

## **Appendix B** Waka Kotahi response to Auckland Council comments on the Stage 1B1 Papakura to Drury Fast Track Application FTC000015

For clarity the following paragraphs use the numbering contained in the Auckland Council written comment dated 24/9/21.

### **1. Notices of Requirements**

Auckland Council – Plans and Places have expressed their interest in further opportunities to provide feedback on the proposal and conditions relating to the notices of requirement, prior to a formal decision. Waka Kotahi note under clause 36(1), schedule 6 of the Covid Recovery (Fast Track Consenting) Act 2020 that the Panel must provide a copy of, and invite comments on, draft conditions, from every person or group that provided comments in response to an invitation given under clause 17(2).

Waka Kotahi will consider amendments to the lodged proposed condition set (Appendix W of the Assessment of Effects on the Environment) to provide additional clarity to Auckland Council where it has been sought, regarding the management of potential adverse effects associated with the Stage 1B1 Project works.

### **2. Arboriculture**

To ensure the management of vegetation removal and works within the dripline of trees is undertaken in an appropriate manner, and in accordance with the intent and provisions of the Auckland Unitary Plan (Operative in Part) Waka Kotahi will consider amendments to the lodged proposed condition set (Appendix W of the Assessment of Effects on the Environment) with respect to works supervision and pest plant removal.

### **3. Archaeology**

Proposed condition HH.1 requires the preparation of a Historic Heritage Management Plan, to be prepared in consultation with various parties, including Auckland Council. An objective of the management plan is to identify, investigate, monitor and record specific areas affected by the Project. Waka Kotahi consider condition HH.1 sufficiently covers the requirement for monitoring of historic heritage such that specifically nominated sites do not require inclusion in the condition as requested by Auckland Council.

Waka Kotahi will consider amendments to the lodged proposed condition set (Appendix W of the Assessment of Effects on the Environment) in respect of the requirement for a historic heritage post completion report on the Project.

### **4. Contaminated Land**

#### ***Consent under Rule E.30.4.1(A7) and duration of consent***

Waka Kotahi acknowledge a resource consent under AUP rule E30.4.1(A7) as a Discretionary Activity is required. It is noted Table 4 of Appendix M Rules Assessment of the Assessment of Effects on the Environment correctly identifies this in the comments section, but contains a typo in the reference column of the table and incorrectly refers to rule (A6). This error has been carried across to section 3.1 of the Assessment of Effects on the Environment.

Waka Kotahi confirm a duration of five years is considered acceptable for consent to discharge contaminants into air, water and land during the disturbance of the site.

#### ***Recommended Conditions***

Waka Kotahi acknowledge the Auckland Council request for amendments to the proposed conditions and will consider amendments to the lodged proposed condition set (Appendix W of the Assessment of Effects on the Environment) in respect of contaminated land. It is noted, however that Waka Kotahi do not consider it appropriate to condition the requirement for a Detailed Site Investigation. The Contaminated Soils Management Plan will contain

an appropriately higher degree of management methods if information from a Detailed Site Investigation is not available.

## 5. Noise and Vibration

Waka Kotahi acknowledge the Council confirmation that additional noise mitigation measures are not required and that construction noise and vibration effects can be adequately controlled through the imposition of the proposed conditions.

## 6. Earthworks and Streamworks

[refer also **Appendix B.1**, prepared by Bioresearches Ltd]

### ***Jesmond Road Bridge***

The Bioresearches memorandum at Appendix B.1 confirms the existing physical environment at Jesmond Bridge as some salt marsh, occasional mangroves and remnant erosion control works. There are no works at Jesmond Bridge that are within wetlands or within 10m of wetlands that are subject to the NES-F regulations. The works will not result in complete or partial drainage of these estuarine wetlands as the hydrology of the wetland is from the large catchment and the tidal waters.

### ***Ponded area/wetland at Karaka Reserve***

The Bioresearches memo confirms the potential for the pond as a significant habitat is poor. It's current habitats are highly variable in both form and function having been subject to high high level of disturbance by previous works. Although they meet the technical definition of a wetland with the majority of the vegetation exotic pest plant species the ecological value of the vegetation was assessed under the EIANZ criteria as negligible. The primary matters for discretion, and that make the works discretionary, are vegetation clearance and earthworks within, or within 10m of a natural wetland; and complete or partial drainage of the wetland.

No significant indigenous vegetation is present or will be lost through the activity, and no significant indigenous fauna have been observed or are expected to present at the site. The works batters will result in the loss of the majority of the pond.

### ***Culverts 14D, 14E, and 14F***

The Bioresearches memo confirms the baseline for assessment of these culvert works was the resource consent approved for the project Stage 1A works (BUN60351085). For the Stage 1B1 works the level of ecological effect at each of these culverts is Very Low, based on the consented baseline of the extension of the culverts over rip-rap, and the total lack of ecological connectivity within the fully piped networks upstream of the sites. The short extensions of the three pipes were not assessed as having significant residual adverse effects on ecological function or biodiversity. Mitigation has been proposed in the form of planting. The threshold for offset mitigation has not been met and as such none is proposed.

## 7. Ecology

[refer also **Appendix B.1**, prepared by Bioresearches Ltd]

Bioresearches confirm the level of effects was assessed as Very Low or Low for the aquatic habitats, with appropriate mitigation of effects proposed and consequently offset has not been recommended.

It is noted a Lizard Management Plan has been recommended. Waka Kotahi will consider amendments to the lodged proposed condition set (Appendix W of the Assessment of Effects on the Environment) in respect of streamworks and ecology.

## 8. Engineering

Waka Kotahi will consider amendments to the lodged proposed condition set (Appendix W of the Assessment of Effects on the Environment) in respect of the requirement for ensuring the stability of adjoining the Project works.

Waka Kotahi acknowledge the Council confirmation that the proposed stormwater treatment is appropriate and that engagement with the Council has been undertaken throughout the concept design process.

## 9. Auckland Council Parks and Planning

### ***Bremner Esplanade Reserve***

Waka Kotahi confirm some vegetation removal will be required to enable the demolition and re-construction of the Jesmond Bridge (which includes pedestrian and cycle facilities). There is no proposed reduction of esplanade reserve. The proposed designation boundaries enable sufficient space for construction of the Project works to be undertaken. Proposed condition GC.2 states the Requiring Authority shall give notice to the Council under section 182 of the Resource Management Act 1991 for removal of those parts of the designation not required for ongoing operation, maintenance or mitigation of the effects of the Project.

### ***Drury Sports Complex***

Waka Kotahi confirm no acquisition of the Drury Sports Complex is proposed. Works will be required at the northern extent of the reserve to facilitate the raising of Bremner Road and re-construction of Jesmond Bridge. Waka Kotahi acknowledges there is vegetation on the Drury Sports Complex site and refers to proposed conditions AB.1 and AB.2 lodged with the application (Appendix W of the Assessment of Effects on the Environment) confirming appropriate management of protected vegetation will be undertaken during the construction works. As above, the proposed designation reflects the area necessary to enable the construction of the Project, with rationalisation of the designation addressed via proposed condition GC.2.

Waka Kotahi acknowledge land owner approval will be required prior to construction works commencing on Auckland Council reserves and that tree owner asset approval is required before vegetation on reserves can be undertaken.

### ***Hingaia Stream Esplanade Reserve***

Waka Kotahi note Figure 3, page 26 of the Auckland Council Parks and Planning written comment identifies esplanade reserves outside the geographic area of the Stage 1B1 application. No works are proposed in the areas denoted on Figure 3.

Figure 4, page 26 on the Auckland Council Parks and Planning written comment correctly identifies the extent of NoR 1 adjacent to the Hingaia Stream esplanade reserve. There are, however, no works proposed in the reserve. Purchase of land in support of providing access to a currently land locked esplanade reserve is not within the scope of the Project.

### ***Karaka Reserve***

Waka Kotahi will continue engagement with Auckland Council regarding the partial acquisition of Karaka Reserve. It is noted the residual land will maintain it's current zone until such time as this is altered via a plan change to the AUP.

## 10. Auckland Transport

### ***SH1 Bremner Road Overbridge and Jesmond Bridge replacements construction traffic effects***

Waka Kotahi acknowledge the Auckland Transport comments with respect to full and partial closure of Jesmond Bridge over Ngakoroa Stream (Bremner Road) and the potential impact on the local road network condition and public transport routes. Waka Kotahi will continue to investigate construction methodologies for the demolition and re-construction of Jesmond Bridge. Engagement with Auckland Transport will continue in this regard. It is noted a Construction Traffic Management Plan is required by proposed condition CT.1 and that the preparation of this management plan is to be undertaken in consultation with Auckland Transport.

### ***Effects of the proposed land requirement on the local road network***

Waka Kotahi acknowledge the Auckland Transport comments with respect to the operational effect of works enabled by the Notice of Requirement. The proposed designation boundaries enable sufficient space for construction of the Project works to be undertaken. Proposed condition GC.2 states the Requiring Authority shall give notice to the Council under section 182 of the Resource Management Act 1991 for removal of those parts of the designation not required for ongoing operation, maintenance or mitigation of the effects of the Project.

In regard to the sites at 31-37 Bremner Road the Project has been future proofed to accommodate future Auckland Transport works in this location that will result in four laning of Bremner Road.

### ***Stormwater – Jesmond Bridge Design***

The Jesmond Bridge design has involved the consideration of freeboard requirements for the bridge in a 1 in 100 year flood event. This work has identified that in order to achieve a freeboard of 0.6m, complying with the Waka Kotahi Bridge Manual, the bridge would need to be raised by at least 2.3m. It is noted that the bridge deck itself is above the flood level in a 1 in 100 year flood. The design will accommodate flood loading and as such, collapse during a design flood event will be avoided. Raising the bridge further is constrained by the following:

- Work required beneath the Transpower overhead lines in this location necessitating possible relocation of the lines to allow construction and piling activities at the western abutment.
- Possible additional fill embankments in the Coastal Marine Area (CMA, to the north) and Significant Ecological Area (SEA, to the south). Fill embankments may require ground improvement requirements, adding to construction complexity and cost.
- Significant increase in tie -in lengths for the vertical geometry and increased construction costs.

On the basis of the above Waka Kotahi consider the risk of bridge failure in a 1 in 100 year flood is low and the while the adverse flooding effect has not been avoided entirely, it has been mitigated to the extent practicable.

It is noted the bridge level is consistent with the road levels identified in the Drury Arterials Network: Jesmond Road to Waihoehoe West FTN Upgrade NoR D2.

### ***Stormwater – Detailed design of stormwater devices***

Waka Kotahi acknowledge Engineering Plan Approval will be required for construction of assets which are to be vested in Auckland Transport and agrees with the proposed advice note.

### ***Recommended Conditions***

Waka Kotahi will consider amendments to the lodged proposed condition set (Appendix W of the Assessment of Effects on the Environment) in respect of construction traffic effects as suggested by Auckland Transport.

### ***Transpower Notice of Requirement***

Waka Kotahi acknowledge the Auckland Transport comment in respect of the Transpower tower relocation application.

## **11. Watercare Services Limited**

Refer **Appendix A**.