Attachment 21

To:	Hamilton City Council – Paula Rolfe
From:	Tollemache Consultants Limited (Renee Fraser-Smith & Mark Tollemache)
Date	April 2019
Subject:	Rotokauri North: Notification Planning Assessment

1.0 Overview

- 1.1 Under clause 25(2)(a)(i) of Schedule 1 of the RMA, Plan Changes may be limited notified.
- 1.2 The test for notification is being able to identify all persons directly affected by the plan change. Following the guidance from Berry Simons, the following assessment of effects draws on the draft Assessment of Effects (dated April 2019 prepared by Tollemache Consultants) and includes headings which correspond to sections (6.1-6.10 of that document) to summarise potential for effects and determining persons that would be considered an affected person:

Alternatives / General Effects of Land use Change

- 1.3 The Council's own structure planning and growth evaluation has identified Rotokauri as an area suitable for growth, as anticipated by the existing Future Urban Zone ("FIZ") and inclusion in the RSP. The release of land under the RSP is premised on the basis that appropriate infrastructure be provided to service the development/portion of land to be release.
- 1.4 Effects on infrastructure are dealt with separately below, however, from a perspective of whether the land is suitable for urban development, as the Rotokauri area was already earmarked for growth the wider regional or Hamilton wide issues about its suitability to accommodate growth in the future instance is not applicable. Therefore, this is not an issue that requires full notification to the general public.
- 1.5 However, it is acknowledged that landowners falling within the Plan Change boundary (which are not affiliated to the applicant) are directly affected by the request for re-zoning.
- 1.6 Due to location of the site to the territorial border, Waikato District Council are considered an affected person, and obligations and functions of the regional council Waikato Regional Council are also identified an as affected person.

Social Effects

- 1.7 The existing immediate environment has no social or community amenities.
- 1.8 The Zoning and RNSP anticipate a small neighbourhood centre within the area, to support local needs to residents through provision of commercial day to day conveniences, and the RNSP includes indicative neighbourhood reserves which will contribute in a positive manner to social amenities and wellbeing.

- 1.9 Preliminary consultation with the Ministry of Education indicates that the wider area would likely require a new primary school. The Ministry is understood to be advancing land purchases to facilitate the development of a primary school within the RNSP area.
- 1.10 None of these social factors are considered affect any persons.

Archaeological / Cultural Heritage Effects

1.11 Although no evidence of archaeological features were found within the site, the cultural values and heritage associated with the plan change areas is recognised. On this basis, Mana Whenua, specifically Waikato Tainui, and the Te Haa o te whenua o Kirikiriroa ("THaWK") hapu are directly affected persons.

Visual Effects

- 1.12 Although the land is earmarked for growth it is acknowledged from a visual perspective that the adjoining properties to the site will be most affected by future development enabled by the PPC. This includes the rural and rural-residential properties to the south, west, east and north of the site. Notably, properties to the east and south are to remain FUZ as they fall within Stage 2 of the RSP. As the development with the RNSP needs to "tie into" future development it is expected that the change in land use will occur right up to the boundaries of these sites.
- 1.13 For road users on the surrounding road network, in particular those who live locally in rural situations, the development of the subject site is likely to result in some visual effects particularly for State Highway 39 ("SH 39") users, however this is merely the change from rural to urban anticipated by the RSP. For general road users the effects are likely to be of much less significance as the development will be seen as part of the pattern of land use change expected to occur under the RSP (albeit some years ahead of the HCC planned timeframe). The RNSP includes a landscape buffer to SH39 to establish a transition and setback of development from the State Highway, and to also ensure that there is no direct vehicle access from lots.
- 1.14 Any views onto the site from the wider area are generally consistent with the same as those experienced by adjacent properties (although to a lesser degree). The change will be noticeable, but not one that is unexpected in the context. The land has been envisaged for growth for some time, and it is only a change in expected timing of that delivery that is occurring.
- 1.15 Therefore, those adjoining and adjacent properties to the plan change area will experience the most change in vidual appearance (which could be considered to make them an affected person to the plan change).

Landscape Effects

1.16 The operative RSP includes a series of low ridgelines that have been identified as the Rotokauri Ridgeline Character Area ('RRCA') and referred to as "The Western Hills", and the operative RSP provisions seek to retain the legibility of the ridgelines and achieve a form and density of development that enables a sense of the underlying landform to be retained. However, the LA4 review found that the landforms are not worth of protection (as they do not constitute a significant feature). The general public is not considered to be affected by this change (the landforms are not considered to have been significant in the first place).

1.17 Two third party landowners whose properties are directly affected (albeit in a positive manner) by the removal of this overlay falling within the plan change boundary are Lot 1 DP 359488 and Lot 3 DP 359488.

Ecological Effects

- 1.18 The site comprises mostly pasture and agricultural land. There is a significant stand of kahikatea Trees adjacent to the intersection of Burshbush Road and SH39 which is already protected under the HCDP provisions (and has a SNA overlay applied). All other vegetation is either associated with shelterbelts/hedging, or associated with the garden areas of the dwellings.
- 1.19 Notwithstanding the currently degraded and modified nature of the streams, the existing HCDP and Waikato Regional Council policies and rules, which apply to the subject land, with respect to stream retention and ecological values and acknowledge that with replanting, a quality ecological environment could be established. This existing framework provides an appropriate level of protection already, which is enhanced by the draft ICMP.
- 1.20 For these reasons it is not considered that there are any effects from the proposed plan change that will affect the general public or any adjoining landowners etc persons. It is noted that there are cultural values associated with ecology, and as such mana whenua and local hapu are considered potentially affected persons.

General Infrastructure/Servicing

- 1.21 As all infrastructure can be provided without affecting supply or capacity from other serviced areas or the current "developing areas" to Rotokauri South, Ruakura, Peacocks etc there is no wider servicing effects and all infrastructure to the service the RNSP area is funded by the applicant (GSCL) there is no impact on the LTP programme and as such this is not an issue that requires full notification to the general public.
- 1.22 Provision has been made to service the entire plan change area, therefore no persons within the plan change are considered affected. The cultural interest from mana whenua with infrastructure servicing and pipe locations etc is noted (and they may be considered potentially affected).

Stormwater / ICMP

- 1.23 The ICMP includes specific design parameters for development to adhere to in terms of flow, flood storage, overland flow paths, freeboard (for residential lots from flooding) and water quality targets. Water quality targets are as a minimum consistent with the National Policy Statement: Freshwater, National Bottom Lines, or better (where there is a higher Waikato Regional Plan standards).
- 1.24 All devices will be sized during the resource consent stage in accordance with the final ICMP and stormwater discharge consent requirements. The proposed stormwater management options outlined in the ICMP are considered to be practicable and consistent with the water sensitive design principles to ensure that the future developments can minimise and reduce effects on water quality, and downstream flooding and erosion. For these reasons the general public is not considered to be affected. The extent of the downstream affected parties is limited to the immediate downstream properties of the Ohute Catchment/stream.

- 1.25 Properties falling within the ICMP catchments (but outside the Plan change) may consider themselves affected parties, however, Council is reminded that the ICMP is an information requirement only for direction to deal with effects, actual effects are managed via Regional Stormwater Discharge Consents which are to be sought separately. This also makes the Waikato Regional Council a party to the Plan Change.
- 1.26 It is noted that there are cultural values associated with stormwater, and as such mana whenua and local hapu are considered potentially affected persons.

Roading

- 1.27 Traffic effects on the wider network fall within the original planned modelling for the Rotokauri Area and can be accommodated in the wider network. Therefore, users of the wider network are not considered affected persons.
- 1.28 The site direct adjoins SH39 and New Zealand Transport Agency ("NZTA") designations at the intersection of Burshbush Road, as the plan change includes new intersections with the NZTA network, they are considered an affected party.

Land Stability Hazards/Liquefaction

1.29 The Preliminary Geotechnical Appraisal Report for the area found the land to be typical of the Rotokauri area and other parts of Hamilton, for potential liquefaction hazards. The reporting has identified that although a hazard, geotechnical instability and risks can be managed via foundation etc techniques at building stage. Therefore, this aspect is not considered to affect the general public or any persons (other than those developing the land).

Contamination

1.30 Potential risks to human health from contaminants in the soil has been addressed in the Preliminary Site Investigation Report. The Report found that specific sites within the PPC area may potentially contain sources of contamination therefore a detailed investigation is required at time of future development. These matters would be subject to resource consent requirements under the National Environmental Standard for contaminants in soils at time of subdivision, earthworks or development. Therefore, any potential site contamination will be identified, and managed/remediated prior to enabling residential occupation of the land. Therefore, this aspect is not considered to affect the general public or any persons (other than those developing the land).

Flooding

1.31 As previously outlined under the stormwater section above, flood hazards have been taken into account in the modelling, final design and device sizing to manage potential flood risk within RNSP area and downstream. Affected persons are the same as listed under "stormwater".

Reverse Sensitivity (NZTA)

1.32 Whilst intersection locations with the Stage Highway have been designed to avoid conflict and safety concerns, NZTA are directly affected by the works and proposal to access and modify the state highway network (and land covered by their designations at the Burbush Road intersection).

Reverse Sensitivity (Adjoining FUZ)

1.33 It is acknowledged that until such time that the remaining FUZ zone is re-zoned, it will be used for rural activities. This does have the potential to create reverse sensitivity issues for future residential living on the boundary with the FUZ. Any actual potential for conflict though can be appropriately determined and addressed in future resource consents (as the exact timing of when this would actually become an issue over the lifespan on the development is unknown) – rather than created an affected persons situation at plan change stage.

Reverse Sensitivity (Waikato Rural Zones)

1.34 Land to the north and east falling within the WDC territory are zoned rural (and not proposed to change under the WDP review). However, both areas/zones are essentially "buffered" from the residential area proposed by this PPC by existing roads (SH39 and Exelby Road), which creates a separation distance of some 18 plus meters. This is considered sufficient to avoid reverse sensitivity effects between those rural uses and future residents of the RN area. For these reasons, they are no affected persons for reverse sensitivity effects (but may be identified as affected by other parts of the proposal).

Economic Effects

1.35 The economic assessment which reviews the scale of the proposed Business Zone 6 has taken into consideration the location and role of the major centres and the planned future centre in Rotokauri South, and finds that small neighbourhood centre such as that proposed would serve the immediate Rotokauri North area without jeopardising the retail or commercial provision in the future planned Rotokauri South Centre and/or the nearby facilities at The Base. For these reasons no persons are considered affected by an economic effects resting from the neighbourhood centre.

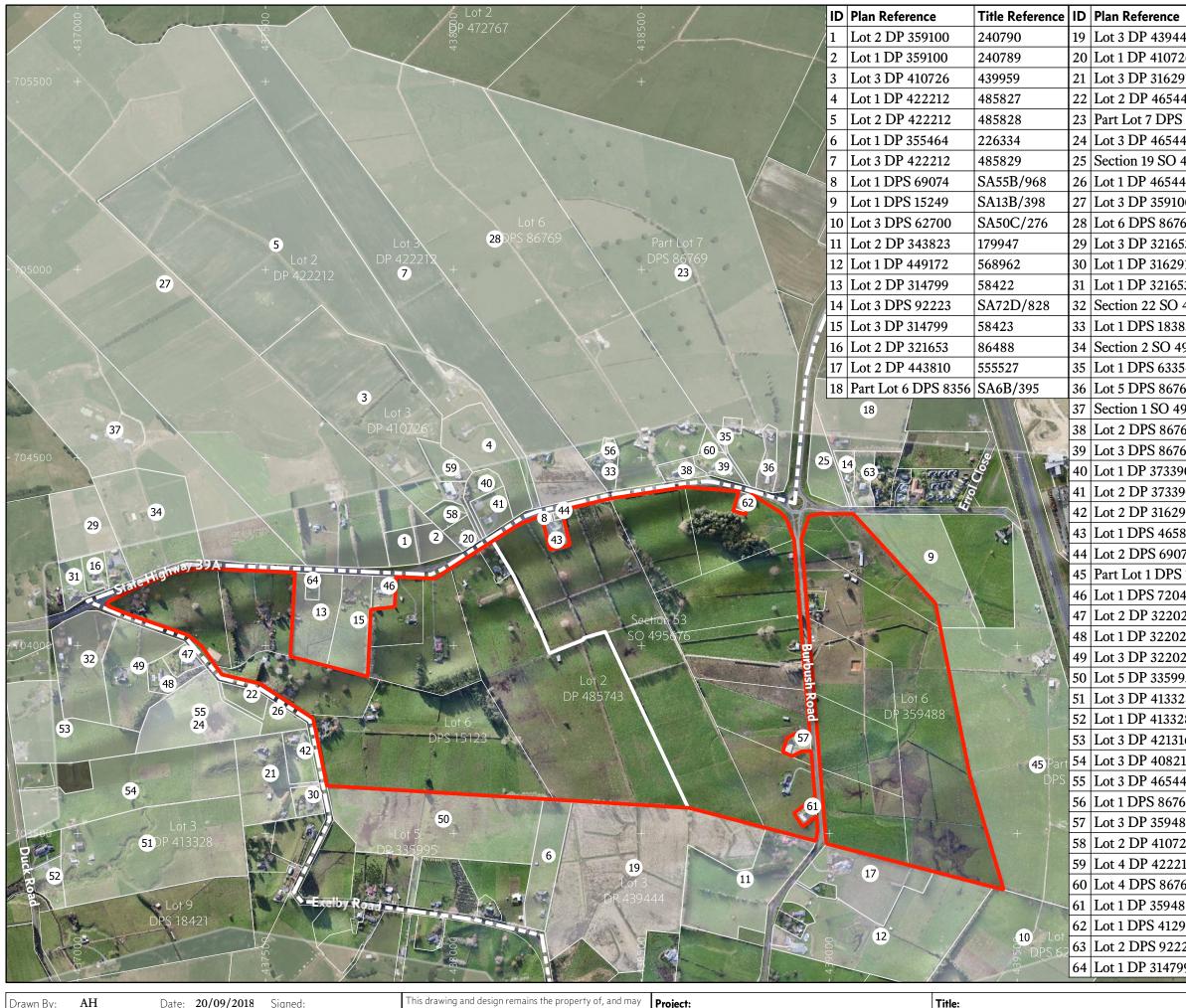
Urban Design / Positive Effects

1.36 The urban design qualities and outcome sought by the PPC align with current best practise and urban design principles - this is not a new concept or type of development that has not been seen before in the City – the applicant is proposing to utilise existing zones and the PPC provisions seek to enhance those zone provision to enable more tailored outcomes sought to achieve deign qualities and affordable housing. This is not an issue that requires full notification to the general public, nor does it create any other persons which could be considered affected (other than those developing the land).

Summary Identification of affected persons:

1.37 Taking into account the above following is a summary of statutory bodies or persons identified as being potentially affected and why:

Persons	Justification	
Waikato District Council	The site falls on the border of the WDC	
	boundary.	
Waikato Regional Council	As the Regional Authority they are required	
	to have oversight of the region and to ensure	
	consistency with this own plans	
Waikato – Tainui	Have a cultural interest in the area and	
	potential affiliation to the land	
Te Haa o te whenua o Kirikiriroa	Have a cultural interest in the area and	
("THaWK") – including all hapu	potential affiliation to the land	
groups which have formed part of		
the CIA process		
New Zealand Transport Agency	The Plan Change area borders the state	
	highway and access onto the highway is	
	necessary.	
Minister for the Environment	As required by Schedule 1 Clause 8	
Ministry of Education	Continuation of pre-lodgement consultation	
Landowners inside the Plan Change	Direct affect by the proposed land use	
area	change	
Adjacent and Adjoining	Visual effects.	
landowners as mapped		



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ROTOKAURI NORTH PLAN VARIATION

MADE

Affected Parties Rotokauri North

	Title Reference			
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91	63658			\square
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53	86489			
91	63656		Adjacent	Properties
53	86487			
49567	6 755898		Site	
83	SA68D/123			
95676	755897			
54	SA54B/393			
69	SA68D/127			
95676	755899			
69	SA68D/124			
69	SA68D/125			
90	485830			
90	296464			
91	63657			
87	SA55B/968			
74	SA55B/968			
17176	-			
47	SA57D/840			
23	87874			
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ID	Appellation	Owner	Property Address	Postal Adress
1	Lot 2 DP 359100	Lorraine Patricia Van Asbeck & Richard George McRae Matthews & Robert Ian Copsey	338 Te Kowhai Road Te Kowhai	4 Edenpark Drive Rototuna North Hamilton 3210
2	Lot 1 DP 359100	Lorraine Patricia Van Asbeck & Richard George McRae Matthews & Robert Ian Copsey	336 Te Kowhai Road Te Kowhai	4 Edenpark Drive Rototuna North Hamilton 3210
3	Lot 3 DP 410726	Angela Maricia Holten & Malcolm Roy Carlyon	320B Te Kowhai Road Te Kowhai	320B Te Kowhai Road RD 8 Hamilton 3288
4	Lot 1 DP 422212	Juliet Lee Kelly & Peter Kieran Kelly	308 Te Kowhai Road Te Kowhai	308 Te Kowhai Road RD 8 Hamilton 3288
5	Lot 2 DP 422212	Juliet Lee Kelly & Peter Kieran Kelly	304 Te Kowhai Road Te Kowhai	308 Te Kowhai Road RD 8 Hamilton 3288
6	Lot 1 DP 355464	Stuart Douglas McFarlane & Susan Ann McFarlane	236 Exelby RD 8 Hamilton 3288	PO Box 5557 Frankton Hamilton
7	Lot 3 DP 422212	Ian Earl Willetts & Noeline Joyce Willetts	302 Te Kowhai Road Te Kowhai	302 Te Kowhai Road RD 8 Hamilton 3288
8	Lot 1 DPS 69074	Gae Heang Kim	301 Te Kowhai Road RD 8 Hamilton	266 Exelby Road RD 8 Hamilton 3288
9	Lot 1 DPS 15249	Maurice Conway Clarke, Wayne Maurice Clarke and Bruce Peter Sugar	173 Te Kowhai Road Northgate 3200	173 Te Kowhai Road RD 8 Hamilton 3288
10	Lot 3 DPS 62700	Melanie Jane Clarke & Roger Thomas Scott & Wayne Maurice Clarke	Exelby Road RD 8 Hamilton	131 Te Kowhai Road RD 8 Hamilton 3288
11	Lot 2 DP 343823	Trudi Monica Miles & William John Miles	92 Burbush Road RD 8 Hamilton 3288	
12	Lot 1 DP 449172	Paula Karyn Ruske & Richard Neville Ruske	121 Burbush Road RD 8 Hamilton 3288	
13	Lot 2 DP 314799	En Dian Company Limited	371 Te Kowhai Road Northgate 3200	PO Box 33102 Takapuna North Shore City 0740
14	Lot 3 DPS 92223	Alex Bernard Castle & Brett Bryan Young & Jillian Marianne Mould & Paul Clifford Wood Greaves	216 Te Kowhai Road Northgate 3200	150 Dickson Road Papamoa Beach Papmoa 3118
15	Lot 3 DP 314799	Chung Ying-Fang Hsiao	353 Te Kowhai Road Northgate 3200	5 Braithwaite Avenue Chartwell Hamilton 3210
16	Lot 2 DP 321653	David Morgan Buckley & Janine Georgiana Buckley	424 Te Kowhai Road Te Kowhai	424 Te Kowhai Road RD 8 Hamilton 3288
17	Lot 2 DP 443810	CR Rejthar Trustees Limited	87 Burbush Road RD 8 Hamilton 3288	203 Baverstock Road Nawton Hamilton 3200
18	Part Lot 6 DPS 8356	Mark Evan Blackmore	216B Te Kowhai Road Northgate	216 Te Kowhai Road RD 8 Hamilton 3288
19	Lot 3 DP 439444	Shaochun Wang & Xuemei Yuan	236 Exelby RD 8 Hamilton 3288	189E Cambridge Road Hillcrest Hamilton 3216
20	Lot 1 DP 410726	Hira Takuira-Mita & Rosemary Hiria Kouka Takuira-Mita	324 Te Kowhai Road Te Kowhai	324 Te Kowhai Road RD 8 Hamilton 3288
21	Lot 3 DP 316291	Glenn Richard Stirling & Helen Joanne Stirling	341 Exelby Road Rotokauri	341 Exelby Road RD 8 Hamilton 3288
22	Lot 2 DP 465444	Qinglan Hai	381 Duck Road Rotokauri	13 Raungawari Drive Huntington Hamilton 3210
23	Part Lot 7 DPS 86769	Thelma Jean Murray	Te Kowhai Road Te Kowhai	246 Te Kowhai Road RD 8 Hamilton 3288
24	Lot 3 DP 465444	Qinglan Hai Hongyan Han	381C Duck Road Rotokauri	13 Raungawari Drive Huntington Hamilton 3210
25	Section 19 SO 416124	Thelma Jean Murray	Te Kowhai Road Northgate Hamilton 3200	246 Te Kowhai Road RD 8 Hamilton 3288
26	Lot 1 DP 465444	Qinglan Hai	381B Duck Road Rotokauri	13 Raungawari Drive Huntington Hamilton 3210
27	Lot 3 DP 359100	Lorraine Patricia Van Asbeck & Richard George McRae Matthews & Robert Ian Copsey	360 Te Kowhai Road Te Kowhai	4 Edenpark Drive Rototuna North Hamilton 3210
28	Lot 6 DPS 86769	Clekar Farms Limited	268 Te Kowhai Road Te Kowhai	268 Te Kowhai Road RD 8 Hamilton 3288
29	Lot 3 DP 321653	Deborah Marie Lee & Kane Lee	416 Te Kowhai Road Te Kowhai	416 Te Kowhai Road RD 8 Hamilton 3288
30	Lot 1 DP 316291	Juanita Margaret Martin & Robin Kenneth Martin	337 Exelby Road Rotokauri	337 Exelby Road RD 8 Hamilton 3288
31	Lot 1 DP 321653	Peter Bernard Kanters & Wahnita Rose Kanters	426 Te Kowhai Road Te Kowhai	426 Te Kowhai Road RD 8 Hamilton 3288
32	Section 22 SO 495676	Delwyn Te Kuru Abraham & Gregory Shane Abraham	437 Te Kowhai Road Te Kowhai	437 Te Kowhai Road RD 8 Hamilton 3288
33	Lot 1 DPS 18383	Dennis Leslie Beaumont Smith & Sonia Genevieve Smith	282 Te Kowhai Road Te Kowhai	PO Box 10198 Te Rapa Hamilton 3241
34	Section 2 SO 495676	Kenneth Malcolm Anderson	406 Te Kowhai Road Te Kowhai	406 Te Kowhai Road RD 8 Hamilton 3288
35	Lot 1 DPS 63354	Thelma Jean Murray	Te Kowhai Road Te Kowhai	246 Te Kowhai Road RD 8 Hamilton 3288
36	Lot 5 DPS 86769	Roger Scott Murray & Vivian Louise Murray	Te Kowhai Road Te Kowhai	244 Te Kowhai Road RD 8 Hamilton 3288
37	Section 1 SO 495676	Kenneth Malcolm Anderson	406 Te Kowhai Road Te Kowhai	406 Te Kowhai Road RD 8 Hamilton 3288
38	Lot 2 DPS 86769	Catherine Jane Murray & Dean Phillip Murray	254 Te Kowhai Road Te Kowhai	254 Te Kowhai Road RD 8 Hamilton 3288
39	Lot 3 DPS 86769	Kenneth John Rowe & Linda Joy Rowe	252 Te Kowhai Road Te Kowhai	252 Te Kowhai Road RD 8 Hamilton 3288
40	Lot 1 DP 373390	Brien William Craig-Brown & Lisa Marie Pudney	318B Te Kowhai Road Te Kowhai	318B Te Kowhai Road RD 8 Hamilton 3288
41	Lot 2 DP 373390	Brett Herbert Lightfoot & Tania Sheree Lightfoot	318A Te Kowhai Road Te Kowhai	318A Te Kowhai Road RD 8 Hamilton 3288
42	Lot 2 DP 316291	Lisa Maria Pulman-Gaby	339 Exelby Road Rotokauri	339 Exelby Road RD 8 Hamilton 3288

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ID	Appellation	Owner	Property Address	Postal Adress
43	Lot 1 DPS 46587	Gae Heang Kim	301 Te Kowhai Road RD 8 Hamilton	266 Exelby Road RD 8 Hamilton 3288
44	Lot 2 DPS 69074	Gae Heang Kim	301 Te Kowhai Road RD 8 Hamilton	266 Exelby Road RD 8 Hamilton 3288
45	Part Lot 1 DPS 17176	Bruce Peter Sugar & Maurice Conway Clarke & Wayne Maurice Clarke	153 Te Kowhai Road Northgate 3200	173 Te Kowhai Road RD 8 Hamilton 3288
46	Lot 1 DPS 72047	John William Temm & Valerie Kathleen Temm	349 Te Kowhai Road Northgate 3200	349 Te Kowhai Road RD 8 Hamilton
47	Lot 2 DP 322023	Claire Ann Craven & David George Craven	389 Exelby Road Rotokauri	389 Exelby Road RD 8 Hamilton 3288
48	Lot 1 DP 322023	Edward John Burak & Linda Tracey Burak	387 Exelby Road Rotokauri	387 Exelby Road RD 8 Hamilton 3288
49	Lot 3 DP 322023	Michael Dean Sheeran	407 Exelby Road Rotokauri	407 Exelby Road RD 8 Hamilton 3288
50	Lot 5 DP 335995	Cheng Chung Lin & Chi-Lin Tsai & Due Xue & Jy Chi Fang & Luh-Rong Ho & Po-Chung Chao & Yung-Chin Chao Chen	284 Exelby Road RD 9 Hamilton 3289	674B Te Rapa Road Te Rapa Hamilton 3200
51	Lot 3 DP 413328	Acorn Farms Limited	63B Duck Road Rotokauri	PO Box 15489 Dinsdale Hamilton 3243
52	Lot 1 DP 413328	Lailaa Slater & Thomas John Slater	63C Duck Road Rotokauri	63C Duck Road RD 8 Hamilton 3288
53	Lot 3 DP 421316	Doreen Inez Thornton & Neville William Sydney Thornton	25 Duck Road Rotokauri	25 Duck Road RD 8 Hamilton 3288
54	Lot 3 DP 408214	BTC Holdings Limited	51 Duck Road Rotokauri	3 Windmill Road RD 3 Hamilton 3283
55	Lot 3 DP 465444	Qinglan Hai	381C Duck Road Rotokauri	13 Raungawari Drive Huntington Hamilton 3210
56	Lot 1 DPS 86769	Dennis Leslie Beaumont Smith & Sonia Genevieve Smith	282 Te Kowhai Road Te Kowhai	PO Box 10198 Te Rapa Hamilton 3241
57	Lot 3 DP 359488	Brian James Robertson & Eleanor Mary Robertson	64 Burbush Road RD 8 Hamilton 3288	
58	Lot 2 DP 410726	Ivan Andrew Murray & Roslyn June Murray	320A Te Kowhai Road Te Kowhai	320A Te Kowhai Road RD 8 Hamilton 3288
59	Lot 4 DP 422212	Brien William Craig-Brown & Lisa Marie Pudney	318B Te Kowhai Road Te Kowhai	318B Te Kowhai Road RD 8 Hamilton 3288
60	Lot 4 DPS 86769	Clekar Farms Limited	268 Te Kowhai Road Te Kowhai	268 Te Kowhai Road RD 8 Hamilton 3288
61	Lot 1 DP 359488	Karen Joy Hennessey & Timothy John Hennessey	82 Burbush Road RD 8 Hamilton 3288	
62	Lot 1 DPS 4129	Zee Holdings Limited	245 Te Kowhai Road Northgate 3200	245 Te Kowhai Road RD 8 Hamilton 3288
63	Lot 2 DPS 92223	Gregory John Rouse & Louise Antoinette Sullivan	212 Te Kowhai Road Northgate 3200	212 Te Kowhai Road RD 8 Hamilton 3288
64	Lot 1 DP 314799	Nicholapillai Canute Chandrakumaran	365 Te Kowhai Road Northgate 3200	48B West Lynn Road Titirangi Auckland 0604

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