

26 March 2026

Helen Atkins
Panel Convenor
c/- Environmental Protection Authority
email: info@fasttrack.govt.nz

Kia ora Helen,

NORTH WEST RAPID TRANSIT [FTAA-2511-1146]

Further to the Directions at para [15] in your Minute #2 dated 16 March 2026, I have discussed the matters outlined in Schedules 1 and 2 with Louise Barclay and Jo Hart (Senior Policy Planners dealing with the NoRs) and Celia Wong (Senior Planner dealing with the Resource Consent applications) and the following is our collective response.

From the outset we would just like to make it clear that we are very supportive of this project and are committed to working through the issues outlined in our response to the Schedule 2 matters with NZTA, none of which are seen as 'show-stoppers.'

Schedule 1 - Participants' estimated timeframe

We strongly recommend that all timeframes that are not prescribed in the Fast Track Approvals Act 2024 (FTAA) be extended to the maximum possible for the reasons outlined in response to the matters raised in Schedule 2.

The key reason being that this is a massive project scheduled to be completed over a period of up to 25 years and involving 12 Notices of Requirement (NoRs) and multiple resource consents across a site that stretches from Brigham Creek in the west through to the Auckland CBD, a corridor some 20kms in length.

Schedule 2 – Matters to consider when preparing for conference

Approvals

12 NoRs are sought for seven bus stations and five corridors between them.

8 Resource Consents for regional activities have been applied for, although more may be required as further details are provided at each stage of development. Those applied for include consents for regional land use activities, structures and works in the bed of a watercourse, a water permit for the dewatering and diversion of groundwater, a discharge permit for stormwater and coastal permits for structures, disturbance and vegetation clearance.

Complexity

NoRs

The project includes matters of evidentiary and factual complexity as outlined in clause [2](d)-(e) of Schedule 2 such as the following:

- Number and extent of designations sought, and the risk of under-assessment of sections of the alignment
- Opposing specialist views of a technical nature
- The requirement to carefully manage extensive amounts of information across multiple reports and emails, including expert opinion in specialised fields, and which may include opposing specialist views of a technical nature
- No condition 1 for the NoRs. While this approach is agreed with in principle, the Council Planners consider the basis for this as described in the Applicant's Legal Submission (paras 115–125) is somewhat challenged by the approach to “streamlined” conditions, as described in paragraph 12 of the Legal Submission. Overall, it results in a vague “effects envelope”, and significant information to be provided at the time of Outline Plan of Works. We consider there are conditions usually anticipated on a designation that should be proposed to address adverse effects on the environment

To evidence the above (without limiting the council's right to respond to any future invitation under s53 of the FTAA) the following features of this complexity are noted:

- Pre-lodgement engagement: while Section 6.3.1.1 of “Part 2 - The Project” outlines a summary of key stakeholder engagement with Auckland Council, noting the provision of specialist reports ahead of lodgement. However in most cases this occurred less than one month beforehand, hence Council planners and specialists did not have the full opportunity to complete much of this pre-lodgment engagement and close out matters, as referred to in Council's s46 completeness check letter (Attachment 2)
- “Effects Envelope” and reliance on streamlined conditions based on the FTAA legal framework raises concerns regarding a full and complete description of adverse effects generated by the application to inform outcome-based framework for designation conditions. This does raise a level of administrative concern for Council, leaving a lot of heavy lifting to Outline Plan of Works stage/Resource consent monitoring, making it difficult to understand what effects are totally new and what has been understood and accepted at the strategic level through the NoR assessments

Attachment 1 includes initial high-level feedback from a number of technical specialists, noting responses are pending from a number of others.

Regional Consents

Council planning and specialist consultation with NZTA has been undertaken at pre-lodgement stage. However the timing of some draft technical information provided for review (relative to the Substantive application's lodgement deadline) was such that associated Council feedback could not be reflected within the Substantive application.

As part of the completeness check, planning feedback set out logistical processing issues primarily relating to:

- the lack of an assessment of AUP provisions; and
- the ability to locate, identify and quantify the scope of works during construction and/or upon completion.

High level specialist feedback of the Substantive application has been received in relation to the majority of the regional resource consents sought, where to date, fundamental issues continued to be/have been identified in relation to:

- Groundwater: an incomplete assessment of AUP provisions, potential NES: Freshwater provisions, and correspondingly settlement effects, together with the absence of groundwater draft conditions and a draft Ground Settlement Monitoring and Contingency Plan upon which the assessment is based;
- Terrestrial Ecology: the use of non-statutory guidance (EIANZ) to evaluate 'impact' values, resulting in a difference of professional opinion on the magnitude and scope of effects on key matters including assessment of AUP provisions, together with draft conditions that do not mirror the Ecological Impact Assessment recommendations and/or are subjective in wording.

Without negating other requests for further information or recommendations, in general, specialist feedback received has reiterated the need to clearly identify the location and extent of works (earthworks, dewatering and groundwater diversion, streamworks, coastal works, vegetation alteration and removal) proposed in order to:

- Confirm the scope and methodology of the assessments submitted; and
- Ensure that the effects envelope of any approved works aligns with the effects envelope assessed.

As such, the approach to seek regional consents for all areas within the proposed designation boundary and area of the CMA for the coastal permits as defined in Schedule A of the regional consent conditions (included in Appendix B of Part 4) is not supported.

By way of a limited example, such an approach approves earthworks and vegetation removal over the entirety of the designation area (along a 19.5km route) including all wetlands, significant ecological areas, and coastal and riparian margins within these areas. This is clearly not a scenario envisaged or assessed within the technical effects assessments, or the Appendix C – an Assessment of AUP rules and NES regulations submitted.

Issues

Examples of the issues that have arisen are covered above, and in Appendix 1. It is considered that many of these would have been resolved prior to lodgement had the pre-lodgement engagement period been more in proportion to the scale and complexity of the project. By way of contrast, a Fast Track project for a relatively modest quarry expansion (Kings Quarry) was carried out over a year and a half which allowed for site visits, the sharing of all draft technical reports, multiple meetings between Applicant and Council planners and specialists, and a comprehensive set of agreed conditions in place by Panel commencement.

Panel membership

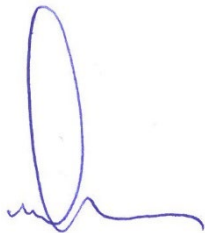
It is recommended that the Expert Panel include at least:

- a transport specialist experienced with NoRs and rapid transit networks;
- a resource management planner with the same experience, ideally within the Auckland Region;
- a lawyer familiar with the RMA and FTAA; and
- a person with technical expertise and understanding in respect to the modelling and assessment of effects related to natural hazards.

There aren't considered to be any factors warranting the appointment of more than four panel members.

Procedural requirements

While noting the challenges that have arisen due to the severely truncated pre-lodgement engagement, Auckland Council notes that NZTA have undertaken to continue responding to planning and technical specialist feedback as part of a post-lodgement parallel engagement process. It is anticipated that this will continue after Expert Panel commencement in order to resolve, or at least narrow, planning and technical issues, and to improve the proposed Designation and resource consent condition sets.

A handwritten signature in blue ink, consisting of a large, vertical loop followed by a horizontal line and a small flourish.

Nāku iti noa, nā

Warwick Pascoe | Principal Project Lead

Auckland Council | Premium Resource Consents

Mobile [REDACTED]

Attachment 1 – Initial high-level feedback from technical specialist reviewing reports lodged in support of NoRs and, in some cases, Resource Consents.

Noise and Vibration (Construction and Operational)

Operational Noise and Vibration

- The assessment doesn't include confirmation that all noise requirements within the existing SH16 designations along the Project are still met under the proposal following removal/alteration of noise barriers and dwellings, and unclear performance criteria for future noise barriers (Conditions 29 and 36).
- Predicted 'Do Nothing' noise levels appear unusually high (2–3 dB above existing), correlating to a broad doubling of traffic volumes. This seems to be a large increase over the next 20 years. Clarification or explanation of what causes the increase in noise levels would be beneficial as it is this is critical to identification of properties which may require treatment needing clarification as this affects identification of properties requiring mitigation.
- Gaps in conditions: no station noise performance standards; Condition 28 lacks "and maintain thereafter," and consideration of a mechanism for providing noise contours to nearby developers.

Construction Noise and Vibration

- The distances in Table 3-3 appear to optimistically assume soft ground between works and receivers. In reality, given the developed nature of much of the urban environment around the project, including hard surfaces (roads etc), these distances may be materially larger in some instances. Not material to the future management of construction noise as required by the conditions but may not fully represent extent of potential impacts.
- The vibration levels for vibratory pile casings in Fig 3-1 look low compared to measured data we have of sites in Auckland. Could have knock on impact on distances in Table 3-4 also. As above, not material to the future management of construction vibration but may not fully represent extent of potential impacts.

Flooding and Stormwater Management (includes comments from Healthy Waters (HW))

- There isn't full agreement on the proposed flood conditions. Further discussion between specialists is required to better understand the parameters proposed for potential increases in flood depths beyond site boundary. This condition is non-standard and there is concern that the proposed parameters do not align with the latest policy framework of the AUP.
- The modelling results apply a tolerance, and as such the results and assessment do not show or consider any change in depth of 10mm or less.
- The Applicant's flooding assessment relies on a Danger Rating-based framework which is not aligned with the PC120 approach currently applied. This potentially introduces additional complexity and alternative assessment criteria that is not completely consistent with Council's current methodologies.
- The proposed reliance on a piped solution for extreme storm events is not aligned with best practice or Council's infrastructure codes of practice for land development. This reduces the resilience of the network and may present a future risk to other properties that hasn't been considered, or a sensitivity analysis undertaken to help the Expert Panel understand the risk.

Ecological (to be integrated with RC comments)

- Consideration of integrating identified areas of ecological sensitivity into the designation conditions / ecological survey conditions on the designation given the significant length of designation sought.
- Ecology terrestrial and earthworks in riparian/coastal yards overlap with resource consents.

Built Heritage

- Key disagreement with flexibility sought in proposed conditions, enabling demolition of Heritage Building. Alternative conditions proposed by built heritage expert, sent to NZTA 10.12.2025, further discussion with NZTA planned however likely to remain an outstanding point of contention, given flexibility sought by NZTA.

Outstanding Natural Features

Yet to receive specialist feedback on lodged application however concerns raised at pre-lodgement stage related to the detail required to be provided to ensure effects on the outstanding natural features are avoided. As an example: North-west Motorway lava flow, Western Springs (ID132) design envisions multiple large supports (bridging) drilled into the basalt flows, possibly requiring extensive rock breaking. This has the potential to affect both the physical integrity of the flows and the visible values for which the feature is scheduled for protection. The proposal needs to demonstrate how the project attempts to avoid physical and visual effects on the feature, including any alternative designs that have been considered.

Urban design

- Absence of urban design assessment and inclusion of an urban design framework or management principles within designation conditions remains an outstanding issue.
- Limited ability to understand extent to which the development may affect residential areas, schools, and business centres. This limits the ability to assess whether the designation appropriately manages urban amenity effects.
- E.g., Key elements such as the Pt Chevalier Bus Station lacks clarity around how it integrates with the existing town centre. Issues like station access between heritage buildings and the mismatch between the identified forecourt and the physical station access points are unresolved.
- Early identification of required mitigation is necessary to ensure the OPW stage can meaningfully address urban design issues, rather than discovering constraints too late when options may be limited.

Landscape, natural character and visual amenity values

- In principle, the proposal is likely to represent an appropriate addition to the urban landscape along the proposed transport corridor; however, the landscape architect engaged on behalf of the Council has remaining concerns over the level of design flexibility being sought by the application proposal. In that regard, the four “key issues” that were set out in the specialist briefing document under the landscape architectural speciality topic have relevance and should be better addressed. Greater certainty should be provided around how such related future adverse effects can be effectively avoided, remedied and/or mitigated.
- The proposed conditions [being #26(a)-(d) under the heading “Landscape Planting”] of the various NoRs, which will eventually become conditions of related designations to inform future Outline Plan considerations, in my experience, are not fit for purpose and lack sufficient detail to ensure the design of the new infrastructure is checked and effectively becomes integrated into the localised urban environment along the corridor. The type of conditions

(such as urban design and landscape management plan) previously suggested to NZTA are preferred, with these being based on other recent designations for similar public transport projects. Such conditions would also likely assist to ensure that the recommendations in the applicant's assessment [at paragraph 4.4.2 and section 5 of Part 6.17 Landscape and Visual Assessment] can be achieved.

Open Space/community facilities / social and local community effects

- The AEE and subsequent conditions do not detail how adverse effects on open space and community facilities will be managed (only positive effects identified).
- There is disagreement that these effects can be addressed by the Public Works Act alone, and that there should be a condition framework for impacted open space zoned areas over the twenty-five-year timeframe of the designations sought. Effects relate to the significance of accessible neighbourhood open space for community wellbeing and recreation; loss or modification of trees within local parks that contribute to the urban ngahere.
- All are matters which are of significance as Auckland faces ongoing intensification pressures, with less ability to acquire open space. The council is open to ongoing discussions with Parks and Community Facilities and NZTA in this space.
- No social impact assessment is provided with lodged documents, as would usually be provided with Notice of Requirement applications. Results in potential effects not identified and which may have otherwise identified socially contextual issues relevant to be mitigated.

Earthworks/Land Stability

- General assessment of land stability, framework for retaining works/settlement which may occur beyond the designation boundary has not been provided.

The application documentation does not provide a high-level assessment of any anticipated or known areas of land instability to demonstrate the designation is spatially appropriate in relation to known hazards. This is required to demonstrate any risks are identified and can be managed through Outline Plan of Works process.

Construction area requirements

- Summary of typical areas required for construction have not been identified and explained in relation to proposed designation boundaries of the NoRs. Noted some sections of the alignment are particularly narrow with topographical challenges/constrained by watercourse;
 - Narrow sections include significant topography/cliffs, may require large mechanical plants such as cranes. Unable to confirm suitability of designation boundaries and effects to land adjacent to the designation;
 - Construction Environment Management Plan designation condition should be considered.

Draft conditions

- Draft conditions have been proposed for NoRs and are contained within Appendix A of Part 4; various changes are sought by relevant technical specialists.
- Paragraph 12 of Part 1 Legal Submission: The 'streamlined' approach to conditions departs from conditions usually anticipated on NoRs for similar projects (eg Supporting Growth Designations / Busway Designations). This brings into question whether the conditions adequately frame the scope and 'envelope of effects,' adequately clarify the information to be provided as part of an outline plan; and mitigation to be provided.
- The 'no condition 1 approach' is supported in principle for the NoRs where an 'Effects Envelope' framework and outcomes-based conditions are present. Concerns about the streamlined approach to conditions remain.

4 February 2026

Environmental Protection Authority (EPA)
Attn: Mujahid Musa, Application Lead, Fast-track Applications

Dear Mujahid,

Subject: Response to Consultation regarding a substantive application under the Fast-track Approvals Act 2024

Project Name:	The North West Rapid Transit
Applicant:	New Zealand Transport Agency Waka Kotahi
EPA Reference:	FTAA-2511-1146
Auckland Council Reference:	<u>Resource Consents</u> BUN60461580
	<u>Notice(s) of Requirement:</u>
	<ul style="list-style-type: none">• NoR 1: Busway between Brigham Creek Rarawaru station and north of Westgate Te Waiarohia station (including stations, Park and Ride and all local road connections)• NoR 2: Busway between north of Westgate Te Waiarohia station and north of Royal Road Mānutewhau station (including stations, Park and Ride and all local road connections)• NoR 3: Busway between Royal Road Mānutewhau Station and Te Whau River (including all stations and local road connections)• NoR 4: Brigham Creek Rarawaru station including Park and Ride• NoR 5: Westgate Te Waiarohia station• NoR 6: Royal Road Mānutewhau station• NoR 7: Lincoln Road Wai o Pareira station• NoR 8: Te Atatū Ōrangihina station• NoR 9: Busway between Waterview interchange and west of Ivanhoe Road (including all stations and local road connections)• NoR 10: Busway between Ivanhoe Road and Ian McKinnon Drive (including all stations and local road connections)• NoR 11: Point Chevalier station• NoR 12: Western Springs station

1. Purpose of this Response

This response is provided by Auckland Council in accordance with section 46(1) of the Fast-track Approvals Act 2024 (FTAA), following the EPA’s request for input into whether the substantive application lodged in relation to the above project is complete and within scope.

2. Summary Assessment of Section 46(2) Criteria (Resource Consents)

<p>(a)(i) Compliance with section 42 (excluding s42(2)(a) A substantive application must comply with s43)</p>	<p>Council has not identified any non-compliances with the requirements of s42 of the Act.</p>
<p>(a)(ii) Compliance with sections 43 and 44</p>	<p><u>Resource Consents:</u> Council has undertaken a review of the requirements of S43 and S44 of the Act when assessed against clauses 5 to 7 of Schedule 5 (referred to within S43). This review (appended as Attachment One) summarises the following logistical issues associated with clauses 5(1)(a)(b)(g)(h), 5(4) and 5(5)(a), together with the response provided from the applicant.</p>

In summary, the attached review has raised logistical processing issues primarily associated with:

- The absence of an assessment of the Project in the context of the Unitary Plan rules (where a thematic assessment of the objectives and policies is currently provided);
- The ability to identify/broadly quantify (spatially and/or in writing) the works for which regional consents are required; together with
- An absence of Plans beyond General Arrangement Plans, which are limited to the Project upon completion and do not identify:
 - the extent of works associated with construction, or
 - the structures for which consent is sought.

As discussed, the applicant has responded to these issues within the attached email (appended as Attachment Two).

While questions remain in terms of ensuring the accurate and efficient provision of Council feedback for the regional consents sought, deference is made to the EPA as to whether these matters deem the application as being incomplete as potentially would have been if assessed under the Resource Management Act 1991, or whether these matters can be addressed as part of the processing of this application under the Fast-track Approvals Act 2024.

3. Summary Assessment of Section 46(2) Criteria (Notice(s) of Requirement)

(a)(i) Compliance with section 42 (excluding s42(2)(a) A substantive application must comply with s43)	Council has not identified any non-compliances with the requirements of s42 of the Act.
(a)(ii) Compliance with sections 43 and 44	<u>Notice(s) of Requirement:</u> We generally agree clause 12 of Schedule 5 (pertaining to information required in a notice of requirement), as referred to by s43(3)(d) has been met. However, there are some outstanding matters related to the assessments provided, which we reserve the right to comment on when invited. Additional comments provided below under Section 4 of this letter.

4. Additional comments (Notice(s) of Requirement)

As part of this preliminary review, we have noted the following matters which do not appear to have been discussed in the substantive application. Whilst not suggesting the application should be found to be incomplete on this basis, we do highlight the following as points the Council will likely review further and raise in any invitation to comment.

Auckland Unitary Plan (AUP) and Proposed Plan Change 120 (PC120):

- Effects related to land instability, as considered under:
 - Chapter E12 Land disturbance – District of the AUP; and
 - Plan Change 120 to the AUP: New proposed provisions relating to landslides have immediate legal effect. It is understood that geotechnical investigation has been undertaken along the alignment to inform the indicative design, however an assessment of the environmental effects of the proposal against these provisions is not discussed within Part 4 of the Application.
- Effects on Regionally Significant Maunga Viewshafts (Chapter D14 of the AUP) - there are two areas where the designation boundaries intersect with Regionally Significant Maunga Viewshaft Overlay:
 - Easternmost end of NoR 10 intersects with regionally significant maunga viewshafts of Mount Eden (E20).
 - Easternmost end of NoR 3 intersects with regionally significant maunga viewshafts Mount Albert Viewshafts (A13).
- Assessment against outcomes sought by H10 Business - Town Centre Zone, H9 Business - Metropolitan Centre Zones of the AUP.

Properties within the designation boundary:

- We note there are some properties located within the designation boundary, which are not included in *Part 6.5 Property Schedule Land within the designation*:
 - New record of titles issued prior to and post lodgement (these new titles range from September 2025 to January 2026) resulting in additional properties from “parent” lots identified in the Part 6.5 Table (affects ID 57, 77, 375, 376 of Part 6.5). We understand that a line needs to be drawn somewhere, however raise this as an administrative matter to note.
 - Legal lots, without a postal address (Suffolk Reserve, Eden Terrace managed by Auckland Council Parks).
 - Occupancy properties (1/77 and 2/77 Ivanhoe Road, Grey Lynn).
 - 112 Royal Road, Massey (Royal Road School).
- At the time of preparing this letter, we have not reviewed the land adjacent to land within the designation.

Pre-lodgement discussions:

In addition, there are some matters which have been raised with the Requiring Authority (RA) prior to lodgement, yet to be addressed in the application. This includes (but is not limited to):

- Built Heritage
- Construction and operational Noise and Vibration
- Landscape and Visual
- Transport
- Flood hazard risk
- Urban design and urban integration: Comments on conditions sent to RA relating to Urban Design and integration, boundary edge conditions, centre vitality.
- Community Facilities and Parks: Comments sent to the RA relating to conditions around consultation/management relating to reinstatement and continued use of open spaces.
- Additional comments regarding understanding of laydown areas and extent of area for site preparation works.

We understand the applicant is in the process of considering a response to Council on these matters. The applicant team has been in touch with Council to continue discussions on these matters, once and subject to the application being confirmed as complete.

We recognise that council will be provided an opportunity to further review the application and be able to provide council’s comments on the application and any designation conditions, when invited to by the EPA.

5. Section 30 Confirmation

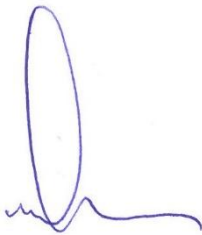
Given the number of properties associated with the Project (a route of some 19km), Council is unable at this time to confirm that written notice prepared by the Council on 8 December 2025 remains accurate and final as of 28 January 2026. This confirmation will be provided as soon as practically possible, where guidance is sought as to the absolute deadline for this confirmation to be provided.

6. Conclusion

Auckland Council has reviewed the substantive application as requested and provides the above comments in accordance with section 46 of the Fast-track Approvals Act 2024.

If further clarification or technical input is required, please contact me with details provided below.

Yours sincerely



Warwick Pascoe
Principal Project Lead
Premium Resource
Consents
Auckland Council

