland Central  
Visit our website: [www.aucklandcouncil.govt.nz](http://www.aucklandcouncil.govt.nz)

## **Devonport-Takapuna Local Board**

### **Feedback on the COVID-19 Fast Track application for apartments at 6-10 The Strand, 21 Hurstmere Road, 31 Hurstmere Road, and 33-45 Hurstmere Road, Takapuna, Auckland**

#### **Introduction**

1. The Devonport-Takapuna Local Board (the local board) welcomes the opportunity to provide feedback and comment towards the COVID-19 Fast Track application for apartments at 6-10 The Strand, 21 Hurstmere Road, 31 Hurstmere Road, and 33-45 Hurstmere Road, Takapuna, Auckland 0622 (the project).
2. This feedback has been prepared and approved by local board member Trish Deans and deputy chair Jan O'Connor as the delegated lead and alternate for commenting on Covid Recovery Fast Track Consenting applications. Due to the size and scale of the project, all local board members have provided input and feedback and this submission reflects a majority view.
3. The local board and Auckland Council are an affected party as both an adjoining landowner and Auckland Council being the dominant owner in two easements.
4. This document provides feedback on the following areas:
  - the project being considered through the COVID-19 Recovery (Fast-track Consenting) Act 2020
  - feedback on significant issues associated with the project
  - other relevant matters.

#### **The project being considered through the COVID-19 Recovery (Fast-track Consenting) Act 2020**

5. The local board does not support the application being considered through the COVID-19 Recovery (Fast-track Consenting) Act 2020 (the Fast-track Act) for the following reasons:
  - it a legislative tool to progress projects of regional or national importance, rather than local projects of this scale
  - the same benefits (i.e. employment opportunities and increased housing supply) can be achieved through the Resource Management Act 1991 (RMA) process
  - the Fast-track Act and its processes do not include any opportunity for public consultation.
6. The local board believes that the key goals of the Fast-track Act in generating employment and increasing housing supply will be met by an application which complies with existing provisions of the Auckland Unitary Plan (AUP).

The local board also notes that there are already a number of other major, and similar, developments already underway through the RMA process in the Takapuna Metropolitan Centre and nearby which will fulfil the employment and housing outcomes of the Fast-track Act including multiple 9-storey mixed use apartment and commercial blocks in an Auckland Council/Panuku development at 38 Hurstmere Road and 40 Anzac Street, the 231-apartment Amaia project in Esmonde Road (900m away), and the 1300-apartment development allowed under AC Plan Change 23 at Smales Farm (2.3km away). There are also multiple smaller-scale apartment buildings currently under construction and in the consenting stages in and around the Takapuna Metropolitan Centre.

The local board also notes that, while this development will provide additional dwellings, the higher-than-average housing prices in the Devonport-Takapuna Local Board area coupled with the development's location next to one of New Zealand's most beautiful beaches and the popular Takapuna shopping centre will mean that this development will not meet the areas of highest need (i.e. first home buyers and young families).

7. The local board notes that there are already concerns around the availability of building materials and a shortage of skilled tradespeople, and that fast-tracking this development ahead of very similar projects nearby could have the unintended consequence delaying or jeopardising those projects.
8. The local board considers that section 23(2)(b) of the Fast-track Act should be applied, and this application should be considered through the RMA.
9. The local board supports this application being considered through the RMA because the proposal to significantly exceed the height allowed on these sites would trigger a publicly notified process that allows public input and comment. That notification will also allow public input on a range of other aspects of this application.
10. The local board is concerned that the Fast-track Act does not include any public consultation in its processes. The local board area is a highly engaged and active community, and there is a reputational risk to both the Ministry for the Environment (MfE) and the applicant should this project, which significantly exceeds permitted limits, be progressed with no opportunity for public comment.
11. The local board believes that public consultation should be undertaken prior to the detailed design and project delivery phases, to ensure the applicant fully understands the concerns from the local community.
12. Should the Minister refer the project to an expert consenting panel, the local board strongly urge the panel to request the applicant to undertake public consultation to enable community input.
13. The local board believes that the proposed height, bulk and dominance of the buildings are of great concern, and we expect greater emphasis to be placed on the form and function of the public realm in order to minimise the negative impacts of the proposed buildings.
14. The local board notes that while the proposed height for the buildings meets the National Policy Statement on Urban Development (NPS-UD) standards, it significantly exceeds the existing Auckland Unitary Plan (AUP) height limits. The local board considers that this application must be considered under the existing AUP and should not pre-empt the due process of plan changes to the AUP which may be contemplated in the future.
15. The local board notes with concern that there is a significant risk of setting a precedent should this development be approved in its current form, which significantly exceeds the provisions of the AUP. The project is the first major development to be undertaken in the Takapuna town centre's Sub-precinct A and will significantly change the character and amenity of the Takapuna town centre. It is therefore important that community's views be given due consideration.
16. The local board notes the comments by Auckland Council planners that the building height proposed in this development would trigger public notification in an application through the RMA and considers that the Fast-track Act should be utilised for public projects serving the greater public good, rather than as a tool for impatient developers to progress private projects.
17. This project proposes a significant variance to two easements in which Auckland Council is the dominant owner, a process which must be allowed to go through due and proper legal investigation and process, which should not be pre-empted by a fast-tracked consent. The local board has not yet had the opportunity to seek legal advice on this issue. The local board requests that no physical barrier be imposed to prevent or interfere with free passage of pedestrians, as set out in paragraph 6 of the easement 1994.
18. The local board notes that in Mr Yaxun Zhang's 13 July 2021 letter, which is attached to the application as 57.10 Appendix C3, Mr Zhang notes that none of his three companies have any prior construction history in New Zealand. The local board asks if the Minister of expert consenting panel would have sufficient information to assess the applicant's history of environmental regulatory compliance, as required under Section 23(5)(f) of the Fast-track Act.
19. The local board has concerns around a number of aspects of this application, which we believe would be best resolved by considering this project through the RMA process enabling in-depth input from council subject matter experts, and public notification, and therefore leading to better outcomes. These include:
  - the proposed height, bulk, and dominance of the buildings
  - the proposal to move a public access easement
  - the size and scale of the development

- the importance of achieving high quality design and urban outcomes
- the impact on neighbouring parks, reserves, and other public realm spaces and the need to integrate well with these spaces.

These will be explored in detail in the section headed “Feedback on significant issues associated with the project”.

## Feedback on significant issues associated with the project

20. The local board also believe that the proposed height, bulk and dominance of the buildings will have a more than minor effect, and the adverse effects will outweigh any presumed benefits of the project in terms of importance.

AUP Takapuna 1 Precinct clearly establishes a hierarchy of building heights for the Takapuna Metropolitan Centre Zone, with lower buildings at the beachfront (Sub-precinct D 12.5m, and Sub-precinct A 24.5m) which rise amphitheatre-style through to taller buildings in the commercial centre (Sub-precinct B 36.5m, and Sub-precinct D unlimited). These key policies of the AUP build on the principles established in the 2014 Takapuna Centre Plan, and give strong direction that urban intensification must complement rather than visually or physically dominate the natural environment and public realm spaces.

The proposed development significantly diverges from the planned urban form for Takapuna in seeking a height of 43.7 metres (12 storeys), which is nearly double its AUP Takapuna Precinct 1 Sub-precinct A zoning of 24.5m.

The effect of such a significant height infringement will be to undermine the planned form for Takapuna and the planned balance between urban form and natural environment.

The cumulative effect of the height, bulk, and dominance of the buildings will have a more than minor effect. It will dominate the reserves and coastal environment and lack connection with them, interfere with public realm, and will lack human scale.

21. The local board requests the applicant give due consideration the [Takapuna Centre Plan](#), which is the local board’s strategic document to guide the Takapuna town centre over the next 30 years . While the centre plan is not a binding document, it features several key outcomes which relate to the project. These include:

- The Beachfront (page 25): the local board supports the centre plan’s intention to create a high-quality connection between Hurstmere Green through to Channel View Road and on to Takapuna Beach. The local board has concerns that the proposal in this application does not meet those intentions.
- The Streets (page 28): the local board requests that the design, form and function of project’s public realm spaces are consistent with urban design outcomes and streetscape upgrades detailed in council projects being undertaken in the area. These include the Hurstmere Road upgrade and the design for a new town square. Both projects draw upon:
  - Takapuna’s unique location to both the beach and Lake Pupuke, and subsequently both designs are influenced by water elements
  - Maori urban design principles and the cultural history associated with the area.

22. The local board notes its particular concerns with the height, bulk and dominance of all the proposed buildings. The buildings will have a negative impact on the visual amenity of the Takapuna Beach Reserve, which is one of the local board’s premier open spaces. The reserve hosts events (local and international) throughout the year and attracts locals and visitors to enjoy the beach and its associated assets such as the playground.

The local board is also significantly investing in the area by delivering a new toilet block and changing rooms (which includes a Changing Places disability toilet and changing facility) and additional disability play equipment. The local board do not want to see this investment negatively affected by the size and scale of the proposed building which is adjacent to Channel View Road.

The local board notes the provisions of AUP section “I540 Takapuna 1 Precinct” – in particular:



- policy I540.3 (1) Avoid development that visually dominates or overshadows the beachfront esplanade by imposing building height controls and specific design assessment criteria”;
  - policy 1540.3 (2) Require a graduation of building heights, including a stepped building height approach between Hurstmere Road and the beachfront, to maintain the beachfront environment whilst enabling tall development in less sensitive areas;
  - the assessment criteria in I540.8 including sense of place, human scale, and being “sympathetic to the natural structure of the bay and headlands, with lower-level development on the bay’s edge and building heights rising as the land does to maintain the amphitheatre-like form of the bay”.
23. The local board notes concern that the number of cars proposed for the project may have a significant impact on the local roading network and its ability to operate effectively. The Strand and its connecting roads, Gibbons Road and Blomfield Spa, are neighbourhood streets and are not designed for significant volumes of traffic. Auckland Council has made a significant investment in rebuilding Hurstmere Road into a pedestrian and cycle-friendly area with one-way traffic flows. The local board requests that the applicant undertake additional traffic modelling with Auckland Transport to ensure The Strand, Hurstmere Road and connecting streets have the capacity to meet the increase demand proposed from this project.
  24. The local board also requests the applicant work with Auckland Transport to ensure any safety and amenity concerns on The Strand, Channel View Road and Hurstmere Road are addressed and mitigated based on the increased traffic.
  25. The local board supports the project having suitable parking provision for apartment owners, as this will avoid their vehicles being parked on local roads and creating further strain the local roading network.
  26. The local board reiterates its view that any variance to the two easements must be given sufficient time to undertake proper legal investigation and process, which should not be pre-empted by a fast-tracked consent. The local board has not yet had the opportunity to seek legal advice on this issue. The local board requests that no physical barrier be imposed to prevent or interfere with free passage of pedestrians, as set out in paragraph 6 of the easement 1994.
  27. The local board considers that the information provided in the application regarding the easements is insufficient and does not meet the requirements of clause 23(5)(a) of the Fast-track Act to provide adequate information, and that this in itself is grounds for the Ministry to decline the application.
  28. The local board supports the council’s staff concerns regarding the proposed changes to the location, dimensions and land area of the easements.
  29. The local board do not support the north-south easement being incorporated into any of the proposed buildings, which:
    - will not be open to the sky as it will be partially covered by building overhangs
    - will not create a high-quality and safe connection from The Strand to Hurstmere Green
    - will have poor visibility and sight lines from The Strand to Hurstmere Green
    - will not create easy accessibility or universal access outcomes, as the proposed new easement ends abruptly at a point roughly five metres above Hurstmere Green
    - which proposes to utilise Hurstmere Green as part of creating the new north-south easement, which the local board does not support. Rather, the local board consider that the new easement should have the same dimensions as the existing one and be incorporated alongside, not into Hurstmere Green.
  30. The local board has the following concerns with the proposed west-east easement from Hurstmere Green to Channel View Road:
    - that the proposed width is inadequate and does not meet the outcomes outlined in the Takapuna Centre Plan (page 26 and 27)
    - that it does not adequately realise or achieve the intended sightline from Hurstmere Road through to Rangitoto (known as the Rangitoto axis)
    - that the proposal may reduce the land area of the existing easement.
  31. The local board notes concern that the project’s construction phase will create displacement and disruption in the Takapuna town centre, which will likely have an impact on local businesses. The town

centre has already experienced disruption from COVID-19 lockdowns, the Hurstmere Road upgrade and the construction of the Toka Puia carpark. Further disruption is also expected when construction of the new town centre starts in January 2022.

In addition, the local board note that building an underground carpark will create noise, vibration and dust related issues. These issues may have an impact on local businesses and affect the amenity of Takapuna Beach Reserve and the town centre in general.

32. The local board request greater detail on the proposed sustainability outcomes of processing construction waste.
33. The local board request that the design of all the proposed buildings minimise the impact of shading on Hurstmere Green, Takapuna Beach Reserve and beach, as well as other public realm spaces.
34. While it is noted that the project can connect with existing stormwater and wastewater infrastructure networks, the local board are concerned that size of the buildings may produce greater stormwater run-off on to Takapuna Beach. The beach is an active coastal environment and may be negatively impacted without the appropriate stormwater infrastructure. The local board requests further modelling to determine if the project may have any stormwater run-off issues at Takapuna Beach.

### **Other relevant matters**

35. The local board acknowledges that the National Policy Statement on Urban Development (NPS-UD) allows “at least six storeys”, and this is greater than the current AUP height provisions for the Takapuna metro centre. However, any consent should be assessed against the existing AUP provisions, not the NPS-UD. The local board consider that it would be presumptuous for this application to be assessed without fully understanding how the NPS-UD will impact Auckland’s town centres and neighbourhoods, and prior amending the current AUP.



# 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.*

<b>Organisation providing comment</b>	Auckland Transport
<b>Contact person (if follow-up is required)</b>	Tessa Craig, Major Developments Interface Lead
	s 9(2)(a)
	Private Bag 92250, Auckland 1142

## Comment form

Please use the table below to comment on the application.

<b>Project name</b>	The Strand, Takapuna
<b>General comment</b>	<p>Thank you for the opportunity to provide comment on the referral of The Strand, Takapuna for consideration under the COVID-19 Recovery (Fast-track Consenting) Act 2020 (FTCA).</p> <p>Auckland Transport does not currently have enough information to assess the effects of the Project.</p>
<b>Other considerations</b>	<p>Takapuna is one of Auckland's metropolitan centres, having a role/function as a commercial, cultural and social focal point for the region and, more specifically, the North Shore sub-region. The subject site is located within the core of the centre, with The Strand being one of the main pedestrian environments, running parallel to both the beach and Hurtsmere Road where amenities are located. The site provides a valuable and recognised pedestrian connection within Takapuna via the existing public access arrangements. Walking and cycling are an important part of Takapuna's future, and part of a well-functioning urban environment.</p> <p>The subject site is proposed to be redeveloped to approximately 300 apartments, vehicle parking and storage, retail and hospitality. The size and scale of the development will, therefore, be a large trip generator and attractor for the local area.</p> <p><u>Pedestrian connectivity</u></p> <p>Careful consideration of any changes to the current easements through the site are needed. This development should continue to provide an appropriately legible access as a public space and as a connection, which is CPTED friendly (Crime Prevention Through Environmental Design) and an accessible and open through way, with appropriate lighting and being free of clutter and obstructions. Way finding signage is important in such situations. It is not currently clear that the proposed arrangement achieves all these outcomes.</p> <p><u>Transport Assessment</u></p> <p>Auckland Transport requests that, should the Project be accepted for fast track consenting, the full application material include an Integrated Transport Assessment (ITA). The Applicant has proposed to provide an Integrated Transport Assessment as noted in the 'Transportation Assessment</p>

Commentary' dated June 17, 2021 (prepared by Stantec). Auckland Transport requests that should the Project be accepted for fast track consenting, the requirement for an ITA is formally stated in the referral order to accompany any resource consent application for the Project lodged with the Environmental Protection Authority.

The main objective of an ITA is to ensure that the transportation effects of a new development proposal are well considered, that there is an emphasis on efficiency, safety and accessibility to and from the development by all transport modes where practical; and that the adverse transport effects of the development have been effectively avoided, remedied or mitigated.

The preparation of an ITA seeks to ensure that appropriate thought is given to the zoning, Precinct Plan (Takapuna 1 Sub Precinct A), or land use proposed, so that integrated transport and land use outcomes occur that are in keeping with the intent of the area. Guidance to assist in preparing an ITA is available, along with a draft template, on the Auckland Transport website.

An ITA provides a more comprehensive assessment than a Traffic Impact Assessment (TIA), with an emphasis on considering the full range of transport modes. An ITA considers measures to reduce travel demand, how to utilise the existing network more efficiently, encouragement of other modes and then finally adding road capacity as a last resort.

Assessing the full range of transport modes and the utility provided by each mode is crucial in determining the forecasted transport effects, by mode, of this development. The most suitable way to determine an appropriate trip rate and modal split for the proposed development, and its proposed uses, is to undertake surveys of similar occupied and operational developments within the vicinity of the site, as the travel behaviours and mode choices would be reflective of such a development in the area, and the feasibility of any proposed modal splits for trips generated.

The ITA should include an assessment of whether the surrounding roading network is able to accommodate the additional traffic volumes generated by the proposed development. A list of intersections to be assessed have been proposed by the applicant, and these are largely agreed to. However, two further intersections are also of interest to determine effects of the proposal and should be included in the assessment. These are:

- Gibbons Road / The Strand; and
- Lake Road / Bloomfield Spa.

Furthermore, thorough assessment of the traffic volumes to be generated is vital to understanding the effects on all users of the street and the various activities expected, to allow for appropriate mitigation as necessary, and to ensure the pedestrian environment remains attractive and safe, as per the policies of the Precinct Plan (Takapuna 1 Sub Precinct A) and the Auckland Unitary Plan.

It is understood that through the Pre-application Resource Consent process the Applicant received Urban Design Panel feedback regarding the site layout and pedestrian environment around the proposed vehicle crossing location on The Strand. This subsequently led to the Applicant considering the relocation of the vehicle crossing from what is currently shown in the application material. Only preliminary discussions have been had with the Applicant's Traffic Engineer regarding an alternative location.

The pedestrian environment and active modes trips generated by the development and in the surrounding area are a key consideration. Pedestrian safety and active modes should be prioritised to ensure a well-functioning urban environment. The proposed vehicle crossing as per the lodged documents, or any alternative vehicle crossing location, will require an assessment of the pedestrian environment to ensure it delivers an outcome consistent with the Auckland Transport 'Urban Street and Road Design Guide' in the Auckland Transport Design Manual, the Unitary Plan, zoning, and

	<p>Precinct Plan aspirations, and that it does not conflict with existing vehicle crossing locations serving other sites. Alternative locations along The Strand are considered highly unlikely to be acceptable, due to conflicts with either intersections or other vehicle crossings, and the number of vehicle manoeuvres that will be generated from the site, creating a high-risk profile where pedestrian amenity is vital. The Applicant should explore vehicle access to the site from Channel View Road.</p> <p><u>Construction Traffic Management Plan</u></p> <p>Along with an ITA, Auckland Transport requests that, should the Project be accepted for fast track consenting, the full application material include a draft Construction Traffic Management Plan (CTMP).</p> <p>The site should as far as reasonably possible, facilitate all construction traffic activities within the site. Where this is assessed by the Applicant to not be possible, and road reserve is requested for construction traffic purposes, it needs to be thoroughly demonstrated that no onsite alternative is available.</p> <p>The extent of any temporary occupation of road reserve needs to be clearly set out, with details including area requested to be occupied, and the duration of occupation, given this would mean the loss of on-street carparking spaces and potential impacts on the pedestrian network. This will require Auckland Transport's approval. Mitigation may be required for any activities displaced from the road reserve area proposed to be occupied for construction purposes. In addition, the Applicant should prepare a Travel Plan for contractors during the construction period to address any added pressure on the existing on-street parking that may result from contractors travelling to the site via private vehicle.</p> <p>It is also noted that, subject to confirmation from Watercare, that an existing water supply pipe running beneath the Lake Road/Hurtsmere Road/ The Strand intersection may require upgrading. All work in the road reserve shall be carried out in accordance with the general requirements of The National Code of Practice for Utility Operators' Access to Transport Corridors <a href="http://nzuaug.org.nz/national-code/ApprovedNationalCodeFeb13.pdf">http://nzuaug.org.nz/national-code/ApprovedNationalCodeFeb13.pdf</a> and Auckland Transport Design Manual <a href="https://at.govt.nz/about-us/manuals-guidelines/transport-design-manual/">https://at.govt.nz/about-us/manuals-guidelines/transport-design-manual/</a>. Prior to carrying out any work in the road corridor, the applicant shall submit to Auckland Transport a Corridor Access Request (CAR) and temporary traffic management plan (TMP), the latter prepared by a Waka Kotahi NZ Transport Agency qualified person and work shall not commence until such time as the applicant has approval in the form of a Works Access Permit (WAP).</p>
<b>[Insert specific requests for comment]</b>	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.

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