

I hereby give notice that a hearing by commissioners will be held on:

Date: Monday 14 & Tuesday 15 July 2025

Time: 9.30am

Meeting room: Monday 14 July – Council Chambers

Tuesday 15 July - Reception Lounge

Venue: Auckland Town Hall

301 Queen Street, Auckland

PRIVATE PLAN CHANGE 107 HEARING REPORT WHENUAPAI BUSINESS PARK NEIL CONSTRUCTION

COMMISSIONERS

Chairperson David Hill Commissioners Jack Turner

Juliane Chetham

Bevan Donovan

KAITOHUTOHU WHAKAWĀTANGA /

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WHAT HAPPENS AT A HEARING

Te Reo Māori and Sign Language Interpretation

Any party intending to give evidence in Māori or NZ sign language should advise the hearings advisor at least ten working days before the hearing so a qualified interpreter can be arranged.

Hearing Schedule

If you would like to appear at the hearing please return the appearance form to the hearings advisor by the date requested. A schedule will be prepared approximately one week before the hearing with speaking slots for those who have returned the appearance form. If changes need to be made to the schedule the hearings advisor will advise you of the changes.

Please note: during the course of the hearing changing circumstances may mean the proposed schedule may run ahead or behind time.

Cross Examination

No cross examination by the applicant or submitters is allowed at the hearing. Only the hearing commissioners are able to ask questions of the applicant or submitters. Attendees may suggest questions to the commissioners and they will decide whether or not to ask them.

The Hearing Procedure

The usual hearing procedure is:

- The chairperson will introduce the commissioners and will briefly outline the hearing procedure. The Chairperson may then call upon the parties present to introduce themselves. The Chairperson is addressed as Madam Chair or Mr Chairman.
- The applicant will be called upon to present their case. The applicant may be represented by legal counsel or consultants and may call witnesses in support of the application. After the applicant has presented their case, members of the hearing panel may ask questions to clarify the information presented.
- **Submitters** (for and against the application) are then called upon to speak. Submitters' active participation in the hearing process is completed after the presentation of their evidence so ensure you tell the hearing panel everything you want them to know during your presentation time. Submitters may be represented by legal counsel or consultants and may call witnesses on their behalf. The hearing panel may then question each speaker.
 - Late submissions: The council officer's report will identify submissions received outside
 of the submission period. At the hearing, late submitters may be asked to address the
 panel on why their submission should be accepted. Late submitters can speak only if
 the hearing panel accepts the late submission.
 - Should you wish to present written evidence in support of your submission please ensure you provide the number of copies indicated in the notification letter.
- **Council Officers** will then have the opportunity to clarify their position and provide any comments based on what they have heard at the hearing.
- The applicant or their representative has the right to summarise the application and reply to matters raised by submitters. Hearing panel members may further question the applicant at this stage. The applicants reply may be provided in writing after the hearing has adjourned.
- The chair will outline the next steps in the process and adjourn or close the hearing.
- If adjourned the hearing panel will decide when they have enough information to make a
 decision and close the hearing. The hearings advisor will contact you once the hearing is
 closed.

Please note

- that the hearing will be audio recorded and this will be publicly available after the hearing
- catering is not provided at the hearing.



A NOTIFIED PRIVATE PLAN CHANGE TO THE AUCKLAND UNITARY PLAN BY NEIL CONSTRUCTION

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Reporting officer, Myles Anderson,

Reporting on proposed Private Plan Change 107 - Whenuapai Business Park to rezone the land from Future Urban Zone to Business – Light Industry Zone. The private plan change seeks to apply a new Whenuapai Business Park Precinct over the land to manage effects of future development on the land and to apply the Stormwater Management Area Flow control.

APPLICANT: NEIL CONSTRUCTION



SUBMITTERS:		
Page 305	David George Allen	
Page 308	Maraetai Land Development Limited	
Page 310	Cabra Development Limited	
Page 315	Watercare Services Limited	
Page 325	Auckland Council	
Page 334	New Zealand Defence Force	
FURTHER SUBMITTERS:		
Page 347	Auckland Council	
Page 351	Watercare Services Limited	
Page 359	New Zealand Defence Force	
Page 361	Ronald and Marlene Patten (the "Pattens")	



Hearing Report for Proposed Private Plan Change 107 Whenuapai Business Park to the Auckland Unitary Plan (Operative in part)

Section 42A Hearing Report under the Resource Management Act 1991

Report to: Hearing Commissioners

Hearing Date/s: 14 and 15 July 2025

File No:

File Reference:

Report Author: Myles Anderson; Policy Planner; Regional, North, West and Islands, Planning

and Resource consents

Report Approver: Eryn Shields; Team Leader; Regional, North, West and Islands; Planning and

Resource Consents

Report produced: 30 May 2025

Summary of Proposed Plan Change 107: Whenuapai Business Park

Plan subject to change	Auckland Unitary Plan (Operative in part), 2016	
Number and name of change	Proposed Plan Change 107 – (Whenuapai Business Park) to the Auckland Unitary Plan	
Status of Plan	Operative in part	
Type of change	Private Plan Change	
Lodgement date	20 December 2023	
Clause 23 request(s) and responses	Request 1: 26 February 2024 Response 1: 15 May 2024	
	Request 2: 12 June 2024 Response 2: 2 August 2024	
	Request 3: 16 August 2024 Response 3: Multiple Dates	
Clause 25 decision outcome	Accepted by the committee Minutes of Policy and Planning Committee - Thursday, 10 October 2024	
Parts of the Auckland Unitary Plan affected by the proposed plan change	 AUP GIS maps – to rezone 47.5ha of land from Future Urban Zone to Business – Light Industry Zone Introduce a new precinct into Chapter I Precincts (West) of the AUP (Whenuapai Business Park) Apply the Stormwater Management Area Control: Flow 1 over the plan change area 	
Pre-notification of iwi authorities completed	The applicant advised that it had engaged with those iwi with interests in the area. Feedback on the draft proposal was sought prior to the lodgement of the request with the Council. A Cultural Values Assessment was provided by Te Kawerau ā Maki for the previous Fast Track application on the site.	
Date of notification of the proposed plan change and	Publicly Notified 8 November 2024	

whether it was publicly notified or limited notified	
Submissions received (excluding withdrawals)	Six
Date summary of submissions notified	23 January 2025
Number of further submissions received (numbers)	Four
Legal Effect at Notification	No
Main issues or topics emerging from all submissions	Integration with infrastructure Effects on the transport network Flooding/stormwater management Reverse sensitivity effects on the NZDF Airbase.

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Abbreviations

Abbreviations in this report include

Abbreviation	Meaning	
AEE	Assessment of Environmental Effects	
the Applicant	Neil Construction Limited	
ASAN	Activities Sensitive to Aircraft Noise	
AT	Auckland Transport	
AUP or Unitary Plan	Auckland Unitary Plan	
Cabra	Cabra Development Limited	
CCO	Council Controlled Organisation	
CIA	Cultural Impact Assessment	
Council	Auckland Council	
EPA	Environmental Protection Agency	
GFA	Gross Floor Area	
FDS	Future Development Strategy 2023	
FUA	Future Urban Area	
FUZ	Future Urban Zone	
Healthy Waters	Auckland Council Healthy Waters and Flood Resilience	
НСМРА	Hauraki Gulf Marine Park Act	
ITA	Integrated Traffic Assessment	
Local Board	Upper Harbour Local Board	
MDRS	Medium Density Residential Standards	
NDC	Network Discharge Consent	
NES	National Environmental Standards	
NOR	Notice of Requirement	

NPS-FM	National Policy Statement on Freshwater Management	
NPS-IB	National Policy Statement on Indigenous Biodiversity	
NPS-UD	National Policy Statement on Urban Development	
NZCPS	New Zealand Coastal Policy Statement	
NZDF	New Zealand Defence Force	
the Panel	Hearing Commissioners	
plan change area	69-73 & 94-96A Trig Road and 141, 145, 151, 153, 155-157, 159 & 163 Brigham Creek Road, Whenuapai	
PC78	Plan Change 78- Auckland Council Intensification Plan Change	
PC80	Plan Change 80- RPS Well-Functioning Urban Environment, Resilience to the Effects of Climate Change and Qualifying Matters	
PPC 107	Proposed Private Plan Change 107	
LIZ	Business – Light Industrial Zone	
RMA	Resource Management Act 1991	
RPS	Regional Policy Statement (within the Auckland Unitary Plan)	
SGA	Supporting Growth Alliance	
SMAF1	Stormwater Management Area Flow 1	
SMP	Stormwater Management Plan	
SHA	Special Housing Area	
VPH	Vehicles Per Hour	
WBP	Whenuapai Business Park	
WSP	Whenuapai Structure Plan	
W3PSMP	Whenuapai 3 Precinct Stormwater Management Plan	

NZTA	Waka Kotahi New Zealand Transport Agency
Abbreviation	Meaning

Attachments

Attachments		
Plan Change 107 (as notified) including specialist reports		
https://www.aucklandcouncil.govt.nz/plans-projects-policies-reports-		
bylaws/our-plans-strategies/unitary-plan/auckland-unitary-plan-		
modifications/Pages/details.aspx?UnitaryPlanId=274		
Further information requests and responses		
https://www.aucklandcouncil.govt.nz/UnitaryPlanDocuments/PPC 107-		
clause23-response-tables.pdf		
Specialist peer review reports		
Local Board Views		
Statutory framework		
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S42A Recommended changes to precinct provisions		
Section 32AA report		

1. INTRODUCTION AND EXECUTIVE SUMMARY

1.1 Section 42A report

- 1. In preparing for hearings on PPC 107, this hearing report has been prepared in accordance with section 42A of the Resource Management Act 1991 (**RMA**).
- 2. This report considers the private plan change request as notified, and the issues raised by submissions and further submissions on PPC 107. The discussion and recommendations in this report are intended to assist the Hearing Commissioners (**the Panel**), the Applicant and those persons or organisations that lodged submissions on PPC 107. The recommendations contained within this report are not the decisions of the Panel.
- 3. This report also forms part of council's ongoing obligations to consider the appropriateness of the proposed provisions, as well as the benefits and costs of any policies, rules or other methods, as well as the consideration of issues raised in submissions on PPC 107.
- 4. To clarify for all parties, the conclusions and interim recommendations in this report are not binding on the Panel. The Panel will consider all the information submitted in support of PPC 107, information in this report, and the information in submissions together with evidence presented at the hearing.

1.2 Report Author

- 5. This S42A report has been prepared by Myles Anderson. I am a Policy Planner with a Masters Degree in Planning (Prof.) and Urban Design (Hons.) from the University of Auckland, which I obtained in 2023. I have three years planning and resource management experience. Recent projects have included providing evidence for the Topic 020AC Sylvia Park Precinct and 020AY Albany Centre Precinct in the Plan Change 78 Intensification hearings and processing a new designation for the Ministry of Education. I have been a graduate member of the New Zealand Planning Institute since 2024.
- 6. While this is not an Environment Court proceeding, I have read the code of conduct for expert witnesses contained in the Environment Court Practice Note (2023) and agree to comply with it. Except where I state that I am relying on the specified advice of another person, the opinions expressed in this report are within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions I express.
- 7. I assumed responsibility of processing this plan change following the public notification period as the previous reporting planner has left Council. I have visited the site on several occasions.

8. This report is informed by and, where stated, relies on the reviews and advice from the following experts in Table 1 below.

Table 1: Specialist input to s42A report

Matter	Reviewing Specialist
Urban Design	Rebecca Skidmore
Economics	Tim Heath
Ecology	Jason Smith
Traffic and Transport	Harry Shepherd
Stormwater/Auckland Council Healthy Waters and	Lee Te
Flood Resilience	Carmel O'Sullivan
	Brooke Waterson
	James Taylor
Auckland Transport	Katherine Dorofaeff
Auckland Council Parks and Community Facilities	Louise Thomas
Acoustic	Peter Runcie

1.3 Summary of Plan Change

- 9. This is a private plan change application from Neil Construction Limited (the Applicant) to rezone land and create the Whenuapai Business Park precinct in the Auckland Unitary Plan Operative in Part (AUP).
- The proposed plan change zoning map, precinct plan and provisions, together with the plan change request (**AEE**), which includes an Assessment of Effects and Section 32 evaluation are in Attachment 1. The Applicant has provided a wide range of supporting technical reports, all of which have been reviewed by a council team of staff and appointed consultants.¹
- 11. The following are key elements of the plan change:
 - rezone 47.5ha of land across 12 properties in Whenuapai from Future Urban Zone (**FUZ**) to Business Light Industry Zone (**LIZ**)
 - introduce a new precinct into Chapter I Precincts (West) of the AUP (Whenuapai Business Park)

¹ <u>Neil Construction Limited – Whenuapai Business Park Plan Change Request</u>

- apply the Stormwater Management Area Control: Flow 1 (**SMAF1**) over the plan change area.
- 12. In combination, the changes to the zoning and introduction of a new precinct will enable a light-industrial business area to be established in Whenuapai by providing land suitable for a range of business activities.
- 13. The proposed zoning is depicted in Figure 1 below.



Figure 1 Proposed zoning of the plan change area.

14. The reason for the plan change is summarised in section 1.0 Executive Summary of the AEE as follows:

"The PPC seeks to apply a new Whenuapai Business Park Precinct over the PPC land. The proposal is intended to enable a light-industrial business area to be established to support business and employment opportunities in Whenuapai and the wider north-west area by providing land suitable for a range of business activities, including land extensive activities, that are serviced by key transport routes and are connected to surrounding residential areas. Auckland, particularly the north-west, has an historic lack of vacant industrial land suitable for land-extensive industrial activities and, in order to support the growth of Auckland through providing employment opportunities within close proximity to key infrastructure, enabling the

- provision of further industrial land is considered vital to achieving this and creating a well-functioning urban environment."²
- 15. The plan change area is currently zoned as FUZ. The FUZ is a transitional zone in which land may be used for a range of general rural activities but cannot be used for urban activities until the site is re-zoned for urban purposes. The request seeks to enable and facilitate substantial new industrial growth in the Whenuapai area. This growth cannot be achieved within the current AUP FUZ zoning that manages land use and development on the site.
- 16. The plan change area is identified in the Council's Future Development Strategy 2023 (**FDS**) within 'Whenuapai Business' and is identified as being live zoned for urban activity not before 2025+. Several infrastructure prerequisites are applicable to support the development and full build out of the area. PPC 107 is supported by precinct provisions and an infrastructure staging plan which ties the development of the plan change area to the provision of the infrastructure necessary to support it.

1.4 Consultation

- 17. A summary of the consultation undertaken in preparing PPC 107 is provided in Attachment I of the Applicant's supporting documents. Parties recorded as having been consulted include Auckland Council, the Upper Harbour Local Board, Auckland Transport (**AT**), Watercare, Tāngata whenua (Te Kawerau ā Maki, Ngāti Manuhiri, Ngāti Maru, Ngāti Paoa Iwi Trust and Trust Board, Ngāti Te Ata, Ngāti Whātua o Kaipara, Ngāti Whātua o Ōrākei Trust Board, Te Rūnanga o Ngāti Whātua and Te Ākitai Waiohua), the New Zealand Defence Force (**NZDF**), Auckland Council Healthy Waters and Flood Resilience (**Healthy Waters**), Te Tupu Ngatāhi Supporting Growth, Watercare, and neighbouring land owners. The Applicant's Consultation Summary states that private land owner approvals were received from 145 and 159 Brigham Creek Road and 96 and 96A Trig Road (with documentation for 153 Brigham Creek Road not indicating approval was provided).
- 18. The AEE outlines consultation being sought with nine iwi/hapu parties, three of which responded;
 - Ngāti Te Ata: confirmed no engagement is required;
 - Ngāti Manuhiri: deferred to Te Kawerau ā Maki; and
 - Te Rūnanga o Ngāti Whātua: expressed interest in the application but no confirmation on whether a Cultural Impact Assessment (CIA) is to be provided have been received.
- 19. As part of the Whenuapai Business Park COVID-Fast Track Consent application that the Applicant made in October 2021 Te Kawerau ā Maki provided a CIA for the previously proposed development on land that is now included as part of PPC 107. The CIA relates to a lesser extent of land area than is proposed through PPC 107. Te Kawerau ā Maki's CIA is discussed in further detail in this report in Section 8.4 Hydrology below.

² Page 6, Section 1.0 Executive Summary of the Request for Private Plan Change: Proposed Plan Change: Whenuapai Business Park, Campbell Brown, dated 23 October 2024.

1.5 Local Board views

- 20. Following the close of submissions, Auckland Council Planning and Resource Consents staff sought feedback from the Upper Harbour Local Board (**Local Board**). The Local Board considered its feedback at the Board's business meeting on 27 March 2025 and the feedback appears in Attachment 4. The matters raised by the Local Board are included verbatim below:
 - support this plan change subject to matters raised in submissions by Watercare and Auckland Council are dealt with appropriately, otherwise we do not support this plan change
 - note that the Local Board understands the importance of local employment in the Northwest and in Whenuapai, there is a need to deliver a variety of local employment opportunities close to residential neighbourhoods and where good transport connections exist
 - support the view of Watercare to seek to amend the precinct provisions to address stormwater and flooding effects so that there is no increase in flood levels at the Whenuapai Wastewater Pumping station
 - support the view of Auckland Council that the plan needs to integrate transport, wastewater and water infrastructure and address funding of this infrastructure
 - considers that as the air base is of nationally strategic importance the use of the Air Base must not be compromised by development enabled by Plan change 107
 - note that the local board does not have visibility to discussions between Auckland Council Parks Department and the Applicant and would like to ensure that the open space in this plan change meets the Auckland Council provision guidelines
 - requests that as part of the plan change the Applicant provide a vehicular connection from the new road in the business park to the Auckland Council Park at 161-167 Brigham Creek Road
 - consider that in planning for this area there is greater need to account for climate change impacts, to protect critical infrastructure and to prevent any increase in flood risk
 - note that infrastructure is not in place yet and does not support construction prior to commissioning of the required infrastructure
 - seeks to encourage industrial and commercial development to include water and energy efficient measures
 - note that the local board aims to increase tree canopy cover to 30% while Whenuapai is currently at less than 10% and express concern about the removal of any mature trees through this development
 - request that this development include a significant number of trees to be planted and that any roads created have large street trees in place with deep tree pits to enable the trees to grow to maturity
 - request that that any development in Whenuapai avoids habitat loss in freshwater and biodiverse ecosystems
 - considers travel by active and public transport modes is vital for any development.

21. The Local Board feedback is addressed through the analysis undertaken under the relevant subheadings in Section 8 of this report and in the recommended changes to the provisions in **Attachment 8**.

1.6 Plan change process to date

- 22. The initial plan change request was lodged on 20 December 2023. On 26 February 2024, prior to accepting PPC 107, the Council requested that the Applicant provide further information in accordance with cl.23 of Schedule 1 to the RMA. This request is attached as Attachment 2 (and also included in Attachment 1 of the application material above). The purpose of the further information requests were to enable the Council to better understand the effects of the private plan change on the environment and the ways in which adverse effects may be managed. The information sought related to the following matters:
 - precinct provisions and planning-related issues
 - flooding
 - parks (interface and access)
 - urban design and landscape architecture
 - transport and traffic
 - terrestrial and freshwater ecology
 - Healthy Waters (stormwater management and flooding).
- 23. The Applicant responded to the cl.23 request on 15 May 2024. This response is included in Attachment 2 to the request, as noted above. Table 2 below includes the documents the response incorporated:

Table 2 Documents provided by the Applicant in response to the first cl. 23 request

Document	Prepared by	Dated
An updated Private Plan Change Request (AEE and Section 32)	Campbell Brown	14 May 2024
An updated Integrated Transport Assessment (ITA)	Team Traffic	7 May 2024
Updated Precinct Provisions		
Response to ecology matters (wetlands)	Viridis	1 March 2024
Hydric Soil and Hydrology Tool Assessment	Williamson Water and Land Advisory	22 November 2023

Stream condition assessment	Viridis	17 April 2024
The response to Healthy Waters (stormwater management and flooding) matters	Cato Bolam	2 May 2024
Peer review of Cato Bolam response to Healthy Waters	MPS Limited	2 May 2024
The response to Traffic and Transport matters	Cato Bolam	2 May 2024
The memo on the Application of Strategic	Don McKenzie	29 April 2024
Modelling and Land Use Scenarios	Consulting Ltd	
Infrastructure Tie-in to SGA Design drawings	Cato Bolam	12 April 2024
Road and infrastructure upgrade drawings	Cato Bolam	12 April 2024
Whenuapai Business Park SATURN Model Extracts	Abley	17 April 2024
Safe intersection sight distance drawings	Cato Bolam	15 April 2024
An updated Precinct Plan	Cato Bolam	2 October 2023
An updated Precinct Plan Infrastructure Staging Plan	Cato Bolam	3 May 2024
The response on Urban Design matters	Ian Munro	20 March 2024
The updates to the Landscape Visual Assessment	Sola Landscape Architects LTD	26 April 2024
A map showing the Designation 4311 Contours	Cato Bolam	12 October 2023

- 24. The Council made a second request for further information (in the form of suggested amendments to the plan change) in accordance with cl.23 on 12 June 2024 (refer Attachment 2) with respect to the following topics:
 - stormwater management and flooding
 - transport and traffic
 - connectivity of the plan change site to neighbouring sites.
- 25. The Applicant responded to the cl.23 request on 2 August 2024. This response is included in Attachment 2 to the request, as noted above. Table 3 below includes the documents the response incorporated:

Table 3 Documents provided by the Applicant in response to the second cl. 23 request

able o Bootiments provided by the Applicant in response to the second on 20 request		
Document Name	Prepared By	Date Prepared
a technical note on transport and traffic	Team Traffic	24 July 2024
updated road upgrade drawings	Cato Bolam	22 July 2024
updated precinct provisions	_	_
a road function and design		
elements table	_	_

a response to Healthy Waters (stormwater management and flooding)	Cato Bolam	31 July 2024
revisions to the stormwater management plan	Cato Bolam	22 July 2024
updated Infrastructure Staging Plan	Cato Bolam	1 July 2024

- 26. The Council made a third request for further information in accordance with cl.23 on 16 August 2024 (refer Attachment 2) with respect to the transport and traffic topic. The council made a separate request for further information in accordance with cl.23 on 28 August 2024 (Attachment 2) with respect to the stormwater management and flooding topic.
- 27. There are discrepancies between council's local and notified web files related to the third cl.23 response from the applicant. These discrepancies pertain to the dates and content of the files. The dates from the notified files are the most recent and have been used in this report. Both the notified and local cl.23 files have been included in the list below in order to provide the Panel with a comprehensive record of the cl.23 process.
- 28. The Applicant responded to the cl.23 request on transport and traffic matters on 30 August 2024. The Applicant responded to the cl.23 on stormwater management and flooding matters on 12 September 2024. This response is included in Attachment 2 to the request, as noted above. Table 4 below includes the documents the response incorporated:

Table 4 Documents provided by the Applicant in response to the third cl. 23 request

Table 4 Documents provided by the Applicant in response to the third ci. 25 request		
Document Name	Prepared By	Date Prepared
Erosion Risk Assessment Memo	Cato Bolam	30 August 2024
Letter regarding Healthy Waters matter	Campbell Brown	2 September 2024
Request for Further Information Response	Cato Bolam	2 September 2024
Request for Further Information Response	Cato Bolam	12 September 2024
Additional Stream Erosion Risk Tool Results	Cato Bolam	No date
Response to transport and traffic matters	Not specified	No date

- 29. The private plan change request was accepted for processing by Council's Policy and Planning Committee pursuant to Clause 25(2)(b) of Schedule 1 of the RMA on 10 October 2024.
- 30. PPC 107 was publicly notified on 8 November 2024, with the original submissions closing date of 6 December 2024. The further submissions period opened on 23 January 2025 and closed on 07 February 2025.

1.7 Main Issues Raised and Interim Assessments made in this s42A report

31. The following is a summary of the main issues addressed in this report.

32. Issue 1: Planning - Report Section 8.1

The issues in submissions related to planning are the activity status of development according with the precinct plan, the timing of development with the provision for water and wastewater infrastructure. An issue raised by the report author is the amendment of a rule for non-complying activities in I6XX.4.1 Activity table. The plan change is supported with the amendments proposed to the precinct to remedy these issues.

33. Issue 2: Whenuapai Airbase - Report Section 8.2

The issues in submissions related to Whenuapai Airbase are the references to Whenuapai Airbase in PPC 107, activities requiring notification of NZDF and reverse sensitivity effects. Mr. Peter Runcie, the acoustic specialist on behalf of council, has identified issues related to reverse sensitivity not addressed in submissions. The plan change is supported with the amendments proposed to remedy these issues.

34. Issue 3: Transport - Report Section 8.3

The issues in submissions related to transport are the inclusion of cycling and walking access to the Kauri Road/Brigham Creek intersection, trip generation standards, access to Trig Road and safe and efficient access to the NZDF Base. Ms. Katherine Dorofaeff, the Auckland Transport specialist, and Mr. Harry Shepherd, Transport Specialist on behalf of council have identified issues related to transport network safety at the SH18 / Trig Road interchange and flexibility of the transportation drawings in the precinct provisions not addressed in submissions. The plan change is supported with the amendments proposed to remedy these issues.

35. Issue 4: Hydrology - Report Section 8.4

The issues in submissions related to hydrology are the flooding effects caused by the development of PPC 107 and stormwater management. Stormwater management and flooding specialists with Healthy Waters on behalf of council have identified issues related to stormwater management and stream erosion not addressed in submissions. The plan change is supported with the amendments proposed to remedy these issues.

36. Issue 5: Urban Design and Open Space - Report Section 8.5

The issues relating to urban design and open space are the interface of future development with Brigham Creek and Trig Road, identification of internal streets within Precinct Plan, and relationship of PPC 107 with future reserves. There are no submissions related to urban design and open space. These issues have been identified by Ms. Rebecca Skidmore, urban designer on behalf of council, and Ms. Louise Thomas, parks planner on behalf of council. The plan change is supported with the amendments proposed to remedy these issues.

37. Issue 6: Economics - Report Section 8.6

The issues related to economics are the land supply made available by PPC 69, relativity of the vacancy rate and rental price in the Northwest region with the wider catchment and economic benefits of the plan change. There are no submissions related to economics. These issues have been identified by Mr. Tim Heath, economics specialist on behalf of council. No amendments have been recommended to address these issues. The plan change is supported without amendments to address economic issues.

1.8 Summary of recommendations

- 38. I propose amendments to the proposed precinct provisions and precinct plans in Attachment 8. Attachment 8 contains the marked-up version of the precinct provisions with underlining of new/proposed text and strikethrough and then is also shown without track changes in a 'clean' version for ease of reading.
- 39. The summary of recommended amendments to the provisions arises from the assessments carried out in this report, including via the input of the reporting specialists' team. In summary they:
 - Recognise access restrictions on Trig Road to protect its function as a future arterial
 - Set an overall Gross Floor Area (**GFA**) limit to manage effects from the development of the plan change area on the surrounding transport network
 - Ensure PPC 107 recognises the interface with and connection to adjacent future reserves and the surrounding road network
 - Provide for subdivision and development in a way which integrates with the provision of water supply, wastewater and transport infrastructure upgrades
 - Manage stormwater, flooding effects and aquatic ecological health by providing stormwater infrastructure prerequisites, stormwater devices, wider riparian margins and the requirement for development to provide a stream stabilisation plan
 - Protect the functioning of the Whenuapai Airbase by managing reverse sensitivity effects, temporary activities, lighting and activities which increase the likelihood of bird strike.

- Corrects grammatical and technical errors in the plan change drafting.
- 40. I consider that these revisions are the most appropriate way of achieving the objectives of the AUP(OP) and the purpose of the RMA. The recommendations are made based on assessments that have been made to date. It is recommended that PPC 107 be approved with modifications.

2. HEARINGS AND DECISION-MAKING CONSIDERATIONS

- 41. Clause 8B (read together with Clause 29 of Schedule 1 of RMA) requires that a local authority must hold hearings into submissions on the proposed private plan change. Auckland Council's Combined Chief Executives' Delegation Register delegates to hearing commissioners all powers, duties and functions under s34 of RMA. This delegation includes the authority to determine decisions on submissions on a plan change, and the authority to approve, decline, or approve with modifications, a private plan change request. The Panel will not be recommending a decision to the council but will be making the decision directly on PPC 107.
- 42. Private plan change requests can be made to a council under Clause 21 of Schedule 1 of the RMA. The provisions of a private plan change request must comply with the same mandatory requirements as council-initiated plan changes.
- 43. The RMA requires territorial authorities to consider a number of statutory and policy matters when developing proposed plan changes. PPC 107 mainly relates to district plan matters.
- 44. The statutory framework within which the Panel will consider the plan change is outlined in Attachment 5. In brief, Section 32(1)(a) of the RMA requires an assessment of whether the objectives of a plan change are the most appropriate way for achieving the purpose of the RMA in Part 2. Section 72 also states that the purpose of the preparation, implementation, and administration of district plans is to assist territorial authorities to carry out their functions in order to achieve the purpose of the Act. Section 74 provides that a territorial authority must prepare and change its district plan in accordance with the provisions of Part 2 and requires that a plan change must have particular regard to an evaluation prepared in accordance with Section 32. Section 32 requires an evaluation report examining the extent to which the objectives of the plan change are the most appropriate way to achieve the purpose of the RMA and requires that report to examine whether the provisions are the most appropriate way of achieving the AUP objectives. Section 32AA requires a further evaluation for any changes that are proposed to the notified plan change after the section 32 evaluation was carried out.
- 45. The Applicant has prepared a Section 32 assessment. I consider that assessment to be generally sound and appropriate except where I prefer the views of specialists as indicated in this report.
- 46. In accordance with s42A(1) of the RMA, this report considers the information provided by the Applicant and summarises and discusses submissions and further submissions received on PPC 107. It also relies on the specialist reporting commissioned by Council and provided to the

reporting planner. This report then makes recommendations on whether to accept, in full or in part; or reject; each submission. The report also identifies what amendments to the PPC 107 provisions are recommended, if any, to address matters raised in specialist assessments, submissions or further submissions. Finally, the report makes an interim recommendation on whether to approve, decline or approve with modifications PPC 107.

- 47. This s42A report begins with a section providing the background and context to the plan change. Then, having regard to the statutory framework outlined in Attachment 5, the report is structured to provide an analysis of:
 - the information provided in the application, including the supporting s32 and other assessments
 - relevant National Planning Instruments (Policy Statements and Standards)
 - relevant parts of the AUP Regional Policy Statement
 - relevant parts of the AUP Regional Plan and District Plan
 - other relevant planning instruments
 - effects (including consideration of submissions and further submissions)
 - recommendations on submissions (detailed in Attachment 7)
 - recommended provisions (detailed in Attachment 8)
 - alternatives and methods
 - risk of not acting
 - recommendations arising from the analysis undertaken to date (including as relevant to the assessment required by s32AA).

3. CONTEXT

3.1 Site and surrounding area

48. The plan change area is situated on the eastern side of the Whenuapai Area, as shown in Figure 2 below. It is generally bound by Brigham Creek Road to the north and is located immediately adjacent to the Royal New Zealand Air Force Base. The Whenuapai Business Park (**WBP**) as proposed in PPC 107 is surrounded by FUZ land on all other sides and is situated on the Brigham Creek and Trig Road intersection. Access to the area is presently available either from Brigham Creek Road or the end of Trig Road. The plan change location within the larger environment is depicted in Figure 2 below.

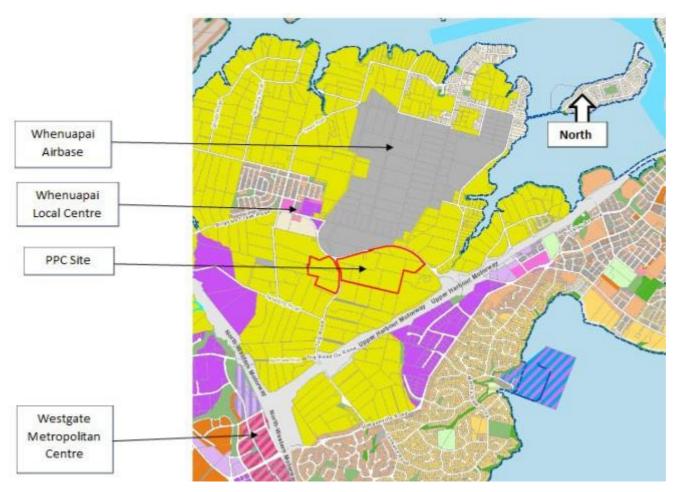


Figure 2 Auckland Unitary Plan operative zoning of the PPC 107 area and the surrounding area

49. The land is in the ownership of seven parties, including the Applicant, who owns approximately 24.66ha of the land. The legal description, site size and registered owner of the lots within the plan change area are shown in Table 5 below:

Table 5 Addresses, legal description, site area, and ownership of sites within the extent of PPC 107.

Address	Legal Description	Site Area	Registered Owner
69 Trig Road	Lot 5 & 3 DP 101583	5.71 ha	Neil Construction Ltd
71 Trig Road	Lot 5 & 3 DP 101583 / Lot 2 DP 117365	6.98 ha	Neil Construction Ltd
73 Trig Road	Lot 1 DP 117365	2.61 ha	Neil Construction Ltd
94 Trig Road	SECT 2 SO 528987	3.23 ha	Neil Construction Ltd
96 Trig Road	Lot 1 DP 590594	4.04 ha	M & R Patten
96A Trig Road	Lot 2 DP 590594	4.01 ha	M & C Laurie
141 Brigham Creek Road	Lot 1 DP 169384	6.49 ha	Chin-Jung Hou & Jung-Li Chuang

145 Brigham Creek Road	Lot 1 DP 114117	2,558 m2	Wen Jing Chen and Yu Jin Wu
151 Brigham Creek Road	Lot 4 DP 101583	6.13 ha	Neil Construction Ltd
153 Brigham Creek Road	Lot 1 DP 334953	1.36 ha	Spark New Zealand Trading Ltd

- 50. The site has a total area of 47.5 hectares. The sites in the plan change area are currently zoned Future Urban and are subject to the Airspace Restriction Designations ID 4310 & 4311, Defence purposes protection of approach and departure paths at Whenuapai Airbase. Some of the sites in the plan change area are also subject to the Aircraft Noise Overlay Whenuapai Airbase noise control area 55dBA and 65dBA. The extent of the sites within the plan change area where these overlays apply are subject to additional matters of assessment through the AUP.
- 51. A description of the sites within the plan change area is below:
 - 94, 96 & 96A Trig Road: These three properties, used for farming and residential lifestyles, have a combined area of 11.28 hectares. They are located on the western side of Trig Road and are separated from the rest of the proposed business park area. All three properties have frontage to Trig Road. The Applicant owns the southernmost property, while the owners of the other two properties have agreed to their properties inclusion in PPC 107. The properties have a slight fall towards the north-east.
 - 69, 71 & 73 Trig Road and 151 & 155-157 Brigham Creek Road: These properties form the southern area of PPC 107, covering a total of 15.3 hectares. Access to 71 and 69 Trig Road is via accessways adjacent to the southern boundary of the proposal area, while 73 Trig Road has frontage onto Trig Road. 151 and 155-157 Brigham Creek Road are located towards the northern end of the proposal area and are owned by the Applicant. The topography of the property is generally consistent, with a slight fall from the south down to the north. Both 71 and 69 Trig Road are rear sites with access provided via accessways adjacent to the southern boundary of the PPC land. 73 Trig Road has frontage on to Trig Road.
 - 141, 145, 153 & 159 Brigham Creek Road: Located to the north-west and north-east of the proposal area, these properties cover a combined area of 9.38 hectares. 141 Brigham Creek Road is used for farming, while 145 and 159 Brigham Creek Road are residential properties. While the Applicant does not own these properties, the applicant's documents (AEE and Consultation Summary in Attachment 1) supporting PPC 107 state that the owners have agreed to their inclusion in PPC 107. All three properties are accessed off Brigham Creek Road and have varying topography.
 - **153 Brigham Creek Road**, owned by Spark New Zealand Trading Limited, houses the Whenuapai Cable Landing Station, a key termination point for the Southern Cross internet cable. The applicant's documents (AEE and Consultation Summary in Attachment 1)

supporting PPC 107 state that they have permission from Spark to include this property in PPC 107.

- 52. The topography across the entirety of the site is generally flat, rising from 20m above sea level in the east to 30m across the centre and west. Many of the properties on the site have a history of agricultural and horticultural usage. These activities and large-scale earthworks have significantly modified the natural character of the site.
- 53. The site is predominately pasture and is of low ecological and botanical value due to a dominance of exotic species and limited areas of natural vegetation. While limited, native vegetation is primarily concentrated around two small pockets in the northeast of the site and scattered in other areas. A substantial amount of the remaining vegetation on the site is located within the riparian margins of the permanent and intermittent waterways that traverse the site.
- 54. The properties contain a mix of permanent and intermittent waterways and natural inland wetlands. The main waterway in which the overland flow paths collect is an unnamed tributary of the Waiarohia Stream, flowing through the north-eastern corner of the development area. Flood plains are predominantly limited to the overland flow paths on the PPC 107 land, with some additional ponding on 141 Brigham Creek Road. Two natural inland wetlands have been identified in the northern portion of the PPC 107 land and are located along the unnamed tributary of the Waiarohia stream. Additional wetlands are located in the western part of the PPC 107 land.
- 55. The site has no stormwater network but a number of artificial drains are located across the site and two constructed ponds are present along the unnamed tributary of the Waiarohia stream. Potable water connections are located within Brigham Creek and Trig Road carriageways, as well as existing power and telephone services.
- 56. An aerial view of the plan change area is depicted in Figure 3 below.

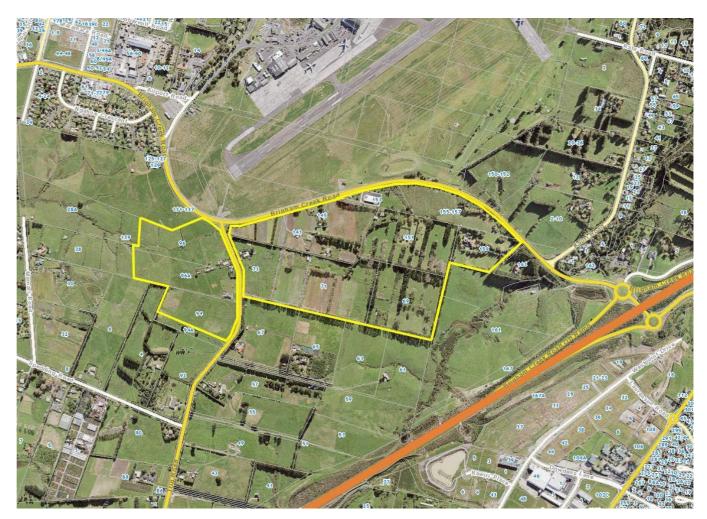


Figure 3 Aerial view of the PPC 107 area. (Source: Neil Construction Limited - Whenuapai Business Park Plan Change Request: Figure 1, Campbell Brown)

- 57. Adjacent to the site, the surrounding area consists of both rural and residential activities. Auckland Council owns several nearby sites that are identified for future recreational reserves. The Whenuapai Air Force Base is located directly north and is a prominent feature with several designations (Minister of Defence) to support its operations. The eastern, southern, and western boundaries of the PPC 107 land border rural-residential properties that are occupied by dwellings and/or used for rural activities, such as pasture.
- 58. Whenuapai Township, located approximately 1.6km to the northwest of the site, is evolving into an urbanized suburb, supported by a Special Housing Area (**SHA**) and the 2016 Whenuapai Structure Plan (**WSP**). The WSP outlines the development of 5,000 homes, employment zones, and a town centre to accommodate future growth. Whenuapai is connected to the wider Auckland region via State Highway 16, connecting to northwest Auckland, and State Highway 18, connecting to Albany and State Highway 1.
- 59. Nearby, Westgate is a growing metropolitan centre providing a range of services, including retail and commercial facilities. Hobsonville, to the east, has undergone redevelopment from a former

airfield into a mixed residential and industrial area. Additionally, several SHAs, including Whenuapai Village, are constructed and provide residential living.

3.2 Recent Background

- 60. The plan change area was previously included in Proposed Plan Change 5 which sought to rezone 351 ha of land in the southern and eastern parts of Whenuapai from FUZ to a mix of residential and business zones. Plan Change 5 was withdrawn due to unfunded infrastructure upgrade provision being required to support the proposed rezoning. The infrastructure staging plan associated with PPC 107 provided by the Applicant is included in Attachment 1.
- 61. Resource consent for the Whenuapai Business Park was sought under the Covid-19 Recovery Act 2020. An application for referral to use this process was submitted to the Ministry for the Environment in October 2021 and subsequently approved for processing by the Minister for the Environment. The fast-track resource consent application was then lodged with the Environmental Protection Agency (**EPA**) in November 2022. However, this application was declined by the Expert Consenting Panel. The reason for the decline was that the proposal was inconsistent with the objectives and policies of the FUZ and was considered inappropriate without the land first being rezoned.
- 62. Before the current PPC 107 application, the Whenuapai area and the site were subject to various planning initiatives and planned infrastructure investments by Auckland Council and its Controlled Organisations (**CCOs**).
 - The Whenuapai Structure Plan supported the preparation of the Whenuapai 3 Precinct Stormwater Management Plan (**W3PSMP**) in 2017. This plan was intended to support the proposed Plan Change 5. However, the W3PSMP was not adopted under the Auckland Council Regionwide Stormwater Network Discharge Consent.
 - Network Discharge Consents: The Auckland Council operates under a Regionwide Stormwater Network Discharge Consent (**NDC**). This consent allows stormwater diversions and discharges through the public network, provided they are authorised by an approved Stormwater Management Plan (**SMP**). For greenfield developments, an SMP is required to be notified with the plan change documents and must meet the NDC's requirements. The SMP prepared for PPC 107 is based on the earlier W3PSMP but modified to align with the NDC's more stringent requirements. It is intended to support PPC 107 and be consistent with the NDC.

Bulk Earthworks Consents

- 63. Bulk earthworks consents have been granted for significant earthworks across portions of the PPC 107 area:
 - LUC60350837: Granted on August 20, 2020, for properties including 69 Trig Road and 151, 155-157 Brigham Creek Road. This consent allowed for bulk earthworks covering an area of 11.69 hectares with a total volume of 96,400m³ (48,200m³ cut and 48,200m³ fill). The purpose was to level the site for future urban subdivision, related infrastructure, and future roading. This was processed as a restricted discretionary activity. The consent lapses five years after being granted. Earthworks under this consent were undertaken in 2021/2022.

- LUC60376543 / WAT60389018: Granted on November 29, 2021, for 71 Trig Road. This granted land use consent for bulk earthworks (6.7ha area, 51,500m³ volume) and a water permit to take groundwater for dewatering. These were restricted discretionary activities. The earthworks consent expires five years from the issue date, and the water permit has a duration of 35 years. Earthworks are noted as progressing under this consent.
- BUN60395603 / LUC60395604 / WAT60395605: Granted on July 12, 2022, for 94 Trig Road. This covered land use consent for earthworks (32,900m² area, 24,000m³ volume) and a water permit for groundwater dewatering. This was a restricted discretionary activity. The water permit duration is 35 years. Bulk earthworks are progressing under this consent.
- BUN60410316 / WAT60410318: Approved on 29 May, 2023, for 73 Trig Road. This application included land use consent for earthworks (27,658m² area, 33,547m³ volume) and a water permit for groundwater dewatering. These were restricted discretionary activities. The water permit has a duration of 35 years. Bulk earthworks are progressing under this consent.
- 64. The granting and implementation of bulk earthworks consents on a significant portion of the PPC 107 land (over 20 hectares) have physically transformed these areas. The total volume of earthworks across the consented sites is 205,400m³. This extensive earthwork activity was undertaken to prepare appropriate ground conditions for future urbanisation and development. This has changed the character of the modified parts of the site from a semi-rural environment to a highly modified state.

Supporting Growth Alliance

- 65. Te Tupu Ngātahi Supporting Growth programme is being delivered by Auckland Transport and Waka Kotahi New Zealand Transport Agency (**NZTA**). The programme involves planning and constructing the new transport networks needed over the next 30 years to support future urban growth in Warkworth, North Auckland, North West Auckland and South Auckland.
- 66. The Supporting Growth Alliance programme has completed designations in 2024 that protect the land required for future transport projects. The construction of these projects is not intended to commence for another 10 to 20 years. The network in the northwest will provide the current community with transport improvements while preserving the rural character of the area until the land is released for urban development through plan change processes.
- 67. On 19 December 2022 Supporting Growth Alliance lodged 19 Notices of Requirement (**NoRs**) with Council in three packages. A full list of the SGA NoRs which apply to North West Auckland can be found here. I have only identified the NoRs that are relevant to PPC 107 in Table 6 below:

Table 6 Supporting Growth Alliance NoR's affected by PPC 107

Notice	Project	Description	Requiring Authority
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W1	Trig Road	Upgrade of Trig Road corridor to an urban arterial with separated active mode facilities	Auckland Transport
W3	Brigham Creek Road	Upgrade of Brigham Creek Road corridor with separated active mode facilities	

68. NoRs W1 and W3 apply to the PPC 107 site. The Applicant's AEE and supporting infrastructure report (Attachment 1) propose infrastructure upgrades throughout the precinct to Trig Road and Brigham Creek Road which are generally in accordance with the upgrades proposed through the W1 and W3 NoRs. The Applicant's ability to upgrade Trig Road and Brigham Creek Road adjacent to the plan change area is however constrained by land ownership. Ms. Dorofaeff's S42A technical report, included in Attachment 3 to this report, for AT finds that:

In my view, taking into account the constraints that apply, the works proposed by, and required by the precinct provisions, are consistent with providing for the future development and upgrading of Auckland's transport infrastructure.³

69. I refer to and rely on this assessment, noting that Ms. Dorofaeff's technical memo addresses and makes recommendations on other aspects of the plan change which will be discussed in further detail below.

3.3 Existing AUP Provisions

- 70. The plan change area is presently zoned as FUZ. As discussed above the FUZ is a transitional zone in which land may be used for a range of general rural activities but cannot be used for urban activities until the site is re-zoned for urban purposes. Land within the FUZ is used and developed to achieve the objectives of the Rural Rural Production Zone.
- 71. The plan change area is also subject to the following provisions of the AUP and each provision is discussed in turn:

Provisions that the plan change area is subject to

Overlays:	Natural Resources: High-Use Aquifer Management Areas Overlay [rp] – Kumeū Waitemata Aquifer
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³ Dorofaeff, Katherine. Private Plan Change 107 - Whenuapai Business Park - Planning assessment of transport provisions (for the Council's s42A hearing report), Par. 4.18. 20 February 2025

• Infrastructure: Aircraft Noise Overlay - Whenuapai Airbase - noise control area (55dBA) & (65dBA)
Macroinvertebrate Community Index – Rural
 Airspace Restriction Designations - ID 4311, Defence purposes - protection of approach and departure paths (Whenuapai Air Base), Minister of Defence (entire site)
 Designation – ID 4310, Defence purposes (Whenuapai Air Base), Minister of Defence
 Designations – ID 7504, Telecommunication and radiocommunication and ancillary purposes, Designations, Spark New Zealand Trading Limited

Overlays

- 72. The Natural Resources: High-Use Aquifer Management Areas Overlay [rp] Kumeū Waitematā Aquifer overlay applies to the entirety of the plan change area. Land within the overlay is subject to the provisions in Chapter D1 High-use Aquifer Management Areas Overlay of the AUP. The provisions which apply to this overlay are applicable to proposals to take and use water from the aquifer. The Kumeū Waitematā aquifer management area refers to all aquifers below the ground surface, as shown on the AUP GIS overlay. The overlay does not impose any material restrictions on the proposed rezoning of the land.
- 73. The infrastructure: Aircraft Noise Overlay Whenuapai Airbase noise control area (55dBA) & (65dBA) applies to the western side of the plan change area as shown in Figure 4 below. The overlay consists of two aircraft noise areas defined by the 55dBA and 65dBA noise boundaries. Land within the overlay is subject to the provisions in Chapter D24 Aircraft Noise Overlay of the AUP. The provisions which apply to this overlay manage the subdivision of land and the location of activities sensitive to aircraft noise in areas of high cumulative noise around the region's airports and airfields. The provisions ensure that the continued operation of the airports and airfields is not compromised, and reverse sensitivity issues are addressed. Generally, the purpose of the overlay as it relates to the Whenuapai Airbase is to restrict certain activities that are sensitive to aircraft noise and requires acoustic insulation and ventilation standards to be met. Activities establishing within this overlay are subject to additional considerations under the AUP.

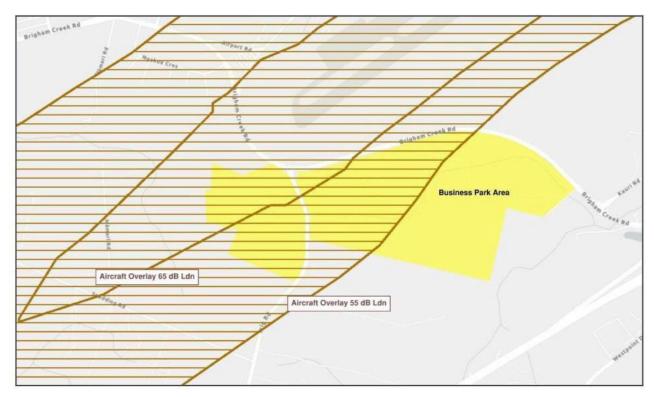


Figure 4 Effect of the D24 Overlays on plan change area (Source: Acoustic Assessment supporting the Plan Change Request, Fig. 2)

Controls

74. The Macroinvertebrate Community Index – Rural control applies to the entirety of the site. Land within the control is subject to the provisions in Chapter E1 Water quality and integrated management of the AUP. The control manages freshwater quality to standards established in the National Policy Statement for Freshwater Management 2020 (**NPS-FM**). The matters relevant to the Macroinvertebrate Community Index will be subject to consideration at the resource consent stage.

Designations

- 75. The Airspace Restriction Designations ID 4311, Defence purposes protection of approach and departure paths (Whenuapai Air Base), Minister of Defence (entire site) applies to the entire plan change area. Land within the overlay is subject to the relevant provisions in Chapter K Designation Schedule Minister of Defence in the AUP. The provisions of the designation protect the approach and departure paths to Whenuapai Airbase. The designation requires approval from NZDF for land use and subdivision located within the lower part of the runway approach paths, generally within 1 km of the runway.
- 76. A portion of the PPC 107 land, the north-west portions of 96 and 96A Trig Road, is located within the area that requires approval under s 176(1)(b) from NZDF under Designation 4311 as shown in Figure 5 below. The remainder of the plan change area is subject to the Transitional Side Surfaces, which slope upward from the edge of the aerodrome strip, and Inner Horizontal Surface, a horizontal near circular plane extending 4000 metres out from the edge of the aerodrome strip. No object can penetrate the obstacle limitation surfaces except with written approval by NZDF,

except where that building is not more than 9m above natural ground level. The height restrictions the Surfaces impose is relative to the distance from the airfield and the height of the immediate topography. The extent of the Takeoff, Approach and Transitional Side Surfaces in relation to the plan change area is depicted in Figure 5 below. Parts of the site is within the Inner Horizontal Surface. The Designation 4311 contours as they relate to airspace approach and departure heights above existing ground level are included as Attachment W to the Plan Change Request which is included as Attachment 1 to this report.

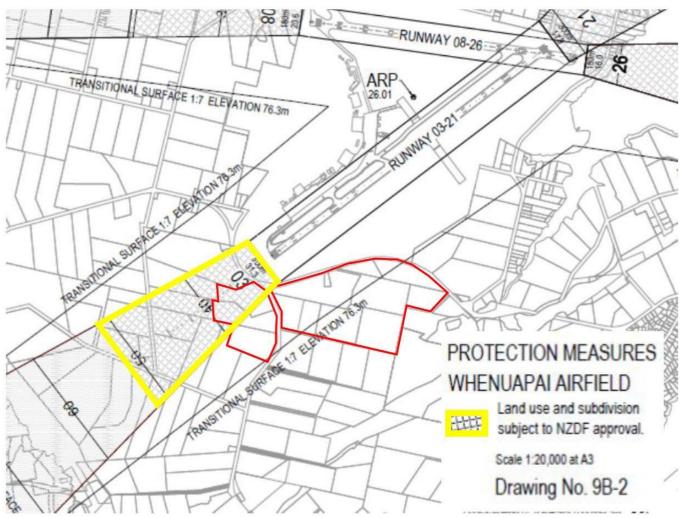


Figure 5 Land use and subdivision subject to NZDF approval under Designation 4311 (Source: Neil Construction Limited - Whenuapai Business Park Plan Change Request: Figure 16, Campbell Brown)

77. The Designation – ID 4310, Defence purposes (Whenuapai Air Base), Minister of Defence applies to portion of 96 and 96A Trig Road as shown in Figure 6 below. Land within the designation is subject to the relevant provisions in Chapter K Designation Schedule - Minister of Defence in the AUP. The provisions of the designation protect the operation, administration, and historic heritage values of the Whenuapai Airbase. The designation extent within the plan change area recognises the runway guidance lights which extend from the end of the airbase through the plan change area.



Figure 6 Designation 4310 in relation to the PPC land (Source: Source: Neil Construction Limited – Whenuapai Business Park Plan Change Request: Figure 17, Campbell Brown)

- Designations ID 7504, Telecommunication and radiocommunication and ancillary purposes, Designations, Spark New Zealand Trading Limited applies to 153 Brigham Creek Road. Land within the designation is subject to the relevant provisions in Chapter F Designation Schedule Spark New Zealand Trading Ltd in the AUP. The provisions of the designation protect the function of the Whenuapai Cable Station located at the site for Telecommunication and radiocommunication and ancillary purposes. The AEE states that "The applicant has in-principal support from Spark to include the site within the PPC and is engaged in ongoing communication to address Spark's requirements."
- 79. As noted above, PPC 107 seeks to change the zoning from FUZ to LIZ and to introduce a new Precinct to the AUP. It also seeks to include the application of the SMAF1: Stormwater control over the plan change area. PPC 107 does not otherwise change the overlays, controls, or designations that affect the plan change area, as listed above.

⁴Section 4.1.3 141, 145, 153 & 159 Brigham Creek Road of the Request for Private Plan Change: Proposed Plan Change: Whenuapai Business Park, Page 13, Campbell Brown, dated 23 October 2024.

4. NATIONAL PLANNING INSTRUMENTS

4.1 Legislation.

- 80. In the development of a proposed plan change to a regional and/ or district plan, the RMA sets out mandatory requirements in the preparation and process of the proposed plan change.
- 81. The mandatory requirements for plan preparation are comprehensively summarised by the Environment Court in *Long Bay-Okura Great Park Society Incorporated and Others v North Shore City Council* (Decision A078/2008),^[1] where the Court set out the following measures for evaluating objectives, policies, rules and other methods. This is outlined in Box 1below.

A. General requirements

- 1. A district plan (change) should be designed to accord with, and assist the territorial authority to carry out its functions so as to achieve, the purpose of the Act.
- 2. When preparing its district plan (change) the territorial authority must give effect to any national policy statement or New Zealand Coastal Policy Statement.
- 3. When preparing its district plan (change) the territorial authority shall:
 - (a) have regard to any proposed regional policy statement;
 - (b) not be inconsistent with any operative regional policy statement.
- 4. In relation to regional plans:
 - (a) the district plan (change) must not be inconsistent with an operative regional plan for any matter specified in section 30(1) [or a water conservation order]; and
 - (b) must have regard to any proposed regional plan on any matter of regional significance etc.
- 5. When preparing its district plan (change) the territorial authority must also:
 - have regard to any relevant management plans and strategies under other Acts, and to any relevant entry in the Historic Places Register and to various fisheries regulations; and to consistency with plans and proposed plans of adjacent territorial authorities;
 - take into account any relevant planning document recognised by an iwi authority; and
 - not have regard to trade competition;
- 6. The district plan (change) must be prepared in accordance with any regulation (there are none at present);
- 7. The formal requirement that a district plan (change) must also state its objectives, policies and the rules (if any) and may state other matters.

B. Objectives [the section 32 test for objectives]

- 8. Each proposed objective in a district plan (change) is to be evaluated by the extent to which it is the most appropriate way to achieve the purpose of the Act.
- C. Policies and methods (including rules) [the section 32 test for policies and rules]

- 9. The policies are to implement the objectives, and the rules (if any) are to implement the policies;
- 10. Each proposed policy or method (including each rule) is to be examined, having regard to its efficiency and effectiveness, as to whether it is the most appropriate method for achieving the objectives of the district plan taking into account:
 - (a) the benefits and costs of the proposed policies and methods (including rules); and
 - (b) the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules, or other methods.

D. Rules

11. In making a rule the territorial authority must have regard to the actual or potential effect of activities on the environment.

E. Other statutes:

- 12. Finally territorial authorities may be required to comply with other statutes. Within the Auckland Region they are subject to:
 - the Hauraki Gulf Maritime Park Act 2000:
 - the Local Government (Auckland) Amendment Act 2004.

Hauraki Gulf Marine Park Act

- 82. The purposes of the Hauraki Gulf Marine Park 2000 (**HGMPA**), as set out in its Section 3, is to integrate the management of natural, historic and physical resources of the Hauraki Gulf, its islands and catchments; and to recognise the relationship of tangata whenua. PPC 107 is within the drainage catchment of the Hauraki Gulf. Section 7 of the HGMPA recognises the national significance of the Hauraki Gulf, its islands and catchments, and emphasises the life-supporting capacity of the Hauraki Gulf and the capacity to provide for the social, economic, recreation and cultural wellbeing of people and communities. Section 8 sets out the objectives of the management of the Hauraki Gulf, its islands and catchments, including the protection, maintenance and, where appropriate, the enhancement of the life-supporting capacity, natural historic and physical resources, cultural and historic associations and the contribution of natural historic and physical resources to the social and economic wellbeing and to the recreation and enjoyment of the Hauraki Gulf.
- 83. The Applicant's AEE does not address the HGMPA but does consider that the plan change is not contrary to the New Zealand Coastal Policy Statement (**NZCPS**) which sets requirements for freshwater outflow to the coastal environment. I consider that as the plan change area is within the drainage catchment of the Hauraki Gulf and, given the matters discussed in relation to the National Policy Statement on Freshwater Management 2020 (**NPS-FM**) in Section 4.2 below and in

Subsequent cases have updated the *Long Bay* summary, including *Colonial Vineyard v Marlborough District Council* [2014] NZEnvC 55.

section 8.4 of this report, I consider that it would assist the Panel if the Applicant provides an analysis of PPC 107 against the HGMPA at the hearing.

Resource Management (Enabling Housing Supply) Amendment Act 2021

84. The Resource Management (Enabling Housing Supply) Amendment Act came into law in December 2021. The Act amended the RMA to introduce the requirement of new standards - the Medium Density Residential Standards (MDRS) in various parts of the RMA including Schedule 3A which Council is statutorily required to incorporate into the AUP. This is being done in Auckland through the current Plan Change 78 and associated Intensification Planning Instrument plan change processes. PPC 107 does not trigger the requirement to incorporate MDRS as it does not include rezoning to a relevant residential zone under s2 RMA 1991.

4.2 National Policy Statements

85. Section 75(3) of the RMA requires that a district plan must *give effect* to any national policy statement and the NZCPS.

National Policy Statement on Urban Development

- 86. The National Policy Statement on Urban Development (**NPS-UD**) came into effect in July 2020. The 'intensification plan change' Plan Change 78 (**PC78**) required under the NPS-UD was notified by Auckland Council on 18 August 2022. The Independent Hearings Panel recommendations have not been released on topics heard to date (other than those relating to the City Centre zone). The current deadline for the council to notify its decisions on Independent Hearings Panel recommendations on PC78 is on 31 March 2026, and hearings and outstanding topics may recommence by late 2025.
- 87. Policy 6(a) and (b) relate to "RMA planning documents that have given effect to" the NPS-UD. Clause 1.4(1) of the NPS-UD defines "RMA planning document" as a regional policy statement, a regional plan, or a district plan. The RMA s43AA definitions of these terms indicate that these are operative documents approved under Schedule 1 of the RMA and include operative changes. Given PC78 is not yet operative, Policy 6(a) and (b) of the NPS-UD do not yet apply.
- 88. Section 10.4.1 of the Applicant's AEE considers objectives 1, 3, 6, and 8 and policies 1, 2, 6, and 8 of the NPS-UD are relevant to PPC 107. PPC 107 is considered to be consistent with the NPS-UD for the following reasons as stated in the AEE⁵:
 - The proposed rezoning of the PPC land from FUZ to LIZ will enable the anticipated growth of Whenuapai and assists in achieving both the current and future demand for industrial land in north-west Auckland in a strategic location to both existing residential and industrial areas, as well as key transport connections.

⁵ Section 10.4.1 National Policy Statement on Urban Development 2020 of the Request for Private Plan Change: Proposed Plan Change: Whenuapai Business Park, Campbell Brown, dated 23 October 2024.

- The PPC is located in an area of Auckland with a rapidly growing population. However, many residents are required to travel across Auckland for their employment, (as detailed in the Economic Assessment in Attachment J and elsewhere in this report) to areas such as Albany, Manukau, and Penrose. The PPC will enable the development of industrial land that is located within close-proximity to existing centres, existing and planned residential areas, and transport links, as well as existing and planned public transport that will enable greater opportunities for people to both live and work in the north-west.
- The PPC is a direct response to demand for industrial land in the north-west and provides for the changing demands of Auckland. In particular, it will provide potential for large lots that are suited to land extensive industrial activities, whilst also providing for a range of new funded infrastructure and upgrades to existing infrastructure via the proposed Precinct provisions that will assist in safeguarding and integrating the PPC land with future development of the surrounding area.
- The flat, large land area of the PPC land enables a range of industrial activities of varying sizes to be provided for, particularly land extensive industrial activities that are historically undersupplied. The strategic location of the PPC land ensures that the proposed industrial land is not isolated but rather seamlessly integrated with surrounding residential and industrial land uses through the vehicle, walking, cycling, and pedestrian connections proposed. In addition, the PPC provides for the future development of the PPC land in a resilient matter that protects ecological features, comprehensively manages stormwater generation, and ensures integration with public transport as a way of managing climate change effects.
- The PPC land's current Future Urban zoning anticipates that development and subsequent urbanisation will occur. The zoning proposed by the PPC is considered to be generally consistent with the WSP and the long-term vision for the PPC land, being industrial/business land uses. Whilst it is acknowledged that the amenity values of the PPC land will change considerably, a shift from a semi-rural environment has already occurred via the approved earthworks on the PPC land and the urbanisation of the surrounding area with a range of industrial and residential uses. In addition, the change in amenity is anticipated by a range of planning documents, such as the FDS.
- While it is acknowledged that not all infrastructure outlined under the WSP and FDS can be provided for by the PPC, the PPC is considered to be in sequence with development timing and provides for a range of new and upgrading of existing infrastructure to ensure the rezoning of the PPC land contributes to a well-functioning urban environment.
- 89. PPC 107 as notified includes objectives which seek to integrate the development of the plan change area with transport and three waters infrastructure (NPS-UD Objective 6a and Policy 10b). PPC 107 provides significant industrial land development where it has been anticipated by regional growth strategies (NPSUD Objective 6c) and the WSP, and I consider it goes some way to

providing active and public transport connections internally and externally to the plan change area.

- 90. While PPC 107 generally aligns with the purpose of the NPS-UD. I consider, in reliance on the specialist reports produced on behalf of council and discussed in Section 8 of this report, that there are inconsistencies in PPC 107 regarding the resiliency of infrastructure to climate change effects, in particular flooding (NPS-UD Policy 1f and 6e) and infrastructure prerequisites set out in the FDS.
- 91. I consider that PPC 107 as notified goes some way to giving effect to the NPS-UD, but that amendments to the provisions set out in Section 8 of this report better recognise the requirements of the NPS-UD and address the inconsistencies identified above. Amendments to PPC 107 relevant to the NPS-UD are addressed in Section 8.1 Planning, Section 8.3 Transport and Section 8.4 Hydrology.

National Policy Statement for Indigenous Biodiversity

- 92. The National Policy Statement on Indigenous Biodiversity (**NPS-IB**) came into came into effect on 4 August 2023. The NPS-IB provides direction as to how local authorities should carry out their responsibilities under the RMA for the protection of indigenous biodiversity. It sets out objectives, policies, and implementation requirements to maintain and enhance indigenous biodiversity across all land types, including the requirement for councils to promote the restoration of indigenous biodiversity and indigenous vegetation cover.
- 93. The AEE, in section 10.4.3, considers that the proposal will not be contrary to the outcomes sought by the NPS-IB. I rely on the expert opinion of council's ecology specialist Mr Jason Smith (refer to Attachment 3) in that at paragraph 6.0 entitled Local Board Comments, Mr Smith's final bullet point states that "...From an ecological perspective I also support this [local board] direction and note that the plan change does not include any measures that would directly lead to the loss of freshwater habitat, nor any regionally notable biodiverse ecosystems" 6. Mr Smith goes on in his Conclusions and Recommendations section to provide conditional support, based on the applicant addressing concerns raised by Healthy Waters regarding stream erosion effects. Therefore, having considered Mr Smith's report, in conjunction with the Healthy Waters conclusion at paragraph 5.40 that the erosion potential is considered to be more than minor, and in having regard to the Applicant's AEE, I support the addition of the requirement for a stream assessment, as provided for as a new Special Information Requirement.

National Policy Statement for Freshwater Management

94. The NPS-FM is relevant to the PPC 107 because the precinct contains a stream, wetland area and drains to the coast. A major objective of this NPS is to ensure that priority is given to the health and wellbeing of water bodies and freshwater ecosystems. The NPS-FM is recognised in the AEE, in section 10.4.2, which concludes that the proposed stormwater management and

⁶ Whenuapai Business Park - Planning assessment of ecological provisions (for the Council's s42A hearing report), Pg. 4

- stream/riparian protection approach, along with the existing AUP provisions, will ensure that development enabled by the plan change appropriately gives effect to the NPS⁷.
- 95. Relying on the expert opinion of Healthy Waters in their s42A technical memo (refer to Attachment 3), I consider that the notified provisions of the request do not align with the NPS-FM for the following reasons:
 - there are unresolved issues relating to the level of erosion and resulting sedimentation of the plan change area's watercourses
 - the 10 metre riparian margins proposed through the request are of insufficient width to appropriately reduce stream erosion and provide for biological protection and improvement to water quality
 - the standards which manage contaminant runoff are insufficient to protect and enhance the health, well-being and the mauri of the streams and wetlands.
- 96. In reliance on reports from Healthy Waters and Ecology I consider there to be unresolved issues relating to the level of erosion and resulting sedimentation in the plan change area's watercourses.
- 97. In reliance on Healthy Waters s42a technical memo I consider that the 10m riparian margins proposed through the application are of insufficient width to appropriately reduce stream erosion and provide for biological protection and improvement to water quality.
- 98. In reliance on Healthy Waters s42a technical memo I consider that the standards which manage contaminant runoff are insufficient to protect and enhance the health, well-being and the mauri of the streams and wetlands.
- 99. These matters are addressed further in Section 8.4 of this report.

New Zealand Coastal Policy Statement 2010

100. The applicant acknowledges that, while the precinct is not on or adjoining the coast, the unnamed tributary from the Waiarohia Stream, which flows out into the Waitematā Harbour, is located within the plan change area. The AEE, in section 10.4.4, considers that the proposal is not inconsistent with the NZCPS⁸. The proposal aims to manage adverse stormwater effects and sedimentation of the watercourses upstream of the coastal environment through the precinct provisions and the application of SMAF 1 to the plan change area.

 ⁷ Section 10.4.2 The National Policy Statement for Freshwater Management of the Request for Private Plan Change: Proposed Plan Change: Whenuapai Business Park, Campbell Brown, dated 23 October 2024.
 ⁸ Section 10.4.4 New Zealand Coastal Policy Statement of the Request for Private Plan Change: Proposed Plan Change: Whenuapai Business Park, Campbell Brown, dated 23 October 2024.

101. I consider that although the proposal is not inconsistent with the NZCPS, addressing the matters listed above in relation to the NPS-FM through amendments to the precinct provisions will ensure the downstream effects of the proposal satisfies the requirements of Policy 21 (Enhancement of Water Quality), 22 (Sedimentation), and 23 (Discharge of Contaminants) of the NZCPS. These responses all align with assessments made in the specialist ecology reviews in **Attachment 3**.

4.3 National environmental standards or regulations

- 102. Under section 44A of the RMA, local authorities must observe national environmental standards in its district/ region. No rule or provision may be duplicate or in conflict with a national environmental standard or regulation.
- 103. In regard to national environmental standards the AEE, in section 10.5, states:

National Environment Standards (NES) are regulations that prescribe standards for environmental matters. There are six NES in force as regulations, but none of these are relevant to the PPC. In respect to contamination, any contamination previously identified has already been remediated under existing approved resource consents. Land within the PPC area that may be contaminated (but has not yet been identified) will be remediated as future development occurs. On this basis, no further regard needs to be given to the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health or matters of soil contamination relating to the PPC land.9

104. I agree with the assessment provided by the Applicant in the AEE and consider that any contaminated areas identified in the future can be managed at the resource consent stage.

5. REGIONAL POLICY STATEMENT

- 105. Section 75(3)(c) of the RMA requires that a district plan must *give effect to* any regional policy statement (**RPS**).
- 106. In addition, under section 74(2)(a)(i) regard shall be had to any proposed RPS. The Council notified PC80 to the RPS on 18 August 2022. PC 80 became fully operative on 13 December 2024 and provides policy direction on well-functioning urban environments, qualifying matters and resilience to climate change.
- 107. The Applicant's AEE, in section 10.10, provides an assessment against Chapter B2 Urban Form and Growth of the RPS and B3 Infrastructure, Transport and Energy. The Applicant's conclusion is that the plan change gives effect to the RPS.

⁹ Section 10.5 National Environmental Standards of the Request for Private Plan Change: Proposed Plan Change: Whenuapai Business Park, Campbell Brown, dated 23 October 2024.

108. I agree with the Applicant's assessments in relation to alignment with the RPS except in the areas of transport and integration with infrastructure. Those matters are discussed in detail, including via reference to the RPS in Sections 8.1, 8.2, 8.3, 8.4 and 8.5 of this report.

6. REGIONAL PLAN AND DISTRICT PLAN

- 109. The key regional plan and district provisions of the AUP are located within the following chapters of the AUP:
 - a) E1 Water quality and integrated management
 - b) E3 Lakes, rivers, streams, and wetlands
 - c) E11 and E12 Land Disturbance Regional and district
 - d) E15 Vegetation management and biodiversity
 - e) E27 Transport
 - f) E36 Natural hazards and flooding
 - g) E38 Subdivision
- 110. In regard to the relevant provisions of the AUP as listed above, comments from the Applicant's AEE are included below¹⁰:
 - a) E1 Water quality and Integrated Management
- 111. Section 10.11.2.1 of the AEE states:

The proposed Precinct provisions in relation to stormwater management and water quality are considered to be consistent with the policies and objectives of Chapter E1. The PPC utilises the natural hydrological features of the PPC land as part of the stormwater management and will ensure that all stormwater runoff shall be treated and mitigated prior to discharging to the receiving environment. The treatment of all stormwater runoff from the proposed roading will further maintain and enhance water quality. The extensive replanting of riparian and wetland areas with native vegetation, as well as planting proposed elsewhere on the PPC land, will also enhance the quality of the natural environment.

- b) <u>E3 Lakes, rivers, streams, and wetlands</u>
- 112. Section 10.11.2.2 of the AEE states:

All future structures required within or in close proximity to the ecological features on the PPC land will be designed to minimise impacts where practicable. In addition, stream works will include the removal of existing culverts and the reinstation of stream beds to further restore and enhance the waterways (Policy 8).

¹⁰ Section 10.11.2 Chapter E – Auckland-wide Provisions of the Request for Private Plan Change: Proposed Plan Change: Whenuapai Business Park, Campbell Brown, dated 23 October 2024.

c) E11 and E12 - Land Disturbance - Regional and District

113. Section 10.11.2.3 of the AEE states:

The objectives and policies of Chapters E11 and E12 outline the need to manage land disturbance so that the safety of people is protected, adverse effects on the environment are mitigated, and sediment generation minimised. Future development of the PPC land in accordance with the proposed Whenuapai Business Park Precinct, and adherence to the Auckland-wide earthwork provisions, will ensure that the outcomes sought by the provisions of Chapters E11 and E12 are met. Therefore, the PPC is considered to be consistent with these policies and objectives.

d) <u>E15 - Vegetation Management and Biodiversity</u>

114. Section 10.11.2.4 of the AEE states:

Overall, although a minimal level of native vegetation removal will occur to facilitate future development, the PPC is considered to be consistent with the relevant objectives and policies. The PPC will more than off-set the negligible native vegetation removal via the proposed native planting across the riparian and wetland areas, a significant improvement from the existing, degraded habitat on the PPC land. In addition, the PPC seeks to provide for additional planting across the PPC land as identified within the Precinct provisions, which will further contribute to biodiversity and native habitats.

e) E27 - Transport

115. Section 10.11.2.5 of the AEE states:

The proposed approach to roading upgrades, the provision of new roading infrastructure, integration with the existing transport network and the traffic effects of the PPC have been assessed by Team Consultants (Attachment D). Specific Precinct provisions and the staging of transport infrastructure have been incorporated into the PPC to provide for the safe and efficient operation of the surrounding transport network.

As noted by Team, the PPC includes staging for the provision of transport infrastructure and is considered to ensure that future development of the PPC land will not outpace the provision of transport infrastructure. The proposed roading upgrades account for future growth and incorporate provisions for future bus stops to provide for the anticipated growth of public transport in the area. In addition, pedestrian and cycling facilities are proposed across the PPC land, as well as linkages to the surrounding area to further encourage active transport modes and public transport.

Therefore, the PPC is considered to be consistent with the policies and objectives of E27.

f) E36 - Natural Hazards and Flooding

116. Section 10.11.2.6 of the AEE states:

Overall, the PPC is considered to be consistent with the objectives and policies of E36 as an assessment of the existing flood risk has been undertaken and it has been demonstrated that the impact from the PPC can be managed and mitigated, subject to the normal assessment required by the standards of E36 at the time of subdivision.

g) E38 - Subdivision

117. Section 10.11.2.7 of the AEE states:

The PPC is considered to be consistent with the relevant objectives and policies found in Chapter E38. Development cannot proceed unless infrastructure is in place as per the staging plan and the relevant provisions outlined within the Whenuapai Business Park Precinct. Streams and natural wetlands identified on the PPC land are protected via riparian margins and the proposed restoration planting will further enhance these areas. Stormwater management will also be integrated with the riparian areas. Sufficient provision has been made for roads and infrastructure to ensure safe and efficient access across the PPC land, as well as access to infrastructure services.

118. The AUP provisions will apply to the assessment of subdivision and land use consent applications unless otherwise stated in the precinct provisions and/or where the activity status and related standards differ to those in the AUP.

Proposed plan changes to the AUP

119. PC78 was publicly notified in August 2022. PC78 is not applicable to the site as it is located outside the urban environment. I do not suggest that much weight can be placed on the application of PC78 to the rezoning of the proposal given that the PC78 process is not significantly advanced.

Plan Change 79 - Transport

- 120. A decision on PC79 was released on 9 August 2024 and the appeal period closed on 20 September 2024. Several appeals were lodged by Classic Builders Group Ltd, New Zealand Housing Foundation, Simplicity Living Ltd, Universal Homes Ltd, The Neil Group Ltd, Fletcher Residential Ltd and one appeal has been withdrawn from Sentinel Planning Ltd. The resolution of these appeals will be relevant to how later resource consent applications are prepared and assessed.
- 121. PC79 introduces new rules for pedestrian access design, including an increased minimum width and the need for footpaths to be vertically raised where they are adjacent to vehicle access. The rationale for these changes relates to the increase in the number of developments with pedestrian only access, and developments with high numbers of dwellings being served from a single vehicle accessway. PC79 increases the minimum legal width for accessways servicing multiple sites, requires a small loading space in developments with ten or more dwellings that have frontage to an arterial road, requires residential cycle parking and accessible parking for developments of 10 or more dwellings in residential zones (excluding the Residential Terrace Housing and Apartment Building zone).

- 122. However, as the proposed precinct provisions cross-reference to other provisions in the AUP, no consequential amendments to the text of PPC 107 are required to give effect to PC 79.
- 123. Overall, I consider there are no fundamental issues arising. The plan change provisions proposed do not conflict with the other AUP provisions contained in PC 79 and in tandem with PC 79 will appropriately manage future development of the PPC 107 land. I make further comment regarding how the precinct provisions relate to the zone provisions in Section 8.1 of this report.

7. ANY RELEVANT MANAGEMENT PLANS AND STRATEGY PREPARED UNDER ANY OTHER ACT

124. Section 74(2)(b)(i) of the RMA requires a territorial authority must have regard to plans and strategies prepared under other Acts. The other plans and strategies relevant to PPC 107 are discussed below.

7.1 The Auckland Plan 2050

125. The Auckland Plan, prepared under section 79 of the Local Government (Auckland Council) Act 2009 is a relevant strategy document that council should have regard to in the preparation of PPC 107 alongside the Council's Future Development Strategy 2023. Both documents promote the consolidation of growth within Auckland's urban area. Particular emphasis is placed on areas that are not subject to natural hazards, and where infrastructure can manage growth.

7.2 Whenuapai Structure Plan 2016

- 126. The Whenuapai Structure Plan 2016 (**WSP**) is a plan that provides developers, landowners and current communities with Auckland Council's intention for the development of the Future Urban zoned areas in Whenuapai. The WSP is a strategic document that considers the constraints and opportunities in the Whenuapai area such as land use and activities, natural environment, heritage, infrastructure requirements and transport.
- 127. The WSP anticipates that the structure plan area will provide somewhere between 8,100 to 10,700 dwellings (depending on the density of development), 8,600 jobs and over 300 hectares of new business land over the next 10 to 20 years. The zoning proposed in PPC 107 is largely consistent with the land use pattern set out in the WSP except for the easternmost portion of the PPC 107 land, which is proposed to be zoned Business Light Industry but is indicated as medium density housing under the WSP. I refer to and agree with the assessment in section 6.2 of the AEE regarding this portion of the plan change area and consider it appropriate that the zoning of this portion of land is consistent with the remainder of PPC 107.
- 128. The WSP sets out the need for staging development between Stages 1 and 2. PPC 107 largely falls within stage 1E, with partial sites on the eastern and western edge of the plan change area located in Stage 1C and Stage 2, respectively. Stage 1 of the WSP identities areas of land that are development ready within 2-10 years of the release of the structure plan in 2016. Stage 2 comprises the land that requires further investment in new infrastructure beyond the next decade (2017 2027). I consider that PPC 107 is largely consistent with the identified staging in the WSP, and that the infrastructure staging plan incorporated into PPC 107 means that development will not be premature to the provision of infrastructure.

- 129. The 2016 WSP plan Is currently being updated to bring it up to date with current policies and strategies. The update is expected to be notified for public feedback later in 2025.
- 130. I consider PPC 107 does have regard to the WSP but does require amendments to the precinct provisions to manage development so that it is staged to align with the timing of infrastructure projects.

7.3 Auckland Council Future Development Strategy

- 131. The Future Development Strategy (**FDS**) sets out Auckland's long-term approach to growth and development over the next 30 years. It addresses the challenges from climate change, the impact of development on the environment, and the provision of infrastructure required for development. The FDS guides growth of a compact city by directing funding to areas where development is in area serviced by public and active transport and within walking distances of centres, community facilities, employment opportunities and open spaces.
- 132. The spatial response in the FDS continues the quality compact, multi-nodal model established in previous strategies, with further refinement of development concepts and approaches. It does however have two significant changes from previous strategies:
- 133. A much stronger focus on adaptation, particularly in relation to flooding hazards and the protection of life and property.
- 134. A greater recognition of the financial challenges facing Auckland Council and ratepayers. This means it gives the development sector clear signals about these constraints and when council is likely to be able to invest in infrastructure and services in respective areas, especially in greenfield development areas (such as Whenuapai).
- 135. The plan change area is addressed in a general way by Section 4.2.2 Future Urban Areas, and is specifically identified in the FDS in Attachment 5 as being part of the Westgate Priority Node and as being located within the staging breakdown area known as Whenuapai Business in Attachment 6. The FDS lists in Attachment 6 the infrastructure prerequisites for the development of the area identified as Whenuapai Business. The timing and infrastructure prerequisites for the Whenuapai Business area are contained in Table 7 below.

Table 7 Live Zoning and Infrastructure Prerequisites for Whenuapai Business (Source: Future Development Strategy, Attachment 6 Future Urban Infrastructure Prerequisites)

Future Urban Areas	Staging breakdown	Timing	Infrastructure prerequisite Key bulk infrastructure projects to support development readiness (not an exhaustive list)
			Colour coding legend: Wastewater projects Water supply projects Rapid Transit projects Other Transport projects
Whenuapai	Whenuapai	Live zoned	

Whenuapai Business		Spedding Road/ Northside Drive connection over SH16
	* some business can take advantage of existing capacity, these are the projects required to support full build out.	SH16 to SH18 Connections Spedding Road Upgrade and Extension
		North Harbour No.2 Watermain Project

136. Attachment 7: Future urban area summary to the FDS notes in regard to the Whenuapai and Red Hills Future Urban Area (**FUA**) that:

Reassessment of the Whenuapai and Red Hills cluster did not identify significant challenges that would otherwise make development in the FUAs inappropriate, provided plan changes occur in line with the associated Auckland Council Structure Plan and after all infrastructure prerequisites are met.

137. The staging map for live zoning of the Whenuapai and Red-Hills area is shown in **Error! Reference** source not found. below.

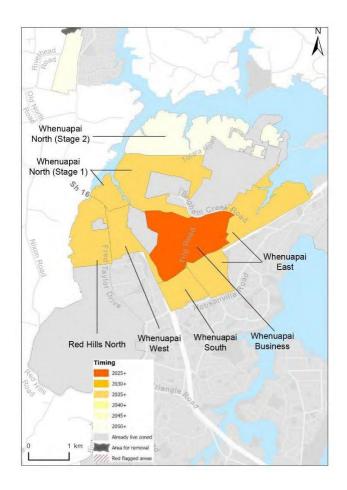


Figure 7 Timing for Whenuapai area in the FDS (Source: Attachment 7: Future urban area summary)

- 138. Section 10.8 of AEE provides an assessment of the proposal against the FDS. The assessment considers that due to the PPC land being identified as live zoned from 2025+ and that the FDS acknowledges (refer to Table 4 above) that some businesses can take advantage of existing capacity. The Applicant considers that PPC 107 is consistent with the FDS and provides for a range of new and upgrades of existing infrastructure to ensure that the plan change area is integrated with the existing and future environment.
- 139. Section 10.8 of the AEE lists those new and upgraded roading infrastructure proposed by the Applicant to support future development as¹¹:
 - the upgrading of Trig Road along the PPC 107 frontage to an urban standard that aligns with the roading proposed by SGA under NoR W1, which includes road widening, a single traffic lane in each direction, and separated footpaths and cycleways
 - the upgrading of Brigham Creek/Trig Road priority controlled intersection to a single lane roundabout (supported by Auckland Transport and delivered by the applicant)

¹¹ Section 10.8 Future Development Strategy 2023 of the Request for Private Plan Change: Proposed Plan Change: Whenuapai Business Park, Campbell Brown, dated 23 October 2024.

- the upgrading of Brigham Creek Road along the PPC 107 frontage to an urban standard that includes a minimum of a single traffic lane in each direction, separated footpaths and cycleways on the southern side and the upgrade of the existing shared footpath/cycleway on the northern side
- a new signalised intersection and a left-in-left-out intersection off Brigham Creek Road
- a new roundabout intersection off Trig Road
- provision of land for future bus stops within the internal road network and on Trig Road
- a new internal road network, which includes separated footpaths and cycleways, and pedestrian linkage to the future Council open space.
- 140. Section 7.0 of the AEE provides an assessment of the proposal against the FDS. The request identifies that the plan change is consistent with outcomes in the AP 2050 as:

While it is acknowledged that not all infrastructure outlined under the WSP and FDS can be provided for by the PPC, the PPC is considered to be in sequence with development timing and provides for a range of new and upgrading of existing infrastructure to ensure the rezoning of the PPC land contributes to a well-functioning urban environment.¹²

7.4 Funding for Infrastructure

141. I am advised by the Applicant that the Applicant has had infrastructure funding discussions with AT. AT consider that the infrastructure works proposed by the Applicant that are within the boundaries of Notice of Requirement (NoR) W1 and W2 (upgrades to Trig and Brigham Road), are consistent with the future works planned through those NoRs. The letter from the Applicant dated 24 September 2024 sets out the applicant's commitment to funding of relevant infrastructure and work co-operatively with the council, its departments and CCOs. This letter is included as attachment 1.

7.5 Auckland's Urban Ngāhere (Forest) Strategy

- 142. The Urban Ngāhere (Forest) Strategy sets out a number of social, environmental, economic and cultural strategies relating to the values of urban trees and vegetation. The strategy states that, without properly recognising the value of trees and understanding the benefits they provide, urban growth is likely to occur at the expense of the urban ngāhere. The concept is that Aucklanders are proud of their urban ngāhere, that Auckland has a healthy and diverse network of green infrastructure, that is flourishing across the region and is celebrated, protected and cared for by all. By increasing tree canopy cover across Auckland, the effects of urban heat islands will be reduced, residents will be provided with shade and amenity. This outcome can best be achieved by private developers and Council/CCOs planting and maintaining trees.
- 143. There are no protected trees in the plan change area and the request does not propose to add any identified trees to the notable tree schedule. The ecological report supporting the AEE discusses

¹² Section 7.2 Future Development Strategy of the Request for Private Plan Change: Proposed Plan Change: Whenuapai Business Park, Campbell Brown, dated 23 October 2024.

how PPC 107 gives effect to this strategy in section 4.3.4. The report considers that PPC 107 aligns with the strategy, stating that:

The Precinct Plan proposes increased canopy cover through stream and wetland riparian revegetation, improved ecological linkages and corridors, a dominance of indigenous planting in landscaped areas, incorporation of plants for ecological revegetation areas that suit the ecological district and environmental conditions.¹³

144. NZDF's submission on PPC 107 seeks amendments to provisions relating to vegetation planting to avoid species which are attractive to large and/or flocking bird species. The Upper Harbour Local Board (UHLB) resolution on PPC 107 makes note that

...the local board aims to increase tree canopy cover to 30% while Whenuapai is currently at less than 10% and express concern about the removal of any mature trees through this development¹⁴

145. NZDF's submission and the UHLB resolution as they relate to vegetation and tree cover are addressed in section 8.2 of this report.

7.6 Te Tāruke- ā -Tāwhiri: Auckland's Climate Plan

- 146. Auckland's Climate Plan was adopted by council in 2020. It is a roadmap to a zero-emissions, and a resilient and healthier region. The core goals are:
 - to reduce greenhouse gas emissions by 50 per cent by 2030 and achieve net zero emissions by 2050
 - to adapt to the impacts of climate change by ensuring we plan for the changes we face under our current emissions pathway.
- 147. Carbon dioxide emitted by road transport modes is identified as the primary greenhouse gas (GHG) impacting the Auckland Region. Carbon dioxide is a long-lived GHG, meaning it accumulates and has long-lasting implications for climate. The plan points out that integrating land use and transport planning is vital to reduce the need for private vehicle travel and to ensure housing and employment growth areas are connected to efficient, low carbon transport systems. The plan seeks a 12 per cent reduction in total private vehicle kilometres travelled by 2030 against a 'business-as-usual' scenario through actions such as remote working and reduced trip lengths.
- 148. In my view PPC 107 is consistent with Te Tāruke- ā -Tāwhiri: Auckland's Climate Plan because it supports increased employment availability in an area with plans for significant residential growth, is in proximity to an expanding centre (Whenuapai Town) and is located along roads with

¹³ Section 4.3.4 Auckland's Urban Ngahere (Forest) Strategy 2018 of the Ecological Impact Assessment supporting the Request for Private Plan Change: Proposed Plan Change: Whenuapai Business Park, Viridis, dated October 2024.

¹⁴ UHLB Resolution on PPC 107, Attachment 4

active and public transport upgrades planned or provided for. The internal roads proposed in the PPC 107 precinct have provision for active and public transport connections and wider connection through the site to proposed neighbouring parks.

7.7 Upper Harbour Local Board

149. The feedback from the Upper Harbour Local Board (**Attachment 4**) provides relevant detail on matters of concern to the Board.

8. ASSESSMENT OF EFFECTS

- 150. This section of the report addresses effects¹⁵. It is structured under the following headings:
 - Section 8.1: Planning
 - Section 8.2: Whenuapai Airbase
 - Section 8.3: Transport
 - Section 8.4: Hydrology
 - Section 8.5: Urban Design and Open Space
 - Section 8.6: Economics
- 151. Under each of these headings there are sub-headings containing a brief summary of what the application documents have in them, the submissions and by Council specialists', and then the reporting planner's analysis and conclusions.

8.1 Planning

Application

152. The application is supported by an AEE which discusses the planning effects associated with PPC 107 (refer to Section 10 of the AEE). A section 32 review is included in Section 9 of the AEE. Section 9.6 Overall Conclusions of s32 Evaluation states:

The proposed reidentification to LIZ is consistent with, and gives effect to, the direction established by the WSP and the FDS. In accordance with s32(1)(a), the objectives in the PPC Precinct are the most appropriate way to achieve the purpose of the RMA, and rezoning the land for industrial purposes (with a Precinct and SMAF control) is the most efficient and effective means of achieving the objectives of the proposal.¹⁶

¹⁵ Clause 22 of Schedule 1 to the RMA requires private plan changes to include an assessment of environmental effects that are anticipated by the Plan Change, taking into account clauses 6 and 7 of the Fourth Schedule of the RMA.

153. An Infrastructure Report, prepared by Cato Bolam, has been provided in support of the application (refer to Attachment 1). Issues assessed in the Infrastructure Report are relevant to the planning topic and have been discussed in relation to specific issues below.

Submissions

154. Table 8 below shows the 18 submission points addressed in the planning topic. Submissions addressed under the planning topic include submissions which indicate general support or opposition to the plan change. Six submitters have submission points addressed in the planning topic and Auckland Council and Watercare Services Limited (**Watercare**) have made further submission points related to planning.

Table 8 Submissions on PPC 107 related to Planning matters

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planners Recommendations
1.1	David George Allen	Accept the proposed plan change with amendments as outlined		Accept in part
2.1	Maraetai Land Development Limited	Supports PPC 107		Accept in part
2.2	Maraetai Land Development Limited	Seeks that the Council approve PPC 107		Accept in part
3.1	Cabra Development Limited	Supports PPC 107		Accept in part
3.3	Cabra Development Limited	Seeks clarification about whether an infringement arises if subdivision, use or development is not in accordance with the precinct plan		Accept in part
3.5	Cabra Development Limited	Seeks for the plan change to be approved, subject to amendments as sought.		Accept in part

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4.1	Watercare Services Limited	Decline the plan change, but if approved, make the requested amendments	Support – [FS1] Auckland Council	Accept in part
5.1	Auckland Council	Opposes the plan change in part, and if approved, PPC 107 is amended to reflect the decisions sought in the submission.		Accept in part
5.2	Auckland Council	Seeks for the plan change to adequately provide for the strategic integration of transport, wastewater and water infrastructure and address funding of this infrastructure.	Support – [FS2] Watercare Services Limited	Accept in part
5.3	Auckland Council	Seeks for the inclusion of a new policy to ensure bulk water supply and wastewater infrastructure is provided prior to subdivision and development	Support – [FS2] Watercare Services Limited	Reject
5.6	Auckland Council	Seeks the plan change is declined in its entirety, unless the matters raised in this submission are addressed.		Accept in part, to the extent that matters raised in the submission are addressed
5.7	Auckland Council	Seeks for Objectives I1.2(1) - (10) be retained	Support – [FS2] Watercare Services Limited	Accept in part

5.8	Auckland Council	Seeks for Policies I1.2(1) - (14) be retained	Support – [FS2] Watercare Services Limited	Accept in part
5.9	Auckland Council	"Seeks the inclusion of a new policy as follows: (X) Avoid subdivision and development occurring that does not align with the provision of sufficient capacity in the water and wastewater network to service the Precinct."	Support – [FS2] Watercare Services Limited	Reject
5.10	Auckland Council	Seeks amendments to precinct Activity (A2) to include any use and development not complying with Standard IX.6.4 as a non-complying activity	Support – [FS2] Watercare Services Limited	Accept
5.11	Auckland Council	Seeks amendments to Standard IX.6.4 Wastewater and Water Supply Infrastructure as follows: a) The Any subdivision and the construction of any new buildings within the Precinct can only proceed following the completion and commissioning of the must be able to be connected to publicly available functioning bulk	Support – [FS2] Watercare Services Limited	Accept

		wastewater and water network that is completed and commissioned with sufficient capacity to service the subdivision or development. supply	
		infrastructure as is required within its catchment. b)Note: Standard I1.6.4(a) will be	
		considered to be complied with if the identified upgrades are constructed and operational: i.prior to the lodgement of a resource consent	
		application; OR ii.form part of the same resource consent, or a separate resource consent, which is	
		given effect to prior to release of the certificate under section 224(c) of the Resource Management Act	
		1991 for any subdivision; OR iii.prior to occupation of any new building(s) for a land use only.	
5.15	Auckland Council	Seeks any other alternative or consequential relief to address the matters outlined in this submission.	Accept in part
6.1	New Zealand Defence Force	Supports PPC 107, but seeks	Accept in part

	amendments to the proposed precinct provisions and additional amendments to cover any points raised that are not currently addressed in the proposed precinct provisions	
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Issues

- 155. This part of the report addresses issues, including in submissions, that have been categorised as relating to 'planning'. The issues covered include:
 - general submissions
 - activity status for development according with the precinct plan
 - timing of development with the provision for water and wastewater infrastructure
 - functional amendments.

Analysis

General Submissions

- 156. Several submissions related to the planning topic either support or oppose the plan change and several seek the retention of notified provisions.
- 157. Maraetai Land Development **[2.1]**, **[2.2]** and Cabra Development Limited (**Cabra**) **[3.1]** support the plan change and seek it be approved. These submissions are recommended to be accepted in part, subject to the amendments recommended in this report.
- 158. David George Allen **[1.1]** seeks the plan change be accept the proposed plan change with amendments as outlined. This submission is recommended to be accepted in part, but the amendments the submission seeks in submission point **[1.2]** related to the transport matter are not supported.
- 159. Auckland Council **[5.7]** and **[5.8]** seek that the objectives and policies of the notified precinct provisions are retained. These submissions are recommended to be accepted in part, subject to the amendments to the objectives and policies recommended in this report.
- 160. Auckland Council **[5.15]** seeks any other alternative or consequential relief to address the matters outlined in their submission. This submission is recommended to be accepted in part to the extent that the amendments are supported in this report.

- 161. NZDF **[6.1]** supports PPC 107 but seeks amendments to the proposed precinct provisions and additional amendments to cover any points raised that are not currently addressed in the proposed precinct provisions. This submission is recommended to be accepted in part to the extent that the amendments are supported in this report.
- 162. Watercare **[4.1]** and Auckland Council **[5.1]**, **[5.6]** seeks PPC 107 be declined, but if approved, with the amendments in the submission and matters addressed. These submissions are recommended to be accepted in part as PPC 107 is recommended to be accepted subject to the amendments supported in this report.

Activity status for development according with the precinct plan

163. Cabra **[3.3]** and **[3.5]** has queried whether an infringement arises if subdivision, use or development is not in accordance with the precinct plan and whether the Plan Change proponent considers a permitted activity status for activity in accordance with the Precinct Plan is appropriate. Cabra has not suggested amendments to the precinct provisions which address this submission point. The precinct plan is shown in Figure 8 below.

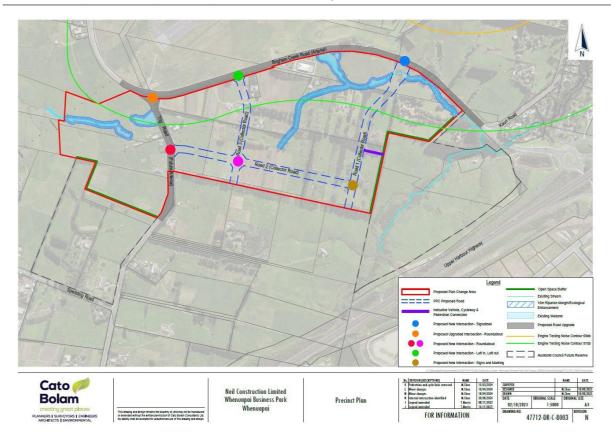


Figure 8 Precinct Plan identifying internal roading, infrastructure upgrades, hydrology and other elements affecting outcomes in the plan change area. (Source: Appendix G to the Plan Change Request)

164. The proposed precinct provisions include standards in Table 16XX.4.1 Activity table. Standard A2, A5 and A6. The notified Activity Table is shown in Table 9 below.

Activity		Activity Status
Use and Developmen	t	<u> </u>
(A1)	Activities listed as permitted, restricted discretionary or discretionary activities in Table H17.4.1 Activity Table in the Business Light Industry Zone.	
(A2)	Use and development that does not comply with Standard IX.6.1.	NC
(A5)	Use and development that does not comply with Standard IX.6.2.	RD
Subdivision		
(A5)	Subdivision listed in Chapter E38 Subdivision	
(A6)	Subdivision that does not comply with Standard IX.6.1, IX.6.3 and IX.6.4.	NC

- 165. *I1.6 Standards* in the notified precinct provisions also states that *All activities listed in Activity* Table I6XX.4.1 must comply with Standards I.X.6(1) - I.X.6(11). Standards I.X.6(1) - I.X.6(11) support different components of the precinct plan, including 11.6.1 Transport Infrastructure Upgrades.
- 166. The blank activity status column next to Activity I6XX.4.1 (A1) and (A2) means that the activity status in the relevant overlay, Auckland-wide or zone provision applies. For use and development, the underlying LIZ will apply. The LIZ enables light industrial activities to locate and function efficiently within the zone and while avoiding reverse sensitivity effects that may constrain their establishment and operation. Activities which the zone anticipates are permitted, including new buildings and industrial activity. The E38 Subdivision – Urban chapter applies activity statuses for subdivision consents except where an activity breaches a standard in the precinct. E38 Subdivision allows no new subdivisions without a resource consent, except where they are for network utilities.
- 167. Activities which otherwise comply with the precinct standards will be assessed at the time of resource consent through the activity status consistent with the underlying zone or chapter,

- unless another overlay or provision applies. Many of the activities which are generally anticipated in the LIZ as permitted activities will be able to establish as permitted activities in the precinct.
- 168. Where activities do not comply with standards in the precinct and the associated components of the precinct plan, they will become Restricted Discretionary activities. Where specific standards are exceeded, activities will be processed as non-complying activities.
- 169. For these reasons I consider that the precinct provisions do apply the policy and rule framework established by the AUP and ensure activities that are not in accordance with the precinct plan undergo more thorough assessment during the resource consent process. I do not consider that an amendment to the precinct provisions is required to satisfy Cabra's submission points as the precinct provisions already give effect to the concern raised in their submission point.
- 170. I recommend submission point [3.3] and [3.5] be accepted in part.

Integration of Infrastructure

171. Auckland Council seeks that the plan change be declined in its entirety, unless the matters raised in their submission are addressed **[5.2]**. The submission states that:

The key issues are providing for the strategic integration of transport, water and wastewater infrastructure, and the planning / funding of such infrastructure, with the land use proposed in the plan change. In addition, ACS seeks amendments to address flood risk to properties and infrastructure, and the safe functioning of Trig Road as an arterial road in the future.¹⁷

- 172. Auckland Council is concerned that the current precinct provisions (specifically *Standard I1.6.4* for wastewater and water supply infrastructure) allow buildings to be constructed, but not occupied, before sufficient infrastructure capacity is available. Compliance with this standard currently applies only to subdivision, not use and development, meaning buildings could be constructed prior to infrastructure being operational. Auckland Council does not support this.
- 173. Auckland Council seek amendments to the precinct provisions pursuant to the above in submissions [5.3], [5.9], [5.10] and [5.11]. These submissions seek changes to the policies, rules and standards in PPC 107 to prevent the construction of buildings prior to the required water and wastewater infrastructure being in place. Watercare's further submission supports this approach [FS 02].
- 174. Watercare notes in their FS that in regard to submission points [5.9] and [5.10] from Auckland Council that:

While capacity in the bulk water supply and wastewater networks for this development is available, Watercare supports strong provisions in precincts to ensure the alignment of subdivision and development with water and wastewater infrastructure provision.¹⁸

¹⁷ Auckland Council's submission on PPC 107,

¹⁸ Watercare's Further Submission [FS02] on Auckland Council's submission

- 175. The FDS identifies two wastewater projects and two water supply prerequisites for the Whenuapai Business Area. These projects are the Whenuapai Wastewater Package 1, Whenuapai Wastewater Package 2, Trig Road Water Reservoir and the North Harbour No.2 Watermain Project.
- 176. The Applicant's Infrastructure Report outlines proposed wastewater infrastructure for the plan change area (refer to Section 11.7.2 Wastewater of the AEE). The plan change area is split into two catchment areas, PCA1 and PCA2. The area of each of these two catchments' is shown in Figure 9 below:

PCA1: Due to existing topography, PCA1 can be split into two sub-catchments to avoid extremely deep waste water lines, as agreed between the Applicant and Watercare. ¹⁹ The western and southern sections will be serviced by proposed gravity lines connecting to an existing 450 PE gravity line. A new public pump station is proposed at the north-eastern corner of PCA1 to service its eastern and northern sections. A new rising main will discharge from this pump station to proposed gravity reticulation leading to the 450 PE gravity line.

PCA2: Private pump stations are proposed to service development in PCA2. Private rising mains will discharge flows to the existing 400 PE gravity line via a new satellite manhole.

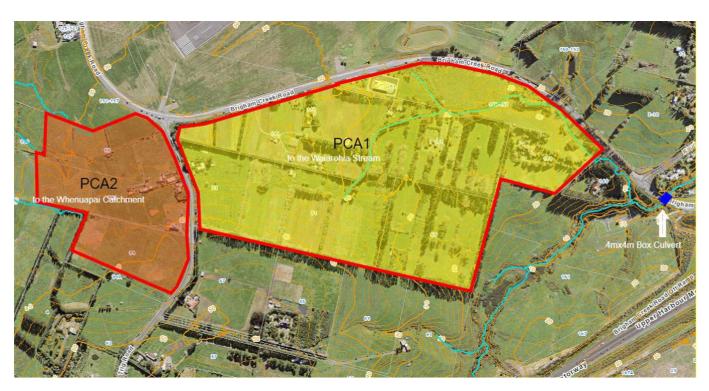


Figure 9 Wastewater Catchments within the plan change area. (Source: Applicant's SMP supporting the plan change request)

177. Watercare's Whenuapai and Redhills wastewater project is intended to upgrade the wastewater network to service growth in northwest Auckland. Watercare states that there is sufficient capacity within the existing bulk water supply and wastewater networks to support development of the plan change area. However, Watercare also noted in consultation with the Applicant that

the existing Whenuapai pump station has possible capacity constraints and odour issues at the satellite manhole.

- 178. Watercare's Whenuapai Wastewater Servicing Scheme Package 1 designation was confirmed on November 28, 2024, with the appeal period closing December 19, 2024. The anticipated completion date for Package 1 and 2 works is late 2028, which is expected to align with the build-out of the plan change area. This is a delay from a previously discussed date of 2025 for the Northern Interceptor upgrade (Stage 2).
- 179. Although the plan change area is not reliant on Watercare's wastewater packages 1 and 2 for its own direct servicing, the completion of Package 2 is noted by the Applicant's infrastructure report as being key to lifting wider network constraints. Section 6.2 of the Applicant's infrastructure report states that:

Final wastewater reticulation for the PCA is subject to detailed design at the Resource Consent and Engineering Approval stage. The design at Resource Consent Stage will take into consideration the status of Watercare's Whenuapai and Redhills upgrade works. In consultation with Watercare it was discussed that for the initial stages of the development it is likely that the flows will be quite low as the business park develops and it is likely that the low flows may be accommodated within the current capacity of the existing wastewater system.²⁰

180. The applicant's AEE states the following in Section 11.7.2 Wastewater:

The final reticulated networks needed to service the PPC can be suitably managed and designed via the resource consenting process and the existing AUP framework. It is considered that Cato Bolam has demonstrated that the PPC can be sufficiently serviced for wastewater and that the necessary infrastructure and upgrades to existing infrastructure is provided for as part of the PPC or by Watercare. On this basis, it is considered that the proposed wastewater infrastructure is sufficient to allow for the PPC land to be rezoned and will not generate any significant wastewater capacity effects.²¹

181. The applicant's Infrastructure Report also includes information on the Water Supply network servicing the plan change area and is supported by a Hydraulic Assessment by Watershed Engineering (refer to Attachment 1). Section 11.7.3 Water supply in the AEE includes explanation of the Water Supply upgrades required to support PPC 107. The AEE states:

Existing potable water connections are located within both Brigham Creek Road and Trig Road. An existing line also extends into the PPC land and provides connections to 69 and 71 Trig Road. To service the PPC, Cato Bolam has demonstrated that the extension of the existing watermain network is achievable and will provide sufficient capacity for the proposed rezoning.

To service PCA1, an extension of the watermain network will be undertaken to link the watermains between Brigham Creek Road and Trig Road. The existing 150 mm pipe within Brigham Creek Road will be abandoned and superseded by the proposed pipelines that will extend from the existing 315PE line within Brigham Creek Road. The water supply for PCA2 is proposed to be via an extension from the existing 150mm pipe in Trig Road.

Watercare has identified a section of 150 mm watermain near the intersection of Brigham Creek Road and Hobsonville Road that acts as a network constraint. However, the upgrading of this section to a 355 mm pipe will alleviate this issue.

A looped watermain network will be required in the proposed internal roads to service future development and will be designed and assessed at the resource consent stage. Firefighting provisions can be achieved throughout the proposed network. Furthermore, a Hydraulic Assessment has been prepared by Watershed Engineering Ltd. The assessment demonstrates that sufficient water supply can be provided to support the proposed rezoning of the PPC land.

Overall, it is concluded that any adverse effects resulting from the supply of water to the PPC land would be able to be avoided, remedied, or mitigated.²²

- 182. The completion of the Trig Road Water Reservoir and North Harbour No.2 Watermain Project are not identified by the Applicant or Watercare as being a constraint on the development of the site.
- 183. I understand that there is some uncertainty as to whether the development of the plan change area will encounter capacity constraints in the bulk water supply and wastewater networks. Constraints are dependent largely on the progression of subdivision and land use in the plan change area relative to the completion of Whenuapai Wastewater Package 1 and Whenuapai Wastewater Package 2.
- 184. The notified precinct provisions include assessment of use and development that does not comply with *Standard I1.6.4* as a restricted discretionary activity under Rule C1.9(2), whereas subdivision which does not comply with *Standard I1.6.4* is a non-complying activity under Rule (A6). This may be to enable a more cautious approach to activities which would enable the proliferation of additional connections to the water supply and wastewater network, but that is not clear in the Applicant's documentation.
- 185. Auckland Council consider a number of statutory and strategic documents in their submission, in the *Infrastructure Prerequisites* section, which place a strong emphasis on the integration of infrastructure with rezoning of future urban land and the integration of infrastructure provisions, planning and funding with land use, and with the provision of infrastructure. I support this assessment.
- 186. My view is that the strong emphasis in the NPSUD and AUP RPS places on ensuring infrastructure is integrated with planning decisions warrants a non-complying activity status for activities which

do not comply with standard *IX.6.4 Wastewater* and *Water Supply Infrastructure*. A non-complying activity status provides the ability in the resource consent application process to ensure that any capacity constraints in wastewater and water supply infrastructure are addressed, while still allowing consents to be approved if they are considered appropriate.

- 187. Rules included in a precinct should be clearly written and understood from the perspective of an applicant, an affected party, a planner processing a resource consent application and to enable the council to monitor and enforce the rule. I am concerned that *Standard I1.6.4* as included in PPC 107 as notified places requirements on development that are unenforceable and unmeasurable. Namely, as Auckland Council have pointed out in their submission (in paragraph 16), it is not desirable to allow the construction of buildings prior to the infrastructure capacity to support them. In my view it is not a sound planning decision to place the onus of enforcement of building occupation on the consent processing and compliance monitoring functions of council. I also do not agree that granting resource consents on the basis that a public works project or other consented activity providing the required infrastructure will be completed prior, as inconsistencies and setbacks in infrastructure projects are a common occurrence.
- 188. In regard to submission [5.3] and [5.9], the new policy that Auckland Council seeks is:
 - (X) Avoid subdivision and development occurring that does not align with the provision of sufficient capacity in the water and wastewater network to service the Precinct.
- 189. I am concerned that the way this policy is drafted is inconsistent with the amendments to Standard IX.6.4 as it suggests subdivision and development should be avoided where there is insufficient water and wastewater provision anywhere within PPC 107. As discussed above there are multiple water supply and wastewater catchments with the precinct. Constraints may not be present across the entirety of PPC 107. I have suggested amendments to notified Policy I.1.3 (12) in Attachment 8 rather than the inclusion of a new policy as Auckland Council seeks.
- 190. My recommended amendments to *Policy I.1.3 (12)* are (removal in strikethrough and additions underlined):

Ensure that appropriate sufficient capacity in the water and wastewater infrastructure network is provided to enable the servicing of new light industrial lots and activities subdivision and development.

191. I recommend that submissions **[5.10]** and **[5.11]** be accepted and submissions **[5.3]** and **[5.9]** be rejected. I recommend that submission **[5.2]** be accepted in part.

Procedural Amendments

192. I6XX.4.1 Activity Table as notified contains two rows labelled (A5). I have amended the numbering of the second instance to refer to Rule (A6) and made consequential amendments to the numbering of the following rule. I recommend this amendment is accepted.

Topic Conclusion

193. For the reasons set out above I recommend that:

- 194. submissions [5.10] and [5.11] be accepted
 - the following submissions [1.1], [2.1], [2.2], [3.1], [3.3], [3.5] [4.1], [5.1], [5.2], [5.6] [5.7], [5.8], [5.15] and [6.1] be accepted in part
 - submissions [5.3] and [5.9] be rejected
 - the following amendments which are unsupported by submissions **be accepted**:
 - i. correct the numbering of rules in I6XX.4.1 Activity table
 - **ii.** recognise component parts of the relief sought by submission points [5.3] and [5.9] in amendments to *I1.3 Policy* (*12*).

8.2 Whenuapai Airbase

Application

195. Section 11 of the AEE supporting the application assesses the environmental effects of PPC 107. In respect to the acoustic effects of PPC 107 Section 11.2 states:

It is proposed to include specific standards within the Precinct provisions to manage the effects of aircraft noise and engine testing on to the PPC land. The Precinct provisions propose to make the above activities, that do not comply with the relevant standards, sensitive to aircraft noise a discretionary activity to ensure activities sensitive to aircraft noise could not be established as of right. Other activities sensitive to aircraft noise, as outlined in Table 1 of the provided acoustic assessment, are already classified as a noncomplying activity under the LIZ. In addition, in the event that any of the activities sensitive to aircraft noise were established, they would need to achieve the acoustic insulation and ventilation standard of the overlay. Marshall Day supports this approach and considers that it ensures that specific acoustic or reverse sensitivity effects of such developments are assessed on a case-by-case basis via the resource consent process and their effects will be appropriately addressed.²³

196. In respect to provisions related to the operation and function of the Whenuapai Airbase Section *11.13 Reverse Sensitivity Effects* of the AEE supporting the application states:

To ensure any potential effects are adequately managed, the Applicant has engaged with NZDF and incorporated Precinct provisions that seek to address potential impacts on the day-to-day operations of RNZAF Base Auckland. The proposed provisions have been prepared following consultation with NZDF and are considered to be satisfactory to manage any potential effects on RNZAF Base Auckland.

These provisions include:

- Restrictions on planting, such as canopy trees, that may increase bird presence in the area.
- Further control over the establishment of activities sensitive to aircraft noise on the PPC land, such as worker's accommodation and care centres.
- Avoidance of stormwater ponds and constructed wetlands that may increase bird presence in the area.

- The roofs of future buildings are designed to prevent the ponding of water and the potential for birds to roost or nest. Netting and/or spikes to be used on roofing where the roof cannot be designed to meet this.
- External building materials (including roofs) to not exceed a reflectivity of 30% white light where located more than 10m above ground level.
- Prior to the installation of external cladding/roofing greater than 10m in height, the material specifications to be provided to the satisfaction of both Auckland Council and NZDF.
- •No complaints covenants to be registered on all future lots when subdivision occurs.

Based on the above, it is considered that the PPC has sufficiently addressed and will mitigate any adverse reverse sensitivity effects on to RNZAF Base Auckland.²⁴

197. An acoustic report, prepared by Marshall Day Acoustics, has been provided in support of the application (refer to Attachment 1). Issues assessed in the acoustic report are relevant to the Whenuapai Airbase topic and have been discussed in relation to specific issues below.

Submissions

198. Table 10 below shows the 23 submission points addressed in the Whenuapai Airbase topic. Cabra and NZDF have provided submission points on the Whenuapai Airbase topic. Auckland Council and Watercare have made further submissions on submission on matters related to Whenuapai Airbase in NZDF's topic.

Table 10 Submissions on PPC 107 related to Whenuapai Airbase

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planners Recommendations
3.2	Cabra Development Limited	Seeks for the activity table I6X.4.1 to be amended to resolve a potential error in Activity (A4)		Accept in part
6.2	New Zealand Defence Force	Seeks that the PPC 107 Precinct provisions (and associated maps) reflect the Obstacle Limitation Surface restriction, possibly though a height overlay or similar.		Accept in part
6.3	New Zealand Defence Force	Seeks for development that the constraints contained in designation 4311 of the AUP, are incorporated into PPC 107 Precinct Provisions including a requirement to obtain NZDF approval.		Reject

6.6	New Zealand Defence Force	Seeks amendment to the precinct description as follows: RNZAF Base Auckland is a strategic defence facility of national and regional strategie importance. This approach is consistent with Regional Policy Statement provisions that recognise the functional and operational needs of infrastructure	Accept
6.7	New Zealand Defence Force	Seeks amendments to Precinct Objective I1.2(8) as follows: Stormwater devices avoid, as far as practicable, or otherwise minimise or mitigate, adverse effects on the receiving environment, and including the attraction of birds that could become a hazard to aircraft operations at RNZAF Base Auckland."	Accept in part
6.9	New Zealand Defence Force	Seeks amendments to Precinct Objective (9) heading and to delete objective (10), as follows: Effects of on RNZAF Base Auckland (9) (10) The adverse effects of aircraft engine testing noise on activities sensitive to aircraft noise are avoided, remedied, or mitigated at the receiving environment.	Accept
6.10	New Zealand Defence Force	"Seeks amendments to Precinct Policy I1.3(10) as follows: (10) Require t#the stormwater management outcomes and devices for	Accept

		the site shall-to be planned, designed, and implemented to avoid attracting birds and therefore mitigate the potential for bird strike to impact safety and flight operations at RNZAF Base Auckland."		
6.11	New Zealand Defence Force	Seeks amendments to Precinct Policy I1.3(13) as follows: (13) Require subdivision, use and development within the Precinct to avoid, remedy or mitigate any adverse effects, including reverse sensitivity effects, and safety risks relating to bird strike, lighting, glare and reflection, on the operation and activities of RNZAF Base Auckland.		Accept
6.12	New Zealand Defence Force	Seeks for Precinct Policy I1.3(14) be retained as notified		Accept
6.13	New Zealand Defence Force	Seeks the following amendment to the wording above the Activity table: In addition to the provisions of the Precinct, reference should also be had to the planning maps (GIS Viewer) which show the extent of all designations, overlays and controls applying to land within the Whenuapai Business Park Precinct. Development in the Precinct is subject to height restrictions under Designation 4311 and land use and subdivision in specified areas requires the written approval of the New Zealand Defence Force. Reference should also be made to Whenuapai Airbase Designation 4310 including the Aircraft	Oppose - [FS4] the Pattens	Accept

		Noise provisions of Condition 1 and associated Airbase Noise maps. This Precinct introduces additional 57 dB Ldn and 65 dB Ldn noise contour boundaries for aircraft engine testing noise and restrictions for activities sensitive to noise within this area.		
6.14	New Zealand Defence Force	Seeks for Precinct Activity (A3) to be retained as notified		Accept
6.15	New Zealand Defence Force	Seeks clarity of the wording of I6XX.4.1(A4) to: Retain a non-complying activity status for activities that do not comply with Standard I1.6.11 development within the aircraft engine testing noise boundaries. Separate out and make clear the activity status of non-compliance with Standards I1.6.5 to I1.6.10.		Accept in part
6.16	New Zealand Defence Force	Seeks the deletion of Precinct Activity (A7)	Support in part- [FS2] Watercare Services Limited	Reject
6.17	New Zealand Defence Force	Seeks amendments to I1.5 Notification as follows: (2) When deciding who is an affected person in relation to any activity for the purpose of section 95E of the Resource Management Act 1991 the Council will give specific consideration to: (a) those persons listed in Rule C1.13(4): and (b) The New Zealand Defence Force in relation to any proposal that does not comply with: (i) I1.6.3(d) Stormwater management (dry	Support in part- [FS2] Watercare Services Limited	Reject

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		detention basins or stormwater ponds); (ii) I1.6.5 Bird strike; (iii) I1.6.9 Lighting; (iv) I1.6.10 Noise; (v) I1.6.11 Development within the aircraft engine testing noise boundaries		
6.18	New Zealand Defence Force	Seeks a new standard to be included in PPC 107 Precinct provisions, which is as follows: Standard I1.6.12 Land use and subdivision within "conditional" [or "NZDF approval"] overlay (or similar): a) The approval in writing of the New Zealand Defence Force is required prior to the erection of any building, change in use of any land or building, or any subdivision of land, and prior to any building or resource consent application for such works/activities, within the "conditional" [or "NZDF approval"] overlay.	Support - [FS2] Watercare Services Limited	Reject
6.20	New Zealand Defence Force	Seeks Standard I1.6.5 Bird strike to be retained as notified		Accept
6.21	New Zealand Defence Force	Seeks amendments to Standard IX.6.6 Yards, to include the following: d) Vegetation planting must be of species unlikely to be attractive to large and/or flocking bird species.		Accept
6.22	New Zealand Defence Force	Seeks amendments to Standard I1.6.9 as follows: I1.6.9 Lighting, glare, and reflection Purpose: • To manage reverse		Accept

<u></u>	T		
		sensitivity effects on	
		RNZAF Base Auckland	
		• To avoid or minimise the	
		effects of lighting on	
		aircraft descending to	
		land at RNZAF Base	
		Auckland.	
		a) Any subdivision and	
		development must avoid	
		effects of lighting on the	
		safe and efficient	
		operation of RNZAF Base	
		Auckland, to the extent	
		that lighting:	
		i. Avoids simulating	
		approach and departure	
		path runway lighting	
		ii. Ensures that clear	
		visibility of approach and	
		departure path runway	
		lighting is maintained;	
		and	
		iii. Avoids glare or light	
		spill that could affect	
		flight safety or aircraft	
		operations.	
		b) External building	
		materials must be	
		constructed with the	
		following:	
		Hand Surfaces and	
		Eexternal building	
		surfaces (excluding	
		vertical surfaces) greater	
		than 10m above ground level must not exceed a	
		reflectivity (specular	
		reflectivity (specular reflectance) of <u>20</u> 30%	
		white light where located	
		10m above ground level;	
		and all roof surfaces.	
		c) No person may	
		illuminate or display the	
		following outdoor lighting	
		between 11:00pm and	
		6:30am:	
		<u>i. searchlights; or</u>	
		ii. outside illumination of	
		any structure or feature	
		by floodlight that shines	
		above the horizontal	
		plane.	
		<u> </u>	
	1 15 5 -		
6.23	New Zealand Defence Force	Seeks amendments to	Accept
		Standard I1.6.10 Noise as	
		follows:	
		11 C 10 N = '	
		I1.6.10 Noise	
		Purpose:	
		To ensure that potential	
	<u> </u>	reverse sensitivity effects	

			T	
		of noise from <u>on</u> the		
		adjacent RNZAF Base		
		Auckland are		
		appropriately <u>avoided</u> ,		
		remedied, or mitigated		
		addressed and provided		
		for within the Precinct.		
		a) A no-complaints		
		covenant or consent		
		notice shall be included		
		on each title issued		
		within the precinct. This		
		covenant or consent		
		notice shall be registered		
		with the deposit of the		
		survey plan, in a form		
		acceptable to RNZAF		
		Base Auckland <u>the New</u>		
		Zealand Defence Force		
		under which the		
		registered proprietor will		
		covenant to waive all		
		rights of complaint,		
		submission, appeal or		
		objection it may have		
		under the Resource		
		Management Act 1991 and		
		successive legislation or		
		otherwise in respect of		
		any noise associated with		
		the RNZAF Base		
		Auckland.		
0.04	N 7 1 15 6 5	0 1 0 1 14 0 44 .		D : .
6.24	New Zealand Defence Force	Seeks Standard I1.6.11 is		Reject
		retained as notified		
6.05	Now Zoaland Defence Force	Socke for a new standard		Accept
6.25	New Zealand Defence Force	Seeks for a new standard		Accept
6.25	New Zealand Defence Force	to be inserted into the		Accept
6.25	New Zealand Defence Force			Accept
6.25	New Zealand Defence Force	to be inserted into the PPC 107 Precinct:		Accept
6.25	New Zealand Defence Force	to be inserted into the PPC 107 Precinct: I1.6.X. Temporary		Accept
6.25	New Zealand Defence Force	to be inserted into the PPC 107 Precinct: 11.6.X. Temporary activities and		Accept
6.25	New Zealand Defence Force	to be inserted into the PPC 107 Precinct: I1.6.X. Temporary activities and construction		Accept
6.25	New Zealand Defence Force	to be inserted into the PPC 107 Precinct: I1.6.X. Temporary activities and construction Purpose:		Accept
6.25	New Zealand Defence Force	to be inserted into the PPC 107 Precinct: 11.6.X. Temporary activities and construction Purpose: • to avoid safety and		Accept
6.25	New Zealand Defence Force	to be inserted into the PPC 107 Precinct: I1.6.X. Temporary activities and construction Purpose: • to avoid safety and operation risk effects on		Accept
6.25	New Zealand Defence Force	to be inserted into the PPC 107 Precinct: I1.6.X. Temporary activities and construction Purpose: • to avoid safety and operation risk effects on the RNZAF Base		Accept
6.25	New Zealand Defence Force	to be inserted into the PPC 107 Precinct: I1.6.X. Temporary activities and construction Purpose: • to avoid safety and operation risk effects on the RNZAF Base Auckland.		Accept
6.25	New Zealand Defence Force	to be inserted into the PPC 107 Precinct: 11.6.X. Temporary activities and construction Purpose: • to avoid safety and operation risk effects on the RNZAF Base Auckland. (1) Any application for		Accept
6.25	New Zealand Defence Force	to be inserted into the PPC 107 Precinct: I1.6.X. Temporary activities and construction Purpose: • to avoid safety and operation risk effects on the RNZAF Base Auckland. (1) Any application for subdivision and		Accept
6.25	New Zealand Defence Force	to be inserted into the PPC 107 Precinct: I1.6.X. Temporary activities and construction Purpose: • to avoid safety and operation risk effects on the RNZAF Base Auckland. (1) Any application for subdivision and development that		Accept
6.25	New Zealand Defence Force	to be inserted into the PPC 107 Precinct: I1.6.X. Temporary activities and construction Purpose: • to avoid safety and operation risk effects on the RNZAF Base Auckland. (1) Any application for subdivision and development that requires the use of a		Accept
6.25	New Zealand Defence Force	to be inserted into the PPC 107 Precinct: I1.6.X. Temporary activities and construction Purpose: • to avoid safety and operation risk effects on the RNZAF Base Auckland. (1) Any application for subdivision and development that requires the use of a temporary structure or		Accept
6.25	New Zealand Defence Force	to be inserted into the PPC 107 Precinct: I1.6.X. Temporary activities and construction Purpose: • to avoid safety and operation risk effects on the RNZAF Base Auckland. (1) Any application for subdivision and development that requires the use of a temporary structure or construction equipment		Accept
6.25	New Zealand Defence Force	to be inserted into the PPC 107 Precinct: I1.6.X. Temporary activities and construction Purpose: • to avoid safety and operation risk effects on the RNZAF Base Auckland. (1) Any application for subdivision and development that requires the use of a temporary structure or construction equipment that infringes the		Accept
6.25	New Zealand Defence Force	to be inserted into the PPC 107 Precinct: 11.6.X. Temporary activities and construction Purpose: • to avoid safety and operation risk effects on the RNZAF Base Auckland. (1) Any application for subdivision and development that requires the use of a temporary structure or construction equipment that infringes the Obstacle Limitation		Accept
6.25	New Zealand Defence Force	to be inserted into the PPC 107 Precinct: I1.6.X. Temporary activities and construction Purpose: • to avoid safety and operation risk effects on the RNZAF Base Auckland. (1) Any application for subdivision and development that requires the use of a temporary structure or construction equipment that infringes the Obstacle Limitation Surface must seek written		Accept
6.25	New Zealand Defence Force	to be inserted into the PPC 107 Precinct: I1.6.X. Temporary activities and construction Purpose: • to avoid safety and operation risk effects on the RNZAF Base Auckland. (1) Any application for subdivision and development that requires the use of a temporary structure or construction equipment that infringes the Obstacle Limitation Surface must seek written approval from the RNZAF		Accept
6.25	New Zealand Defence Force	to be inserted into the PPC 107 Precinct: I1.6.X. Temporary activities and construction Purpose: • to avoid safety and operation risk effects on the RNZAF Base Auckland. (1) Any application for subdivision and development that requires the use of a temporary structure or construction equipment that infringes the Obstacle Limitation Surface must seek written		Accept
6.25	New Zealand Defence Force	to be inserted into the PPC 107 Precinct: I1.6.X. Temporary activities and construction Purpose: • to avoid safety and operation risk effects on the RNZAF Base Auckland. (1) Any application for subdivision and development that requires the use of a temporary structure or construction equipment that infringes the Obstacle Limitation Surface must seek written approval from the RNZAF		Accept

6.26	New Zealand Defence Force	Seeks amendments to the Matters of Discretion I1.7.1(1) as follows: f) Effects of on the operation of RNZAF Base Auckland including reverse sensitivity effects and any measures to avoid, remedy or mitigate these effects;	Accept
6.27	New Zealand Defence Force	Seeks amendments to the I1.7.2 Assessment Criteria as follows: (5) The effects on the operation of the RNZAF Base Auckland, including potential reverse sensitivity effects and effects on aircraft safety, in relation to: a) Lighting, and glare, and reflection; b) Temporary structures and construction; and c) Noise	Accept

Specialist Assessment

199. Mr Peter Runcie of SLR Consulting has provided to the reporting planner an analysis of the acoustic effects of PPC 107, attached in Attachment 3 to this report. Mr. Runcie's report considers two key issues as laid out in his Section 3.0 Key Issues.

Potential noise effects (health and amenity) on future noise sensitive occupants of the land encompassed by the private plan change; and

Potential reverse sensitivity effects on the operation of the RNZAF Base due to new sensitive activities establishing near to the Base, specifically related to engine testing noise.²⁵

200. In his review of the Applicant's Acoustic Assessment in Section *4.0 Applicant's* Assessment Mr. Runcie confirms the following [emphasis in bold text retained]:

In terms of managing noise generated by future development of the land, noise from flights arriving/departing the RNZAF Base and the potential for reverse sensitivity effects on the RNZAF Base the use of the existing AUP provisions (E25.6.5, E25.6.19 and D24) and the proposed no-complaint covenants are considered appropriate and supported.

•••

The adoption of the noise standards from Chapter E25 is considered appropriate and supported.

...

The acoustic assessment recommends adopting the same internal limit as D24.6.1 of the AUP for controlling airport noise (40 dB Ldn). This is consistent with internal noise levels set across New Zealand to protect amenity in sensitive receptors for road, ports and airports. Typically windows partially open for ventilation and cooling can reduce external noise levels by approximately 15 dB. This would suggest that land exposed to noise levels above 55 dB Ldn would require windows closed. This aligns with the requirements of D24 (and the guidance in NZS 6805) for ASAN to be designed to meet internal requirements when exposed to levels greater than 55 dB LAeq from the RNZAF Base.²⁶

201. Mr. Runcie's summary in Section *5.0 Assessment of Acoustic Effects and Management Methods* explains that he considers:

The proposed internal limit of 40 dB Ldn is supported, consistent with D24.6.1 of the AUP, and other jurisdictions.

It is, however, recommended that this limit applies for land exposed to engine testing noise greater than 55 dB Ldn consistent with the guidance in NZS 6805 and existing D24 provisions (D24.6.1). This will require updated engine testing noise contours to be prepared for inclusion on the Precinct Plan.

This has the benefit of aligning the precinct provision requirements with existing requirements in the AUP.²⁷

202. Mr. Runcie recommends amendments to PPC 107. These are included in his report in Attachment 3 and discussed in the analysis below.

Issues

- 203. This part of the report addresses issues, including in submissions, that have been categorised as relating to 'Whenuapai Airbase'. The issues covered include:
 - reference to the Whenuapai Airbase
 - activities requiring notification of NZDF
 - reverse sensitivity effects.

Analysis

204. Whenuapai Airbase is a NZDF air base located immediately to the north of the plan change area across Brigham Creek Road. This Airbase is considered to be nationally strategic. The Airbase's longest runway, which runs from north east to south west, has aircraft approaching across the northeast of the PPC 107 site. This approach is identified and managed in the AUP through Designation 4311 (and not in Chapters D23 Aircraft Approach Surface Overlay).

205. The approach diagram in Designation 4311 can be seen in Figure 10 below:

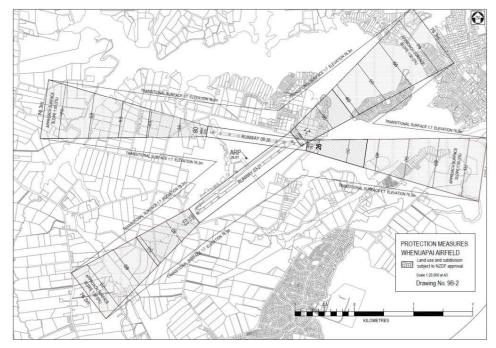


Figure 10 Drawing 9B-2-6 - Protection Measures Whenuapai Airfield (Source: AUP Chapter K: **Designation 4311)**

- 206. The RPS provisions stated by NZDF in their submission are:

 - RPS Objective (6) Infrastructure is protected from reverse sensitivity effects caused by incompatible subdivision, use and development. B3.2.1(6)
 - **RPS Policies** B3.2.2(4) and (5)
- (4) Avoid where practicable, or otherwise remedy or mitigate, adverse effects of subdivision, use and development on infrastructure.
- (5) Ensure subdivision, use and development do not occur in a location or form that constrains the development, operation, maintenance and upgrading of existing and planned infrastructure.
- 207. I agree with NZDF that the RPS Objective and Policies above are relevant.

General Submissions

- 208. Several submissions related to the Whenuapai Airbase topic seek the retention of notified provisions.
- 209. NZDF **[6.12]** seeks for *Policy I1.3(14)* be retained as notified. No submitter or specialist has sought amendments to *Policy I1.3(14)*. Submission **[6.12]** is recommended to be accepted.
- 210. NZDF [6.14] seeks Precinct Activity (A3) to be retained as notified. No submitter or specialist has sought amendments to Rule (A3). I recommend that submission [6.14] is accepted.
- 211. NZDF [6.20] seeks Standard I1.6.5 Bird strike to be retained as notified. No submitter or specialist has sought amendments to Standard II.6.5 Bird strike. Submission [6.20] is recommended to be accepted.

212. NZDF seeks **[6.24]** Standard I1.6.11 is retained as notified. Standard I1.6.11 is subject to amendments recommended by Mr. Peter Runcie, acoustic specialist for council, which are recommended to be accepted by this report. I note these amendments are intended to bring Standard I1.6.11 in line with the requirements of AUP Chapter D24 and do not reduce the requirements of the standard. Submission **[6.24]** is recommended to be rejected.

Reference to the Whenuapai Airbase

- 213. NZDF seek several amendments to the precinct provisions which reference the Whenuapai Airbase.
 - submission points **[6.6]**, **[6.7]**, **[6.10] [6.11]** and **[6.26]** seek minor grammatical amendments to the precinct text as follows:
 - i. submission **[6.6]** identifies minor amendments to the wording in the precinct description
 - ii. submission **[6.7]** seeks a minor amendment to Objective I1.2(8) related to the purpose of stormwater devices
 - iii. submission **[6.10]** seeks a minor amendment to Policy I1.3(10) relating to the requirements of stormwater management
 - iv. submission [6.11] seeks minor grammatical amendments to Policy I1.3(13)
 - v. submission **[6.26]** seeks minor amendments to I1.7.2 Assessment Criteria (4) and (5) related to reverse sensitivity effect on the base.
- 214. I support the view of NZDF that the proposed amendments strengthen the function of the precinct provisions and do not consider that these amendments materially affect the function or purpose of the provisions they affect or the purpose of the precinct overall. I recommend Submissions [6.6], [6.10], [6.11] and [6.26] be accepted.
- 215. The amendment requested by Submission **[6.7]** to *Objective I1.2(8)* is also subject to a Healthy Waters amendment discussed in Section 8.4 Hydrology below. Both amendments seek to focus the objective on avoiding the attraction of birds. My opinion is that the Healthy Waters amendment is not contrary to the purpose of Submission **[6.7]** and for the reasons discussed in Section 8.4 Hydrology below I recommend the Healthy Waters amendment to *Objective I1.2(8)* be accepted. I recommend Submission **[6.7]** be accepted in part to the extent that the relief sought is given effect to by the supported amendments.
- 216. Cabra and NZDF request clarification of and amendments to Rule I6XX.4.1(A4) in Submission **[3.2]** and **[6.15]**. Rule I6XX.4.1(A4) as notified reads as follows:

(A4)	Activities that do not comply with:	NC
	 Standard XX Development within the aircraft engine testing noise boundaries; but do not comply with any one or more of the other standards contained in Standards X. 	

Figure 11 Activity A4 in I6XX.4.1 Activity table - notified precinct provisions

- 217. I agree with the submitters that it is not clear which standards the rule is referring to, although it appears the first standard in the rule references Standard *I1.6.11 Development within the aircraft engine testing noise boundaries*. Although the structure of the rule appears to apply a noncomplying status to an activity that does not comply with *I1.6.11* and any other standard within the undefined set, the text introduces a double negative which makes this unclear. NZDF's submission assumes that the undefined set referred to as *Standards X* includes Standards *I1.6.5* to *I1.6.10*, in which there are standards related to managing effects on the Whenuapai Airbase. However, there are other standards in this range which would not affect the Whenuapai Airbase.
- 218. At this time it is not clear which standards are intended to be included in *Standards X*. I consider that it is appropriate that the Applicant clarifies the purpose of Rule (A4) so it can be appropriately addressed in council's S42A Addendum report at a later date.
- 219. I recommend that submissions [3.2] and [6.15] are accepted in part.

Activities requiring notification of NZDF

- 220. The effect of Designation 4311 to the Plan Change area is discussed in Section 3.3 Existing AUP Provisions above. Development in the plan change area is subject to height restrictions under Designation 4311. No object may penetrate the OLS without the prior written approval of the NZDF, except for structures up to 9m. This 9m allowance does not apply to the north-west portions of 96 and 96A Trig Road, in which any subdivision or land use activity is conditional on approval from NZDF. The extent of the conditional overlay on the plan change area can be seen above in Figure 5 in Section 3.3 of this report. The notified precinct provisions include reference to the effect of Designation 4311 in the preamble text to I6XX.4.1 Activity tαble.
- 221. NZDF seek in submissions **[6.2]** and **[6.3]** that the precinct provisions accurately reflect the requirements Designation 4311 imposes on the plan change area. NZDF seek the following amendments to the precinct provisions:
 - submission [6.13] propose amendments to the I1.4 Activity table: Introductory text to specify that land use and subdivision in certain areas requires written approval under s176(1)(b) of the RMA. (This approval by NZDF does not mean that they are the consenting

- authority, Council has this role a resource consent application may have approval under section 176 from NZDF and still be declined).
- submission **[6.18]** seeks to insert new *Standard I1.6.12 Land use and subdivision within conditional [or NZDF approval] overlay* (or similar) which specifies the approval of NZDF in writing is required for development in the conditional overlay
- submission **[6.25]** seeks new precinct *Standard I1.6.X. Temporary activities and construction related to the avoidance of temporary activities* which specifies any application for subdivision and development that requires the use of a temporary structure or construction equipment that infringes the OLS must seek written approval from the RNZAF Base Auckland.
- 222. The inclusion of standards within precinct provisions which reflect the requirements of overlapping designations are included elsewhere in the *I402 Auckland Airport Precinct* and *1401.* Ardmore Airport Precinct. Auckland Airport Precinct sets a prohibited activity status through *I402.4.2 Activity Table (A58)* for objects infringing the OLS and Standard *I402.6.12. Building height*, which specifies buildings must comply with the OLS. Ardmore airport includes standard *I401.6.1.3. Aviation activities and aircraft operations*, which specifies that aircraft must comply with the conditions of designation 200 Ardmore Airport Limited.
- 223. My key concern related to the relief NZDF seek is the replication of provisions which are already provided for in the AUP and managed through a planning instrument with different requirements to the proposed precinct. For example, if Designation 4311 were to be amended in the future or uplifted entirely, PPC 107 would contain reference to planning provisions which no longer apply. I consider that the amendments sought by NZDF mitigate this concern, as they do not specify limits on development and impose requirements for notification dependent on the extent of the Designation 4311. The alteration of the designation would consequentially be reflected through the precinct standards.
- 224. Section 176(1)(b) of the RMA states the effect of designations included in the District Plan. Section 176 includes that:
 - no person may, without the prior written consent of that requiring authority, do anything in relation to the land that is subject to the designation that would prevent or hinder a public work or project or work to which the designation relates,... ²⁸
- 225. Activities generally anticipated in the LIZ are businesses of an industrial nature. A resource consent applicant is required to consider all the provisions of the AUP which are applicable to a site/plan change area. Similarly for the council planner in their assessment of the resource consent application. I consider that the reference to this requirement under Section 176(1)(b) of the RMA in the Preamble to *I6XX.4.1 Activity table* ensures it will be managed at the resource consent stage.

- 226. It is important to note that any approval from NZDF is made under Section 176(1)(b) of the RMA, and that this approval does not amount to approval of the resource consent application. Approval may be provided by NZDF under Section 176(1)(b), and the resource consent application that is being processed may still be declined despite the NZDF approval.
- 227. My understanding of the relief NZDF seeks in regard to Submission **[6.25]** is that it arises from its prior experience of temporary activities infringing on the OLS. It is possible that applicants seeking a resource consent are unaware that temporary activities required as part of construction or otherwise should be considered within an AEE, especially in the case where the temporary activity infringes the OLS while the final development does not infringe on the OLS or a height standard. I have also considered circumstances where infringements of the OLS are not necessarily considered at the consent stage, such as where vegetation matures to a height which infringes the OLS. I note that the effect of temporary structures and construction on the operation of Whenuapai Airbase are an assessment matter in *I1.7.2. Assessment Criteria* (5)(b). I consider that although this criterion assists in managing reverse sensitivity effects of temporary activities on Whenuapai Airbase that the assessment criteria do not explicitly include the consideration of the height of these activities for infringements of the OLS. Furthermore, the assessment criteria may not be assessed as part of consents for activities which are permitted or do not infringe height standards.
- 228. I recommend that submission **[6.2]** is accepted in part and submissions **[6.13]** and **[6.25]** accepted. I recommend submissions **[6.3]** and **[6.18]** be rejected.
- 229. Submission **[6.17]** seeks amendments to *I1.5. Notification* to include notification of NZDF when the following standards are breached:
 - *I1.6.3(d)* Stormwater management (dry detention basins or stormwater ponds);
 - *I1.6.5 Bird strike*;
 - *I1.6.9* Lighting;
 - 11.6.10 Noise;
 - 11.6.11 Development within the aircraft engine testing noise boundaries
- 230. This amendment would identify NZDF as an affected party whenever a resource consent application breaches these standards.
- 231. I do not consider that these amendments are necessary to manage effects on Whenuapai Airbase as this is the function of the provisions in PPC 107. The inclusion of these notification requirements would functionally expand the requirements of Designation 4311.
- 232. I recommend that Submission [6.17] be rejected.

Reverse sensitivity effects

233. Submission **[6.16]** seeks the deletion of *Rule I6XX.4.1(A7)* to avoid inconsistency between lighting provisions in PPC 107 and the underlying E24 Lighting Chapter. NZDF are concerned that the retention of *Rule (A7)* as drafted would lead to the provisions in Chapter *E24 Lightning* overriding the lighting provisions in the precinct and is redundant as E24 would apply to the plan change

area regardless of its inclusion as a rule in *I6XX.4.1 Activity table*. In accordance with Chapter C1.6 (4) provisions in the precinct takes precedence over the activity status in the zone or Auckland-Wide rules. I consider that the precinct rule does not lead to the issue that NZDF is trying to resolve via their submission **[6.16]**. I therefore do not support the submission.

- 234. Submission [6.21] seeks that Standard IX.6.6 Yards apply a new subpoint that reads:

 (d) Vegetation planting must be of species unlikely to be attractive to large and/or flocking bird species.
- 235. Submission **[6.22]** seeks the inclusion of amendments to *Standard I1.6.9* which provides greater specificity to roof reflectivity controls and restricts the use of high intensity lighting (searchlight and floodlights above the horizontal plane) at night.
- 236. Submission **[6.27]** seeks minor amendments to *I1.7.2 Assessment Criteria* to include the assessment of reflection on reverse sensitivity effects.
- 237. I agree with NZDF's assessment of submission points **[6.21]**, **[6.22]** and **[6.27]**. The amendments sought are not matters already managed by the AUP in this area of Whenuapai. It is my understanding that the controls are sought to avoid bird-strike and/or confusion to the pilot's flying aircraft that are approaching the Whenuapai airbase that can result in air traffic accidents.
- 238. These amendments are consistent with PPC 107's objectives and policies as they relate to managing reverse sensitivity issues on Whenuapai Airbase. I consider these amendments provide greater discretion and clarity about matters which may generate reverse sensitivity effects at the resource consent stage and mitigates safety risks on air traffic.
- 239. Submission **[6.9]** seeks the deletion of *Objective I1.2(10)* as NZDF is concerned the objective as notified requires that the effects from aircraft engine testing shall be avoided, rather than managing reverse sensitivity effects on Whenuapai Airbase. The submission also seeks amendment to the title above *Objective I1.2(9)* to specify that effects *on* Whenuapai Airbase are to be avoided. I agree with NZDF's interpretation of the two objectives and agree that the purpose of the provisions should be clarified.
- 240. Submission **[6.23]** seeks minor amendments to *I1.6.10 Noise* so as to be consistent with submission **[6.9]** (discussed above) to clarify that effects on Whenuapai Airbase are to be avoided, remedied or mitigated. Submission **[6.23]** also supports the retention of no-complaints covenants on each title issued within the precinct but seeks the removal of the option for a consent notice to be used to manage reverse sensitivity effects from Whenuapai Airbase. Section *4.0 Applicant's Assessment* of Mr. Runcie's report (Attachment 3 to this report) supports the use of nocomplaints covenants in PPC 107. I rely on Mr. Runcie's assessment and consider that using a consistent approach to address the effects on Whenuapai Airbase is a better approach for the future usability of the plan and ensuring that the expectations of landowners and developers are managed consistently across the plan change area. I note that no-complaints covenants are not a planning instrument which manages the effects of noise from Whenuapai Airbase operations on the plan change area. No complaint covenants only limit the ability of landowners to complain about the effects of noise.

- 241. I recommend Submissions **[6.9]**, **[6.21]**, **[6.22]**, **[6.23]** and **[6.27]** be accepted. I recommend Submission **[6.16]** be rejected.
- 242. Mr. Runcie's acoustic assessment of PPC 107 (Attachment 3 to this report) has recommended several amendments to PPC 107 related to reverse sensitivity which are not addressed in submissions. These amendments are:
 - modifying I1.6.11 Development within the aircraft engine testing noise boundaries to reflect the definitions/terms in the AUP and refer to the existing provisions of D24 for consistency with the AUP regarding airport noise
 - an update to the Precinct Plan (Appendix G to the plan change request in Attachment 1) to show the 55 dB Ldn engine testing noise contour.
- 243. I rely on Mr. Runcie's assessment. The purpose of these amendments is to amend the extent of the engine testing noise boundaries in Precinct Plan (Appendix G to the plan change request in Attachment 1) and ensure that the provisions managing activities sensitive to aircraft noise (ASAN) within the engine testing boundaries are consistent with the controls applied through the Chapter *D24 Aircraft Noise Overlay* to Whenuapai Airbase.
- 244. The material changes to PPC 107 that Mr. Runcie recommends are the inclusion of a 55 db Ldn engine testing noise contour in the Precinct Plan (Appendix G to the plan change request in Attachment 1). Standard I1.6.11 Development within the aircraft engine testing noise boundaries as notified already mirrors the text in Standard D24.6.1 North Shore Airport, Kaipara Flats, and Whenuapai. The adjustment Mr. Runcie seeks is to recommend the Auckland-wide provisions are referred to directly. The engine testing noise contours as notified in relation the plan change area are shown in figure



Figure 12 Engine Testing Noise Contours applying to PPC 107 (Source: The Acoustic Assessment supporting the Plan Change Request, Fig. 3)

- 245. Although these amendments are not within the scope of submissions my view is that Mr. Runcie has identified a potential gap in the notified provisions which, if not remedied, could introduce reverse sensitivity effects on ASAN establishing in the precinct. The amended provisions will ensure a consistent approach to the management of Acoustic effects is applied within PPC 107 at the resource consent stage.
- 246. Mr. Runcie also considers RMA Section 16 RMA Duty to avoid unreasonable noise and Section 17 RMA Duty to avoid, remedy, or mitigate adverse effects. Section 16 requires that every occupier of land and every person carrying out an activity

"shall adopt the best practicable option to ensure that the emission of noise from that land or water does not exceed a reasonable level."

247. Section 17 states that:

"Every person has a duty to avoid, remedy, or mitigate any adverse effect on the environment arising from an activity carried on by or on behalf of the person, whether or not the activity is carried on in accordance with—

- (b) a national environmental standard, a rule, a resource consent, or a designation."
- 248. I agree that these RMA matters are relevant to the amendments. I recommend that the amendments Mr. Runcie includes in his acoustic assessment are included in PPC 107.

Topic Conclusion

- 249. For the reasons set out above I recommend that:
- 250. submissions [6.6], [6.9], [6.10], [6.11] [6.12]. [6.13] [6.14], [6.20], [6.21], [6.22], [6.23], [6.25], [6.26] and [6.27] are accepted
 - submissions [3.2], [6.2] [6.7] and [6.15] are supported in part
 - submissions [6.3] [6.18], [6.16], [6.17] and [6.24] are rejected
 - the following amendments which are unsupported by submissions are accepted:
 - i. modifying *I1.6.11 Development* within the aircraft engine testing noise boundaries to reflect the definitions/terms in the AUP and refer to the existing provisions of D24 for consistency with the AUP regarding airport noise
 - ii. an update to the Precinct Plan (Appendix G to the plan change request in Attachment 1) to show the 55 dB Ldn engine testing noise contour.

8.3 Transport

Application

251. In respect to the effects of PPC 107 on the transport network, Section 11.2 Transport Effects of the AEE supporting the application quotes the conclusion of the supporting ITA (refer to Appendix D of the AEE). These conclusions are:

"The descriptions, analyses and assessments provided in this report have shown that:

- the proposed road cross sections and network will provide for ready and convenient accessibility of the site by all transport modes: walking, cycling, bus and private vehicles.
- the development enabled by the WBPPC is consistent with, and will give effect to, national, regional and district transport policies.
- the proposed transport network to support the plan change supports the Te Tupu Ngatāhi Supporting Growth's Northwest Indicative Transport Network goals
- the extent of development anticipated as a consequence of the WBPPC can be accommodated by the surrounding road network while maintaining acceptable levels of safety and performance, given the proposed upgrade to Brigham Creek Road and Trig Road.

Accordingly, it is concluded that there is no traffic engineering or transportation planning reason to preclude approval of this WBPPC, since the full extent of development enabled by the plan change will be appropriately supported by a new road network and upgrades to existing roading to maintain and enhance appropriate levels of safety and efficiency on the surrounding road network."²⁹

252. Section 11.3 Transport Effects of the Applicant's AEE considers that "any adverse transport effects on to the environment as a result of the PPC would be able to be avoided, remedied, or mitigated by the transport infrastructure proposed." 30

253. An ITA (refer to Appendix D of the AEE), prepared by Team Traffic, has been provided in support of the application. Issues assessed in the ITA are relevant to the transport topic and have been discussed in relation to specific issues below.

Submissions

254. Table 11 below shows the six submission points addressed in the Whenuapai Airbase topic. David George Allen, Cabra, Auckland Council and NZDF have provided submission points on the Transport topic. No further submissions have been made on the submissions in this topic.

Table 11 Submissions on PPC 107 in the Transport Topic

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planners Recommendations
1.2	David George Allen	Seeks for walking and cycling access on Kauri Road, and further analysis on whether improvement works are required for the Kauri Road/Brigham Creek intersection.		Reject
3.4	Cabra Development Limited	Seeks amendments to require additional mitigation in order to reach the maximum build out of 150,000m2 GFA, and/or additional assessment criteria to consider the need for other mitigation measures should the 725 vph be exceeded.		Accept in part
5.4	Auckland Council	Seeks amendments to the precinct provisions to require a Restricted Discretionary Activity consent for the construction of a vehicle crossing on Trig Road. Further, seeks amendments to the precinct plans to provide a fourth leg on intersection 'A' to provide access to the western side of Trig Road.		Accept in part
5.12	Auckland Council	Seeks amendments to precinct provisions to impose vehicle access restrictions on Trig road as a Restricted Discretionary Activity, with the assessment criteria/matters of		Accept

		discretion to be based on E27.8.1(12) and E27.8.2(11)	
5.13	Auckland Council	Seeks amendments to the precinct provisions and precinct plans (Infrastructure Staging) to show a fourth leg on intersection 'A' to provide access to the orange shaded area on the western side of Trig Road.	Reject
6.4	New Zealand Defence Force	Seek to ensure that the safe and efficient access to the RNZAF Base Auckland is not compromised by development enabled by PPC 107	Reject

Specialist Assessment

- 255. Transport effects have been reviewed on behalf of Council by the following specialists (refer to Attachment 3):
 - Ms Katherine Dorofaeff of Auckland Transport, in regard to the efficacy of the precinct provisions in relation to transport matters
 - Mr Harry Shepherd of Flow Transportation Specialists, in regard to traffic and transportation assessment.
- 256. Ms Dorofaeff has considered the findings of the Applicant's ITA where they are relevant to suggested amendments to give effect to NPS-UD and AUP-RPS objectives and policies. These objectives and policies relate to transport and ensure that the subdivision and development that is enabled by PPC 107 is appropriately supported by transport infrastructure.
- 257. Ms Dorofaeff has made recommendations for amendments to the precinct provisions, included in Attachment 8. Section 7.0 Conclusions and Recommendations of her report states:
 - Subject to my recommended amendments, and a favourable assessment by Flow, I am able to support PPC 107 from a transport perspective. In my view, with these amendments the plan change will give effect to the transport related objectives and policies of the NPS-UD and the AUP-RPS by:
 - i. Integrating development with infrastructure provision including effective, efficient and safe transport. This includes ensuring transport infrastructure is planned, funded and staged to integrate with urban growth. (NPS-UD Objective 6(a); AUP-RPS B2.2.1(1)(c) and (5)(a); B2.2.2(7)(c); B2.3.1(1)(d); B2.5.2(8); B3.3.1(1)(a) to (c); B3.3.2(4)(a) and (5)(a));

- ii. Reducing dependence on private vehicle trips by encouraging land use development and patterns that support other modes and reduce the need to travel, and by providing for and enabling walking, cycling and public transport. (NPS-UD Objective 3(b) and (8)(a); Policy 1(c) and (e); AUP-RPS B2.2.1(1)(d); B2.3.2(1)(d) and (2)(b); B3.3.1(1)(e); B3.3.2(4)(b) and (5)(b));
- iii. Providing for the future development and upgrading of Auckland's transport infrastructure. (NPS-UD Objective 6(b); AUP-RPS B3.3.2(1) and (3)).31
- 258. Mr Shepherd has provided a summary of his conclusions in section 5 of his report, which states: In terms of the transport aspects of PPC 107
- 259. I am generally satisfied with the transport assessment that has been undertaken. Through my review during the Clause 23 process, the assessment has been updated by the Applicant to resolve the majority of my concerns
- 260. I am satisfied with the Applicant's assessment of traffic effects and the traffic modelling methodology undertaken to assess those effects. I am satisfied that the majority of the traffic effects can be mitigated by the proposed intersection upgrades
- 261. I am also satisfied with the walking, cycling and public transport accessibility as a result of the proposed transport infrastructure upgrades
- 262. I have an outstanding concern that the mitigation identified by the Applicant to address visibility issues at the SH18/Trig Road interchange is not necessarily going to be implemented, and that this will result in adverse safety effects because of the increase in traffic resulting from PPC 107. I recommend that the Applicant address this in evidence, including what mechanism could be included in PPC 107 to ensure that appropriate mitigation is in place. Refer to Section 3.2.2 of my report
- 263. I recommend that Precinct Provisions are updated to apply vehicle access restrictions on Trig Road, given its status as a future arterial road. Auckland Transport also shares this view. Refer to Section
- 264. I recommend that the Trip Generation standard of the Precinct Provisions is updated to remove reference to trip generation, and instead refers to GFA only. I consider this will be easier to implement and monitor. Refer to Section 3.8
- 265. I have reviewed the transport-related submissions, and note that the some of the changes requested to PPC 107 are consistent with my recommendations above. Other submitters have asked for other transport amendments, which I consider aren't necessary to support the Plan Change from a transport perspective.
 - I am supportive of the Plan Change being approved provided my recommendations and outstanding concerns are satisfactorily addressed.³²
- 266. Mr Shepherd's report indicates he is supportive of many of the amendments to the precinct

200.	The onephera 3 report maleates he is supportive of many of the amenaments to the presinct
	provisions that Ms Dorofaeff has proposed. The amendments Mr Shepherd supports are included
	in his report attached as Attachment 3. The amendments sought by Ms Dorofaeff, and supported
	by Mr Shepherd, seek to address concerns consistent with those raised in submissions and will be
	discussed in conjunction with relief sought through the submissions in the analysis below.

Issues		

- 267. Submissions in Table 11 above relate to effects on transport. Submission points on transport matters have been received from David George Allen, Cabra, Auckland Council and NZDF. These submissions can be themed as follows:
 - inclusion of cycling and walking access for the Kauri Road/Brigham Creek intersection
 - trip generation standards
 - access to Trig Road
 - safe and efficient access to NZDF Base.
- 268. Issues have also been raised by the two specialists reviewing the application on behalf of Auckland Council that were not raised by submissions, these are:
 - visual retention at SH18 / Trig Road interchange
 - transportation drawings (flexibility and indicativeness see AT s42a in Attachment 3).

Analysis

Cycling and walking Access for the Kauri Road/Brigham Creek intersection

- 269. Submission **[1.2]** from David George Allen seeks walking and cycling access on Kauri Road, and further analysis on whether improvement works are required for the Kauri Road / Brigham Creek Road intersection. Mr Allen's submission acknowledges that this area is outside of PPC 107.
- 270. Mr Shepherd, on behalf of Council, sought additional information during the Clause 23 process on walking and cycling connectivity with the wider Whenuapai Area and impacts of PPC 107 on the Kauri Road/ Brigham Creek Road intersection. He indicates in section 3.5 of his report (Attachment 3) that he is satisfied with the information which was provided. External roading upgrades by the Applicant as part of PPC 107 include walking and cycling existing shared footpath/cycleway along the PPC frontage of Brigham Creek Road (which connects west towards Whenuapai Village shops) to the Brigham Creek/ Kauri Road intersection. Mr Shepherd is not of the view that walking and cycling paths along Kauri Road are required as part of PPC 107 or that the Kauri Road / Brigham Creek Road intersection is required to be upgraded to manage the effects of PPC 107. Mr Shepherd does not support Submission point [1.2].
- 271. Ms. Dorofaeff's specialist assessment also considers that it is not reasonable to require walking and cycling access to be provided on Kauri Road as part of PPC 107. Ms. Dorofaeff relies on Mr. Shepherd's assessment of the effect of PPC 107 on the Brigham Creek/ Kauri Road intersection. Ms. Dorofaeff recommends that Submission [1.2] be rejected.
- 272. I am guided by Mr. Shepherd's and Ms. Dorofaeff's analysis and recommend submission point [1.2] be rejected.

Trip Generation Standards

- 273. The Applicant's ITA, attached as Attachment 1, identifies that PPC 107 has a developable area of 36 hectares with an expected <u>maximum</u> GFA of 151,200m² for industrial activity. Using a trip rate of 0.63 trips per 100m GFA, this full buildout is calculated to generate a peak hour traffic generation of approximately 950 trips.
- 274. The ITA conducted SIDRA modelling analysis to assess the impact of traffic generated by the proposed development on the surrounding road network. This modelling identified "sensitivities"

- on the transport network when assessing the impact of 950 peak hour trips with the transport upgrades proposed through PPC 107.
- 275. The ITA also analysed a lower peak hour figure of 725 trips, based on a trip rate of 20 trips per hectare applied to the 36-hectare developable area. Modelling based on this lower figure identified "spare capacity" on the traffic network, even with the proposed intersection and road upgrades included.
- 276. Based on the modelling showing spare capacity at 725 vehicles per hour (**vph**), the ITA recommended that a GFA of 115,000m² (less than the maximum that was calculated) can be accommodated by the proposed roading infrastructure upgrades. This leads to the proposed Standard I1.6.2 Trip Generation (or GFA Limit) in the Precinct Provisions. This standard initially proposed capping the cumulative extent of buildings within the Precinct at 115,000m² GFA unless a traffic monitoring report demonstrated that peak hour trip generation did not exceed 725 vehicles per hour. The ITA states this standard ensures the precinct is not developed beyond its capacity.
- 277. Cabra expresses concern **[3.4]** that the "gap" in traffic generation between the 725 vph scenario and the higher potential 950 vph from maximum buildout. Cabra query whether the precinct standards should require additional mitigation to allow development up to the maximum buildout of 150,000m² (or 151,200m² GFA). Cabra also query whether additional assessment criteria are needed if the 725 vph limit is exceeded. Cabra does not propose specific amendments to PPC 107 related to this submission point.
- 278. Mr Shepherd and Ms Dorofaeff have considered Cabra's submission point [3.4] in their specialist assessment's. Ms Dorofaeff and Mr Shepherd both support Cabra's submission [3.4] in part.
- 279. Ms Dorofaeff makes the following recommendations:
 - A purpose statement should be included. This is consistent with the other standards in the precinct.
 - It (Standard I.1.6.2) should be shortened to simply specify the GFA limit (i.e. the maximum peak hour trip generation should be deleted). With this amendment, the standard could then be renamed as 'GFA limit'. Traffic generation standards, such as the peak hour trip generation standard proposed, are often problematic in terms of monitoring and linking to effects. In addition a traffic monitoring report should not be relied on to determine whether an activity is permitted or requires a resource consent.
 - There should be an associated special information requirement requiring applications for buildings to demonstrate compliance with Standard l1.6.2 by including details of existing and consented GFA for buildings within the Precinct.
 - Use and development that does not comply with Standard I1.6.2 should be treated as Discretionary rather than Restricted Discretionary. A more onerous activity category is warranted as additional transport infrastructure may be required. If the Restricted Discretionary status is retained, then I recommend that the assessment criteria at I1.7.2(6) be tightened.
 - A new or amended policy is needed to support the proposed Standard I1.6.2. Existing
 policies focus on implementation of the Precinct Plan and identified transport
 infrastructure upgrades. There is potential for development which infringes Standard I1.6.2

to require additional transport infrastructure not identified in the precinct plan or covered by Standard I1.6.1 Transport Infrastructure Upgrades.³³

- 280. The amendments Ms Dorofaeff recommends are included in Attachment 3. Mr Shepherd supports these amendments and notes in his assessment the practical difficulties associated with monitoring a trip generation cap based on a specific vehicles-per-hour number. A GFA control is considered to effectively function as a proxy for trip generation. I rely on the assessment of Ms Dorofaeff and Mr Shepherd.
- 281. As stated above, Ms. Dorofaeff and Mr. Shepherd both raise concerns that VPH figures are problematic to monitor and measure. I am concerned that a reliance on the VPH figure in the precinct provisions without a prescribed methodology will introduce uncertainty to the resource consent process and create the potential for inconsistent or inaccurate measurement of VPH in documents supporting resource consent applications. I agree with Ms Dorofaeff's statement that an application's activity status should not be determined by a traffic assessment. GFA measurements used as a proxy for trip generation has been utilised in other precincts, such as Sylvia Park Precinct, where GFA over certain thresholds triggers additional discretion.
- 282. I note that ITA says (in Executive summary): 'We are satisfied that the wider roading network can accommodate 725 peak hour trips generated by the development of the PPC area. To ensure the precinct is not developed beyond its capacity the proposed precinct provisions limit the cumulative extent of buildings to 115,000m2 GFA, unless a traffic monitoring report prepared by a suitably qualified expert has demonstrated that peak hour trip generation does not exceed 725 vehicles per hour.'³⁴
- 283. I understand that the application of a Discretionary Activity status to Rule A5 is recommended by Ms Dorofaeff and supported by Mr Shepherd because the ITA's traffic assessment is primarily based on the 725 vph scenario and it is unclear what upgrades to transport infrastructure will be required to manage effects on the transport network. I consider, in reliance on Ms Dorofaeff and Mr Shepherd's assessment that a discretionary activity is more appropriate for non-compliance with Rule (A5) as the effects of exceeding that standard are not understood.
- 284. For these reasons I support the amendments recommended by Ms Dorofaeff and supported by Mr Shepherd in regard to recognising access restrictions on Trig Road. I recommend Cabra submission [3.4] be accepted in part.

Access to Trig Road

285. Trig Road is currently a two-lane road that is built to a rural standard. Trig Road is not currently subject to access restrictions under the AUP. However, it is anticipated to be upgraded to an urban arterial road with separated active mode facilities under NoR W1. PPC 107 proposes upgrading the section of Trig Road adjacent to the plan change area to align with this future arterial standard, and the Precinct Provisions identify it as a "Future Arterial". The precinct does

not place access restrictions on Trig Road under Table 1: Road Function and Required Design Elements of the notified precinct provisions.

- 286. Auckland Council seek several amendments to the precinct provisions which reference the access to Trig Road:
 - submission **[5.4]** expresses concern that if the plan change is approved, the subsequent development has the potential to undermine the functioning of Trig Road as an arterial road
 - submission **[5.12]** seeks to impose vehicle access restrictions on Trig Road and to require consent as a restricted discretionary activity for the construction of vehicle crossings, with corresponding matters of discretion and assessment criteria based on AUP Chapters E27.8.1(12) and E27.8.2(11)
 - submission **[5.13]** seeks to amend the Precinct Plan and Precinct Plan (Infrastructure Staging) to show a fourth leg on intersection 'A' to provide access to the orange shaded area on the western side of Trig Road.
- 287. Mr Shepherd and Ms Dorofaeff have considered Auckland Council's submission points **[5.4]**, **[5.12]** and **[5.13]** in their specialist assessments (refer to Attachment 3). Ms Dorofaeff and Mr Shepherd both support submission **[5.12]** and oppose **[5.13]**. Both specialists oppose **[5.13]** on the basis that access restrictions pursuant to submission **[5.12]**.
- 288. Mr. Shepherd states, in paragraph Section 3.8 of his assessment, that although there are existing vehicle crossings serving the three properties within the plan change area to the west of Trig Road, these serve very low intensity activities that do not generate many vehicle trips and cannot be relied upon for future industrial development that is anticipated by PPC 107. Mr Shepherd considers that there should be Vehicle Access Restrictions to limit new vehicle crossings on Trig Road. This would allow for new vehicle crossings where it is demonstrated that the function of Trig Road as a future arterial road will be protected. Mr Shepherd supports amendments to the Precinct Provisions related to this matter as outlined in Auckland Transport's assessment.
- 289. Mr Shepherd provides the following analysis in relation to Trig Road in section 3.8 of his specialist assessment:
 - I consider that it is important to limit the number of vehicle access points on an arterial road, due to its important function in the road hierarchy, as well as the higher traffic volumes anticipated on such roads. Otherwise, safety for all road users is compromised by the potential conflict points and different types of turning manouevres that can be undertaken. Furthermore, Trig Road will have dedicated cycling facilities and consolidating access for properties fronting the arterial road via a road, rather than private crossings, will provide better safety outcomes for cyclists.
 - As part of previous information responses, the Applicant stated that some access from the orange stage could occur from a fourth leg at the Trig Road / Road 2 roundabout. However,

it was also stated that it may not be possible for all access to occur from this fourth leg as there are three separate sites held under different ownership.

- While there are existing vehicle crossings serving the three existing sites in the orange stage, these serve very low intensity activities that do not generate many vehicle trips. I consider that the use of existing vehicle crossings can't be relied upon for future industrial development that is anticipated by PPC 107.
- I consider there should be Vehicle Access Restrictions to limit new vehicle crossings on Trig Road, as it is a future arterial road. Vehicle Access Restriction controls still allow for access points to occur onto arterial roads, where it can be demonstrated that this is suitable, but encourage the number of accesses to be limited.
- Future resource consent applications for new activities for any sites fronting Trig Road will need to be assessed against criteria in section E27 of the Unitary Plan. Without a Vehicle Access Restriction, there is a risk that once any new development or vehicle access has been constructed, then it would not be possible to restrict accesses retrospectively.³⁵
- 290. Section 178 of the RMA provides the interim effect of requirements for designations. Section 178 applies to NOR W1 as a requiring authority has given a notice of a requirement for a designation to a territorial authority under section 168 and the NOR has not yet been withdrawn, cancelled, or included in the district plan. Section 178(2) states:

In the period that starts as described in subsection (3) and ends as described in subsection (4), no person may do anything that would prevent or hinder the public work, project, or work to which the designation relates unless the person has the prior written consent of the requiring authority.³⁶

- 291. The effect of Section 178(2) requires that an activity which prevents or hinders the Trig Road upgrade obtain the prior written consent of Auckland Transport as the requiring authority. This requirement for written approval to construct new vehicle crossings would apply even if no access restrictions are identified in Table 1: Road Function and Required Design Elements.
- 292. My understanding is that the Section 178(2) approval from the requiring authority is obtained on a case-by-case basis through the consenting process, and the Section 178(2) process relates to the public work project itself and does not protect the safe and efficient operation of the future arterial. My concern is that relying on section 178(2) approval solely to manage access to Trig Road creates uncertainty for developers seeking to establish new activities West of Trig Road as their consent may be prohibited under 178(2). My other concern is that this would make

integrated planning of land use activities more complicated for AT when considering requests under 178(2).

293. The following RPS provisions considered relevant are shown Error! Reference source not found..

Infrastructure B3.2.1. Objective (5)	Infrastructure planning and land use planning are integrated to service growth efficiently.
Infrastructure B3.2.1. Objective (6)	Infrastructure is protected from reverse sensitivity effects caused by incompatible subdivision, use and development.
Infrastructure B3.2.2. Policy (1)	Enable the efficient development, operation, maintenance and upgrading of infrastructure.
Infrastructure B3.2.2. Policy (4)	Avoid where practicable, or otherwise remedy or mitigate, adverse effects of subdivision, use and development on infrastructure
Infrastructure B3.2.2. Policy (5)	Ensure subdivision, use and development do not occur in a location or form that constrains the development, operation, maintenance and upgrading of existing and planned infrastructure.

- 294. Importantly, *B3.2.2. Policy* (5) requires that subdivision, use and development that constrains planned infrastructure does not occur. *B3.2.1. Objective* (6) requires that infrastructure is protected from reverse sensitivity effect and *B3.2.2. Policy* (1) requires that the efficient upgrading of infrastructure is enabled. My view is that although the AUP does not identify Trig Road as an arterial road that there is scope to consider planned infrastructure because of the NOR 1 designation and mitigate the adverse effects of development on that infrastructure.
- 295. Objective 6 of the NPS-UD requires planning decisions that affect urban environments to have particular regard to being integrated with infrastructure planning and funding decisions. Since NOR W1 is identified as key future infrastructure, PPC 107 must align with and not undermine the objectives of this designated infrastructure.
- 296. The amendments Ms Dorofaeff recommend includes the consideration of new vehicle crossing on Trig Road as if it already had arterial road status. This does not restrict any new crossings from being established but sets limits on the number of crossings to be consistent with matters of discretion and standards which typically would apply to arterial roads through AUP Chapter E27.

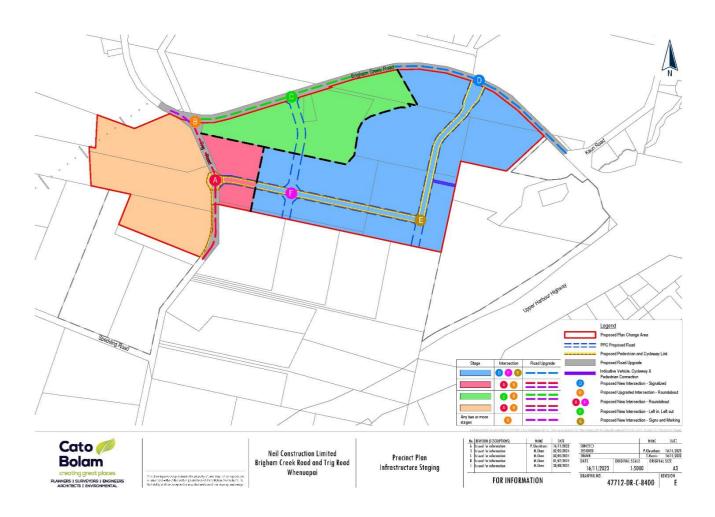


Figure 13 Infrastructure Staging Plan (Source: Appendix H to the Plan Change Request)

- 297. Ms Dorofaeff and Mr Shepherd do not consider that including a fourth leg from intersection 'A' in the precinct plan and the infrastructure staging plan (refer Figure 13 above) to provide access to the west side of Trig Road as sought in **[5.13]** is required if the access restrictions on Trig Road discussed above are amended. I note that inclusion of a fourth leg to intersection 'A' would not eliminate the basis for protection of Trig Road as a future arterial. Ms Dorofaeff and Mr Shepherd note the inclusion of a fourth leg access from intersection 'A' may not be the most appropriate location at which to provide access to the western portion of the PPC 107. The Auckland Council submission is not supported by a transport assessment which assesses the effects of providing a fourth leg to intersection 'A'.
- 298. For these reasons I support the amendments recommended by Ms Dorofaeff and supported by Mr Shepherd as they relate to the inclusion of access restrictions on Trig Road. I recommend that submissions [5.4] be accepted in part, Submission [5.12] be accepted and Submission [5.13] be rejected.

Safe and efficient access to NZDF Base

- 299. NZDF Submission **[6.4]** seek to ensure that the safe and efficient access to the Whenuapai Airbase is not compromised by development enabled by PPC 107.
- 300. Ms Dorofaeff and Mr Shepherd have assessed the submission in their reporting as specialists and consider that PPC 107 does not impose any effects on the safe and efficient access to Whenuapai Airbase.
- 301. In reliance on Ms Dorofaeff and Mr Shepherd's assessments I do not consider that any amendments are necessary, and I do not support Submission **[6.4]**.

Visual retention at SH18 / Trig Road interchange

- 302. Mr Shepherd's assessment of PPC 107 has identified a visibility issue at the SH18 / Trig Road interchange which is not addressed in submissions. As Mr. Shepherd describes, drivers on the SH18 offramp have to stop on the line at the intersection with Trig Road to give way to traffic before proceeding. Existing vegetation is constraining the visibility of drivers looking north at, and beyond, the stop line. Mr. Shepherd is concerned the additional traffic exiting the motorway and traveling southward along Trig Road will exacerbate the issue. The assessment provided in the applicant's AEE relies on vehicles undertaking a two stage right turn manoeuvre using the flush median. Mr. Shepherd considers that undertaking this manoeuvre safely with the increase in traffic from PPC 107 requires sufficient visibility at this intersection.
- 303. Mr Shepherd states the following, in Section 3.3.2 SH18 Interchanges in relation to this issue:
 - In summary, I have an outstanding concern that the visibility issues at the SH18 / Trig Road interchange will not be mitigated as there is no mechanism included in PPC 107 for this to occur. I recommend that this be addressed by the Applicant in evidence.³⁷
- 304. As Mr. Shepherd notes this this issue is outside the plan change area and requires management of vegetation on land owned and managed by NZTA, possibly on an ongoing basis if the vegetation is not removed. Mr. Shepherd recommends that the applicant engage with NZTA to discuss mitigations.
- 305. Ultimately the adverse safety effect of vegetation outside the plan change area is not a matter of substance to the consideration of the provisions affecting the plan change area. Therefore my view is that the recommendation from Mr Shepherd made above about further information from the applicant about this matter is not required and no amendment is recommended to PPC 107 regarding this issue.

Infrastructure Upgrades

- 306. Ms Dorofaeff's transport assessment has recommended several amendments to PPC 107 which are not addressed in submissions. These amendments are:
 - inclusion of new Objective (2A) Subdivision and development that is not staged and coordinated with the required transport infrastructure is avoided

- inclusion of the note below *I1.6.1 Transport Infrastructure Upgrades* related to the *Tables 1* and 2 *I6XX*: Road Function and Design Elements as I1.6.1(2)(c)
- amendment to standard I1.6.1 Transport Infrastructure Upgrades to refer to intersections as well as roading upgrades
- Inclusion of a note in *Table 2: Intersection Type and Design* to specify which road features are to be given consideration at the consenting stage
- annotate each of the concept drawings for intersections with the following: 'All drawings are indicative designs to be refined further through the Engineering Plan Approval process.'
- 307. Ms. Dorofaeff recommends an amendment to add Objective (2A) to require land use which is not staged and coordinated with transport infrastructure to be avoided. Ms. Dorofaeff's report states that this objective is intended to align with the non-complying status of activities which do not comply with *I1.6.1 Transport Infrastructure Upgrades* in Rule (A2). I agree that an avoid objective is consistent with Rule (A2) and consider it is consistent with *I1.3. Policy (5)*, which requires subdivision and development does not occur in advance of transport infrastructure which supports it. I do not consider that the inclusion of Objective (2A) conflicts with any other objective in the provisions as notified. This recommend this amendment is supported.
- 308. Ms. Dorofaeff recommends an amendment to include the note below *Standard I1.6.1 Transport Infrastructure Upgrades* as *I1.6.1(2)(c)* in the standard. In my opinion the inclusion of this note in the standard makes it clear for plan users the requirement it imposes and is consistent with I1.3. Policy (4). This recommend this amendment is supported.
- 309. Ms. Dorofaeff recommends an amendment to Standard *I1.6.1 Transport Infrastructure Upgrades* to specify transport upgrades specified in the precinct provisions also relate to intersections. *Table 2: Intersection Type and Design* provides design specifications for intersections. I consider this amendment increases consistency and legibility for plan users. This recommend this amendment is supported.
- 310. Ms. Dorofaeff recommends an amendment to *Table 2: Intersection Type and Design* and an added note to the intersection drawings in the precinct provisions which indicate the designs are to be given consideration at the consenting and the Engineering Plan Approval process. Ms. Dorofaeff notes is her report that the concept drawings are relatively detailed for a precinct plan and that *Table 2: Intersection Type and Design* states that the intersections are to be *designed in general accordance* with the specifications. I consider that these amendments provide greater flexibility for the developer at the time of infrastructure delivery. These amendments are supported.

General Amendments by Specialists

311. Ms. Dorofaeff has recommended two amendments to PPC 107 which are functional in nature and do not materially affect the function of PPC 107. The first is an amendment to the text in I1.6. Standards as follows to correctly refer to the numbered standards (removal in strikethrough and new text underlined):

All activities listed in Activity Table I6XX.4.1 must comply with Standards I. $\underline{1}$ X.6(1) - I. $\underline{1}$ X.6(11).

- 312. I consider that this amendment would be consequential to the plan change being made operative. This amendment is supported in principle and has been accepted in part subject to the amendments recommended to this line in section xx of the Planning topic above.
- 313. The second recommended amendment is to capitalise the word 'transport' in 'Auckland Transport' where it used in Note 3 under *Table 2: Intersection Type and Design.* This amendment is recommended to be accepted.
- 314. I consider that the amendments to the concept drawings are not a material alteration to the plan change and provide further context for future users of the plan change and flexibility to respond to changing environmental conditions.

Topic Conclusion

- 315. For the reasons set out above I recommend that:
 - submission [5.12] is accepted
 - submissions [3.4] and [5.4] are supported in part
 - submissions [1.2] [5.13] and [6.4] are rejected
 - the following amendments which are unsupported by submissions are accepted:
 - i. inclusion of new Objective (2A) Subdivision and development that is not staged and co-ordinated with the required transport infrastructure is avoided
 - ii. inclusion of the note below I1.6.1 Transport Infrastructure Upgrades related to the Tables 1 and 2 I6XX: Road Function and Design Elements as I1.6.1 (2) (c)
 - iii. amendment to standard I1.6.1 Transport Infrastructure Upgrades to refer to intersections as well as roading upgrades
 - iv. Inclusion of a note in Table 2: Intersection Type and Design to specify which road features are to be given consideration at the consenting stage
 - v. annotate each of the concept drawings for intersections with the following: 'All drawings are indicative designs to be refined further through the Engineering Plan Approval process
 - vi. amendment to the numbering of standards where they are referred to in I1.6. Standards
 - vii. amendment to the Table 2: Intersection Type and Design to correct a capitalisation mistake.

8.4 Hydrology

Application

316. In respect to the effect of stormwater from PPC 107 Section 11.2 Stormwater Effects of the AEE supporting the application makes the following conclusion:

Overall, it is considered that an integrated stormwater management approach that considers the existing features of the PPC land and the surrounding environment has been proposed and will ensure that the PPC protects the receiving environment. The proposed

stormwater strategy meets the requirements for 'greenfield' development under the NDC and will appropriately avoid, manage, or mitigate adverse effects.³⁸

317. In respect to the effect of flooding from PPC 107 Section 11.6 Flooding Effects of the AEE supporting the application makes the following conclusion:

Overall, it is considered that adverse flooding effects generated by the PPC can be avoided, managed, or mitigated to an acceptable level.³⁹

318. Ecological effects are relevant to the submissions and issues included in the topic. In respect to the effect on the environment from PPC 107 Section 11.1 Ecological Effects of the AEE supporting the application makes the following conclusion, quoting from the Ecological Assessment

"The existing terrestrial and freshwater ecological values of the site have been identified and assessed. It is considered the PPC is appropriate for the area from an ecological perspective and can protect and enhance indigenous biodiversity values of the site in accordance with the outcomes of relevant plans and policy documents, while providing for efficient development.

Overall, it is considered that the proposed PPC can effectively manage any adverse effects of industrial development on the natural environment through the existing planning provisions and policy framework within the AUP. Any potential adverse effects can be adequately mitigated through appropriate stormwater design, fauna management plans, restoration and riparian planting, and detailed design."

We adopt this assessment and therefore consider that any adverse effects arising from the PPC can be sufficiently managed and mitigated.⁴⁰

- 319. The following reports have been provided in support of the application.
 - A Flood Risk Hazard Report, prepared by Cato Bolam
 - A Stormwater Management Plan, prepared by Cato Bolam
 - An ecological impact assessment, prepared by Viridis
 - A Stream Erosion Assessment, prepared by Cato Bolam.
- 320. Issues assessed in these reports are relevant to the Flooding and Ecology topic and have been discussed in relation to specific issues below.

Submissions

321. Table 12 below shows the six submission points addressed in the Stormwater topic. Watercare, Auckland Council and NZDF have provided submission points on the Stormwater topic and Auckland Council and Watercare Services Limited have made further submissions.

Table 12 Submissions on PPC 107 in the Hydrology Topic

Sub. No. Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planners Recommendations
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4.2	Watercare Services Limited	Seeks amendments to PPC 107 precinct description, objectives and policies, rules/standards, matters of discretion, precinct plans, and special information requirements to address stormwater and flooding effects so that there is no increase in flood levels at the Whenuapai Wastewater Pump Station or that could compromise its operation.	Support – [FS1] Auckland Council	Accept
5.5	Auckland Council	Seeks information on how development enabled within the plan change area will avoid creating new risks to people, property and infrastructure, including the wastewater pump station.	Support – [FS2] Watercare Services Limited	Accept
5.14	Auckland Council	Seeks amendments to the precinct provisions to address flood risk to properties and infrastructure outside the plan change area and include provisions to require any upgraded infrastructure to provide safe egress and/or mitigate flood risk.	Support – [FS2] Watercare Services Limited Support - [FS3] NZDF	Accept

6.5	New Zealand Defence Force	Seeks to ensure that development enabled under PPC 107 does not exacerbate flood risk hazard on RNZAF Base Auckland, and seeks consideration of flooding and stormwater effects on RNZAF Base Auckland.	Accept
6.8	New Zealand Defence Force	Seeks Precinct Objective I1.2(9) be retained as notified	Accept
6.19	New Zealand Defence Force	Seeks Standard I1.6.3 Stormwater management to be retained as notified	Reject

Specialist Assessment

322. Ms Tee, Ms O'Sullivan, Ms Waterson and Mr Taylor from Healthy Waters have provided an analysis of the stormwater and flooding effects of PPC 107 on behalf of council in its regulatory role to process the plan change. Section 9.0 of their report provides their conclusions and recommendations, which states:

The applicant has provided an assessment of stormwater and flood effects for the PPC 107, and the proposed SMP has provided the details of the required stormwater infrastructure and services. The applicant has identified downstream flood effects from the PPC 107, however, they consider that the effects are of a scale that does not need to be managed. We do not agree with this conclusion and require that the downstream effect be managed. We have requested further assessment and information to be included in the SMP regarding the issues outlined in Section 5 of this memorandum, and have made recommended amendments to the proposed Whenuapai Business Park Precinct in Section 8. If these issues are addressed this will ensure stormwater is managed to protect the receiving environment, and flood hazard risk to people, property and infrastructure are not increased, if not improved.

The streams in the PPC 107 area are relied on to manage the additional stormwater runoff generated by development in the PPC 107 area. We do not agree with the interpretation of the stream erosion assessment and the proposed mitigation has not

been demonstrated to be effective in managing the erosion effects on the streams in the PPC 107 area. We have recommended amendments to the proposed Whenuapai Business Park Precinct in Section 8 of this memorandum to address stream erosion effects. If these recommendations are adopted into the Precinct, this will ensure stream erosion is managed and the health and well-being of the freshwater system are protected, restored, maintained or enhanced.⁴¹

323. Mr. Jason Smith has provided an Ecological Assessment of PPC 107 on behalf of council. The conclusions and recommendations from Section 6 of Mr. Smith's report are reproduced below.

With Auckland Council Healthy Waters EST concerns remaining it cannot be concluded that all ecological effects have been appropriately addressed by the Applicant, or that the proposal is consistent with the relevant National Policy Statements: Freshwater Management (NPS:FM)

- However, if Auckland Council Healthy Waters concerns relating to the application of the ESC tool were addressed, then, I consider:
 - The applicant adequately assessed the private plan change effects on the environment related to ecological effects.
 - The private plan change would be consistent with the direction and framework of the AUP, including giving effect to the Regional Policy Statement, as well as the relevant NPS:FM and NPS Indigenous Biodiversity.

Consequently, I would be in a position to support the private plan change.⁴²

Issues

- 324. This part of the report addresses issues, including in submissions, that have been categorised as relating to 'stormwater'. The issues covered include:
 - flooding effects
 - stormwater Management
 - stream erosion.

Analysis

General Submissions

325. Several submissions related to the Hydrology topic either support or oppose the plan change and several seek the retention of notified provisions.

- 326. NZDF **[6.8]** seeks *Objective I1.2(9)* be retained as notified. No submitter or specialist has proposed change to *Objective I1.2(9)*. I recommend this submission point be accepted.
- 327. NZDF **[6.19]** seeks *Standard I1.6.3 Stormwater management* to be retained as notified. Several amendments have been recommended to *Standard I1.6.3 Stormwater management* by Healthy Waters specialists on behalf of council which are supported. I note that these amendments are generally intended to strengthen the stormwater management management of PPC 107. I recommend submission **[6.19]** be rejected.

Flooding Effects

328. Submission points **[4.2]**, **[5.5]**, **[5.14]** and **[6.5]** from Auckland Council, Watercare and NZDF have raised concerns that enabling development within the plan change area may result in increased flood risk and create adverse effects on people, property and infrastructure. The submitters seek amendments to the precinct provisions. Watercare specifies they seek that PPC 107:

...include requirements for comprehensive stormwater and flood mitigation measures (including, without limitation, on-site attenuation / water storage designed to achieve hydraulic neutrality) within the plan change area that:

- i. Account for climate change impacts
- ii. Protect critical infrastructure
- iii. Prevent any increase in flood risk to the WWPS.
- 329. Auckland Council and NZDF have not specified the particular amendments they seek.
- 330. Submission **[6.5]** from NZDF seeks that flooding and stormwater effects on the Whenuapai Airbase are not exacerbated. The applicants Flood and Flood Hazard Risk Assessment Report (**FFHRAR**) and Healthy Waters' flooding assessment in Section 5 of their technical report on behalf of Council has found no increase in flood hazard risk at the Whenuapai Airbase site.
- 331. Submissions **[4.2]** and **[5.14]** express particular concern that PPC 107 will increase flooding at the Whenuapai Waste Water Pump Station (**WWPS**).
- 332. The WWPS is located at 161 Brigham Creek Road to the northeast of PPC 107. The location is indicated relative to the plan change area in Figure 14 below. The WWPS was constructed in 2013 with an expected 100-year asset life. The WWPS is essential for collecting and conveying wastewater from the wider Whenuapai area. It is designated as a lifeline utility under the Civil Defence Emergency Management Act 2002, which imposes a duty to ensure it can function to the fullest extent during and after an emergency. The pump station is located within an existing flood plain and identified flood prone area.



Mhenuapai Wastewater Pump Station Site

Figure 14 Flood Plain and Overland Flow Paths on the PPC site with the Whenuapai Wastewater Pump Station location indicated by red circle (Source: Stormwater Management Plan supporting the Plan Change Request (with modification))

- 333. Healthy Waters' specialist assessment on behalf of Council disagrees with the Applicant's conclusion that the downstream flood effects from the PPC 107 development are of a scale that does not need to be managed. They identify issues of downstream flood effects on property and infrastructure and raise the following issues in their assessment:
 - Healthy Waters disagrees with the Applicant's conclusion that the predicted increase in flood levels at the WWPS site of 10mm to 30mm in a 1% AEP event due to the proposed development is "insignificant" or "less than minor". They argue that any increase in flood levels in an area with existing flood hazards will contribute to the effects of flooding at the pump station
 - Healthy Waters is concerned that the Applicant's flood modelling did not adequately
 address the potential for cumulative effects from future development, climate change
 impacts across the wider catchment, and attenuation of a 1% AEP event. They also note
 that a critical scenario combining post-development, a 1% AEP storm, 50% box culvert
 blockage at the existing 4m box culvert under Brigham Creek Road culvert, (see Fig. 6 in
 SMP supporting the Plan Change Request in Attachment 1) and climate change was not
 presented.
 - Healthy Waters considers that increased flood risk could compromise the pump station's
 operation, potentially leading to inundation of the building and equipment damage, and
 limit safe access to the utility in a flooding event. Pump failure can result in environmental
 and public health consequences from wastewater overflow, requiring costly and lengthy
 recovery efforts.
 - Healthy Waters recommends that further assessment and information be included in the Applicant's SMP to demonstrate how downstream effects on infrastructure (such as the WWPS) will be managed. The Healthy Waters report proposes amendments to manage flooding and stormwater in PPC 107, as included in Attachment 1. Without these

amendments Healthy Waters does not consider that PPC 107 gives effect to the relevant statutory requirements of RPS B10, as discussed below.

334. Healthy Waters also disagree with the Applicant's assessment of the downstream effects of flooding on Brigham Creek Road and private property. They consider that the increase to flooding is not minor as the Applicant's assessment finds and raise concerns that the assessment does not account for environmental factors which may exacerbate flooding. Healthy Waters raise concerns that the effects of flooding compromise access to Brigham Creek Road and driveways to multiple sites in the area. Many of Healthy Waters' concerns are reflected in Watercare's submission, which takes the view that the Flood and Flood Hazard Risk Assessment Report provided by the Applicant is inadequate. Watercare's submission states:

Watercare considers that potentially significant adverse effects on the WWPS will arise due to an increased risk of flooding / inundation from PPC 107 development.

335. Healthy Waters' report and Auckland Council and Watercare's submissions consider the following RPS provisions to be relevant:

Objective B10.2.1(3)	New subdivision, use and development avoid the creation of new risks to people, property and infrastructure.
Policy B10.2.2(3)	Ensure the potential effects of climate change are taken into account when undertaking natural hazard risk assessments.
Policy B10.2.2(6)	Adopt a precautionary approach to natural hazard risk assessment and management in circumstances where: (a) the effects of natural hazards and the extent to which climate change will exacerbate such effects are uncertain but may be significant, including the possibility of low-probability but high potential impact events, and also sea level rise over at least 100 years; or (b) the level of information on the probability and/or impacts of the hazard is limited.
Policy B10.2.2(12)	Minimise the risks from natural hazards to new infrastructure which functions as a lifeline utility by: (a) assessing the risks from a range of natural hazard events including sea level rise, and low probability but high potential impact events such as tsunami, earthquake and volcanic eruptions; (b) utilising design, location and network diversification to minimise the adverse effects on infrastructure and to minimise the adverse effects on the community from the failure of that infrastructure.

336. I agree that these provisions are relevant, and also consider that RPS B3 sets additional requirements in B3.2.2. Policies (4) and (5) to manage the reverse sensitivity effects of land use planning decisions on infrastructure.

- 337. In reliance on the findings of the Healthy Waters assessment I am concerned that the flooding effects of PPC 107 are not entirely understood by the assessments supporting PPC 107. This encourages me to take a view that a cautious approach is required to manage the effect of natural hazards. Policy B10.2.2(3) and Policy B10.2.2(6) reinforce that the effects of climate change on natural hazards should be considered in a way which gives effect to the strong requirement in Objective B10.2.1(3) to avoid the creation of new risks. As WWPS is a lifeline utility the requirement for avoidance is strengthened.
- 338. I note that Objective B10.2.1(3) specifies the creation of **new** risks to people, property, and infrastructure. As stated above the WWPS is located within a flood prone area and flood plain and is subject to existing effects from flooding during severe weather events. In reliance on Healthy Waters' report and in reference to the contents of Watercare's submission it is still reasonable to consider that the cumulative effects of flooding create new risks to infrastructure if its operation, function and access to it are affected by cumulative effects.
- 339. Healthy Waters recommend several amendments to the precinct provisions which are relevant to managing the flooding effects Auckland Council and Watercare have raised. These include:
 - amendment to the I1.3. Policies (7) to specify the approved SMP is to be complied with
 - amendments to I1.6.3 Stormwater Management to specify stormwater devices are to be staged and coordinated with development
 - amendments to I1.7.1. Matters of discretion and I1.7.2. Assessment Criteria to strengthen the requirement for development to comply with the SMP and reflect the staging of stormwater infrastructure
 - amendments to Table 1: Road Function and Required Design Elements to specify design of the indicative vehicle, cycleway and pedestrian connection between proposed Road 1 on the precinct plan and the future sports park at 161 Brigham Creek Road
- 340. My understanding is that the stormwater infrastructure that Healthy Waters has recommended be staged through inclusion in PPC 107 is indicated as necessary to manage flooding effects from the development in the Applicant's SMP and FFHRAR. Healthy Waters seek to ensure that these infrastructure assets are built and operational prior to the development of each stage of the plan change area. I recommend an additional amendment to PPC 107 that these infrastructure components be identified on the Precinct Infrastructure Staging plan to provide clarity for plan users as to their location and when in the staging of development they are required to be provided.
- 341. I also do not support with the Healthy Waters amendment to the Table 1: Road Function and Required Design Elements to include the design of the indicative vehicle, cycleway and pedestrian connection between proposed Road 1 on the precinct plan and the future sports park at 161 Brigham Creek Road. I consider that the indication of this connection on the precinct plan provides for flexibility to integrate the connection with the final design proposed park and ensures access for private and active transport modes. My view is that

- the detailed design of this connection can be addressed at the resource consent stage. I do however support the inclusion of the indicative connection in the list of infrastructure prerequisites to manage flooding effects Healthy Waters recommends to ensure this connection to 161 Brigham Creek Road is provided.
- 342. I recommend that Submission points **[4.2]**, **[5.5]**, **[5.14]** and **[6.5]** are accepted. I recommend that the amendments Healthy Waters have made to PC 107 are accepted, except in the case of the amendments to Table 1: Road Function and Required Design Elements.

Stormwater Management

- 343. There are no submissions on PC 107 which directly relate to the management of stormwater and water quality of stormwater discharging from the plan change area. Healthy Waters has provided on behalf of Council an assessment of the stormwater management proposed through the SMP and has recommended amendments to PC 107.
- 344. Management of stormwater and water quality is important to the mitigation of hydrological and environmental effects arising from PC 107 and relevant requirements of the NPS-FM, RPS, Te Rautaki Wai ki Tāmaki Makaurau (Auckland Water Strategy) and matters identified by Te Kawerau a Maki in their CIA. Te Wai te matā o Kahu (the waters of the harbour) and Te Waiarohia o Ngariki and tributaries (the stream, spring, inlet, and kāinga that runs along the south of the site) are identified in the CIA as having a high cultural value to Te Kawerau ā Maki.
- 345. Table 13 below contains excerpts from *Table 3: Summary of potential cultural impacts* in the CIA provided by the Applicant in support of the Plan Change Request:

Table 13 Excerpt from Te Kawerau ā Maki CIA Summary of potential cultural impacts table

Name	Summary of Impact	Level of	Significance of effect	Proposed	Residual effect	Offsetting
		Impact		mitigation		
Te Wai te	Direct, indirect, and	Moderate	Large	Undertaking	Minor	N/A
matā o	cumulative	Adverse	Adverse	stream and	Adverse	
Kahu	temporary			wetland protection		
	and permanent			and restoration		
	adverse from			works within the		
	stormwater			property footprint,		
	discharge			employ a 100%		
	carrying sediments			native vegetation		
	and contaminants			palate for all street		
	Potential combined			planting/public		
	neutral-beneficial			spaces, and will		
	impact if stream and			install a mixture of		
	ecological			tree pits, vegetated		
	enhancement works			swales, proprietary		
	undertaken and			devices and		
	robust stormwater			retention/detention		
	systems in place			tanks for		
				stormwater		
				treatment		

Te	Direct, indirect, and	Moderate	Large	Stormwater	Neutralto	N/A
			~			13/7
Waiarohiao	cumulative	Adverse	Adverse	management and	Minor	
Ngariki	temporary			sediment controls	Beneficial	
(and	and permanent			during construction		
tributaries)	adverse from			phase, use a		
	installation of			combination of		
	drainage			raingardens		
	pipes/infrastructure,			grassed swales		
	discharge of			proprietary devices		
	stormwater, and			and		
	domestic			detention/retention		
	contaminant			tanks to treat		
	discharges			stormwater/allow		
				infiltration, use		
				riprap at the		
				stormwater outfalls		
				to prevent		
				scouring, and 10m		
				riparian yard		
				establishment with		
				weed management		
				and native		
				enhancement		
				planting		

- 346. It is noted that this CIA was produced for an earlier fast track application of a smaller development scale, and the land included in that CIA now forms part of PC 107. Section 11.4 Effects on Mana Whenua in the AEE details the proposed mitigation planned as part of PC 107.
- 347. Healthy Waters, on behalf of Council consider that the proposed stormwater management devices are acceptable, but they consider that the number and size of bioretention devices is unknown and current best practice is to is to have communal and centralised treatment devices. Healthy Waters recommends that the SMP be updated to provide further information on how this can be achieved.
- 348. Healthy Waters also considers that the proposed SMP is not consistent with the requirements to be adopted into the NDC for the following reasons:
 - the Schedule 2 requirement regarding risk to communities has not been fully addressed. Flood modelling results show increases in flooding levels downstream on people, property and infrastructure. Schedule 4 requires that stormwater and flood effects from the 10% and 1% AEP storm events are managed to ensure no adverse effects
 - assets that are to be part of the public stormwater network need to be designed and constructed to be durable and perform to the required level of service for the life of the asset. The size and number of assets to be vested and whether there is consideration for safe access and maintenance, and the life cycle costs are unknown
 - The issues regarding the proposed SMP for the PPC 107 were raised in the clause 23 process and the issues overlap with the requirements of the NDC. Healthy Waters view is

that if the issues are addressed for the PPC 107 this would also address the matters in the NDC.

- 349. Section 7.0 Statutory Considerations of Healthy Waters report provides an assessment of PPC 107 against the statutory and policy framework relevant to stormwater and flood matters. Healthy Waters include in this assessment that they consider the amendments to PC 107 that they support will ensure the stormwater management implemented through PC 107 is more consistent with the requirements of the NPS-FM, Auckland Water Strategy, Chapter B7 of the RPS and Chapter E1 and E3 of the AUP. I agree with this assessment and adopt it as my own.
- 350. Healthy Waters recommend several amendments to the precinct provisions which are relevant to managing the flooding effects Auckland Council and Watercare have raised. These include:
 - Amendment to 8.2 Objective (8) to remove the outcome related to adverse effects on the receiving environment as this is already referred to in Objective (7).
 - Amendment to the I1.3. Policies (8) to strengthen the requirements to comply with the SMP and align with the further changes to the precinct provisions.
 - Amendments to I1.6.3 Stormwater Management to specify:
 - i. development shall be managed in accordance with an approved private discharge consent.
 - ii. removal of 'inert' to identify roof materials as all roofing materials will discharge some contaminants over time.
 - iii. stormwater runoff from all impervious areas must be treated with a stormwater management device(s) meeting standards.
 - iv. Addition that roof runoff must be directed to a tank sized for the minimum of 5mm retention volume for internal non-potable reuse within the property
- 351. Amendments to I1.7.1. Matters of discretion and I1.7.2. Assessment Criteria to include appropriate matters of stream health, well-being and mauri of the streams and wetlands.
- 352. My view, in reliance on Healthy Waters' assessment, is that these amendments strengthen the requirement for stormwater management devices and stormwater treatment to better align with best practice and clarify the guidelines which developers and consent processing staff should refer to. I support the amendments recommended by Healthy Waters as they relate to stormwater management and treatment, and recommend that they be accepted.

Stream Erosion

353. Healthy Waters and Mr Smith's ecology report have provided an assessment of the Stream Erosion Risk Assessment supporting the application. Both specialist reports indicate that they have concerns about the assessment of stream erosion in the plan change area. Section *2.0 Key Ecology Issues* of Mr Smith's report states in reference to the Stream Erosion Risk Assessment that:

The Stormwater Management Plan (SMP) states that the development of the plan change area will not result in significant increases in stream erosion; however, I considered that that assessment was based on incomplete information.

As such, at the time of writing, it is unconfirmed if the development of the site would lead to an increase in stormwater runoff (in terms of peak flows, volume and/or duration) that would lead to erosion of streams within the plan change area and/or downstream and lead to sedimentation in the receiving environment.

As the assessment of the potential stream erosion effects is largely dependent on the measures proposed within the SMP, which is reviewed by Auckland Council's Healthy Waters department, the assessment on the controls is deferred to their review.

354. The Healthy Waters report reflects these concerns. Paragraph 5.36 of the report states

The Stream Condition Assessment by Viridis, 11 April 2024, concluded that the streams in the PPC 107 area 'was good', other than in one location (photo point W). However, the photo comparison is from 2020 to 2024 and cannot be used to accurately assess stream erosion effects, the effects on the stream banks would not be visible given the vegetation present and the short time lapse. Also, any effects would be based on the current farming and other rural land use and the associated impervious area, however, effects from an urban environment such as the proposed Business Zone land use with high impervious area will mean effects will be intensified.

355. The Healthy Waters report also expresses concern that the variation in the Erosion Screening Tool Results at the four locations assessed did not lead to targeted mitigations based on the different level of erosion possibility. Healthy Waters identifies that the predevelopment measurements of erosion shows potential for change. Paragraph 5.39 of Healthy Waters' report states:

This means that for Locations 1, 2 and 3 even with the potential effects of the plan change mitigated to pre development levels the stream is likely experiencing adjustments and there will likely be active erosion in the future. This can mean future developments adjacent to the stream are at risk of stream bank instability affecting people, property and infrastructure that are adjacent to the stream. The applicant has not demonstrated that the proposed mitigation is enough to manage the effects on the streams and risk of stream bank instability.

356. My opinion, in reliance on Healthy Waters and Mr Smith's ecological assessment, is that the effects of erosion from the development are not understood and as such a cautious approach to development and protection of the stream banks is preferred to address and manage sedimentation and land instability. I consider that the concern about stream erosion is relevant to submission [5.5] from Auckland Council as inadequate management of stream erosion can lead to land instability. The aquatic health of the plan change area's streams and harbour outflow from these streams is also subject to sedimentation

- and contaminant discharge from improperly managed stream erosion effects. The health of these aquatic environments is identified in the CIA as having high cultural value, as discussed in paragraph 344 above.
- 357. As a consequence of their concerns about stream erosion and contaminant discharge, Healthy Waters have recommended amendments to the precinct provisions to require a 20m riparian yard. Healthy Waters consider that the 10m riparian margins which are required by the AUP and relied on by the Applicant are a minimum and the Applicant's assessment has not provided justification that a 10m riparian margin is all that is required for the site-specific context of the streams in the PPC 107 area. Healthy Waters consider that different sections of a stream will have different characteristics and vulnerability to erosion and that any proposed mitigation is specific to that section of the stream, taking into account the relevant flood plains, support for ecological functions and geomorphological conditions. Paragraph 5.35 of Healthy Waters report states

A variable margin can be achieved if it is detailed in the SMP and the proposed stream assessment recommended under the Special Information Requirement in the Whenuapai Business Park Precinct. A recommendation has been made to the Riparian Margin and Yards standard in the Whenuapai Business Park Precinct for a 20m minimum riparian planting and 20m minimum riparian setback, instead of a 10m minimum, see Paragraph 8.4. The 20m minimum planting is recommended based on the topography of the site and the extent of the flood plains. A 20m minimum setback will provide some building setback and some space for the stream to adjust. The 20m minimum riparian planting and setback will be more consistent with Te Haumanu Taiao and include more of the flood plains than the proposed 10m, this will ensure the flood plains are protected and buildings are not within the flood plains. Additionally, the PPC 107 relies on the stream and the riparian margins to manage flood effects, the wider planted riparian margin and riparian setback will ensure the flood mitigation that the stream and riparian margins provide will continue to function successfully, protecting the health and values of the stream and reducing instability and flood hazard risk to people, property, and infrastructure.

- 358. My view, in reliance on Healthy Waters, Mr Smith's ecological report and the issues discussed above as they relate to erosion, is that the inclusion of a 20m Riparian Margin in the plan change area would better support the variable requirements for healthy stream functioning and management of erosion than the 10m riparian margin required by the AUP.
- 359. The relevant provisions in the Auckland Water Strategy, RPS, and AUP are discussed in Healthy Waters report and where relevant above. Policy 3, 4 and 5 of the NPS-FM are also considered relevant to the stream erosion issue identified by Healthy Waters and Mr Smith's ecological report. These policies are:

Policy 3: Freshwater is managed in an integrated way that considers the effects of the use and development of land on a whole-of-catchment basis, including the effects on receiving environments.

Policy 4: Freshwater is managed as part of New Zealand's integrated response to climate change.

Policy 5: Freshwater is managed (including through a National Objectives Framework) to ensure that the health and well-being of degraded water bodies and freshwater ecosystems is improved, and the health and well-being of all other water bodies and freshwater ecosystems is maintained and (if communities choose) improved

- 360. Policy 3 requires that the whole of catchment and receiving environments is to be considered in plan-making decisions. Among the concerns identified above in paragraphs 353 355, the inadequate assessment of flooding and erosion effects of PPC 107 means that the downstream effects on the receiving environment and the Upper Waitemata Harbour are not consistent with the applicant's documentation supporting the plan change. Among the concerns identified above in paragraphs 353 355, the inadequate assessment of flooding and erosion effects of PPC 107 means that the downstream effects on the receiving environment and the Upper Waitemata Harbour are not consistent with the applicant's documentation supporting the plan change. I consider that the effects on the receiving environment could be greater than what is indicated in the application documents and my opinion is this supports a more cautious framework in which to develop the land.
- 361. Policy 4 requires that freshwater is managed as part of the response to climate change. My opinion is that an appropriate response to climate change through PC 107 would consider the cumulative effects on the environment resulting from the likelihood of increased severity of weather events occurring and the need to anticipate future environmental effects resulting from changing conditions.
- 362. Policy 5 sets the requirement that freshwater health is maintained. Because of the concerns identified above I do not consider that PC 107 as notified will maintain the health of freshwater within and downstream of the plan change area.
- 363. Healthy Waters recommend several amendments to the precinct provisions which are relevant to managing the stream erosion effects of PC 107. These include:
 - Amendment to *I1.6.6 Yards* and *I1.6.7 Riparian Margins* to specify a 20m minimum yard depth from all permanent and intermittent streams and 20 riparian margins
 - Amendment to the I1.7.1. Matters of discretion to specify riparian margins not in accordance with I1.6.7 Riparian Margins is assessed as to whether the health, well-

- being and mauri of the streams and wetlands, including the flood mitigation function of the stream are achieved
- Amendments to *I1.8. Special information requirements* to include a requirement for any application for land modification, development and subdivision which discharge to or adjoins a permanent or intermittent stream to be accompanied by a stream and stabilisation plan assessment.
- 364. I consider that the amendments recommended by Healthy Waters as they relate to stormwater management and treatment are accepted.

Topic Conclusion

- 365. For the reasons set out above I recommend that:
 - submissions [4.2], [5.5], [5.14], [6.5] and [6.8] are accepted
 - submissions [6.19] is rejected
 - the following amendments which are unsupported by submissions are accepted:
 - i. amendment to 8.2 Objective (8) to remove the outcome related to adverse effects on the receiving environment as this is already referred to in Objective (7).
 - ii. amendment to the I1.3. Policies (8) to strengthen the requirements to comply with the SMP and align with the further changes to the precinct provisions.
 - iii. amendments to I1.6.3 Stormwater Management to specify:
 - development shall be managed in accordance with an approved private discharge consent.
 - removal of 'inert' to identify roof materials as all roofing materials will discharge some contaminants over time.
 - stormwater runoff from all impervious areas must be treated with a stormwater management device(s) meeting standards.
 - addition that roof runoff must be directed to a tank sized for the minimum of 5mm retention volume for internal non-potable reuse within the property
 - iv. amendment to I1.6.6 Yards and I1.6.7 Riparian Margins to specify a 20m minimum yard depth from all permanent and intermittent streams and 20 riparian margins
 - v. amendment to the I1.7.1. Matters of discretion to specify riparian margins not in accordance with I1.6.7 Riparian Margins is assessed as to whether the health, well-being and mauri of the streams and wetlands, including the flood mitigation function of the stream are achieved
 - vi. amendments to I1.7.1. Matters of discretion and I1.7.2. Assessment Criteria to include appropriate matters of stream health, well-being and mauri of the streams and wetlands.
 - vii. amendments to I1.8. Special information requirements to include a requirement for any application for land modification, development and subdivision which discharge to or adjoins a permanent or intermittent stream to be accompanied by a stream and stabilisation plan assessment

8.5 Urban Design and Open Space

366. This part of the report addresses issues that have been categorised as relating to 'urban design' and 'open space'. The issues are collated as the recommendations made in each specialist report. There are no submission categorised as being related to 'urban design' or 'open space'. Issues addressed in this topic were raised by specialists providing assessment of Urban Design and Open Space on behalf of council. Through the clause 23 process and in regard to the notified Plan Change Request.

Application

- 367. An Urban Design Report, prepared by Mr Ian Munro, and a Landscape Visual Assessment, prepared by SOLA Landscape Architects LTD, have been provided in support of the application (refer to Attachment 1 of the AEE).
- 368. Section 11.11 Urban Design effects of the AEE includes the following assessment and excerpts from the Urban Design Report by Mr Munro:

A description of the surrounding strategic and local context of the area is contained within the urban design assessment and is described in earlier sections of this PPC report. The assessment discusses the suitably of the PPC land for the proposed LIZ and subsequent future development and notes the following:

"In terms of any adverse urban design effects, I consider the proposal would not result in any adverse urban design effects that are remarkable or out of the ordinary for new green field (light industry) development. Overall, adverse effects associated with the location, integration, and operation of light industrial activities on the Site will be appropriate and in line with what is typical of the Light Industry zone elsewhere in Auckland."

369. The assessment goes on to expand that the plan change land is strategically well-located and is very suitable for the proposed LIZ, particularly when considering its compatibility with the ongoing operations of the Whenuapai Airbase. Furthermore, Mr Munro outlines the history of the area and how the land has been identified for business/industrial use for a considerable time period, further supporting his conclusions that PPC 107 represents the most appropriate urban design outcome for the plan change land. While the assessment does acknowledge that the PPC will result in a substantial change to the character of the predominantly semi-rural/semi-lifestyle state of the neighbourhood, it is Mr Munro's opinion that the proposed industrial use would not be inappropriately adverse in the same way it has been appropriate to rezone similar-character land elsewhere in Whenuapai. Mr Munro concludes his assessment that the proposed LIZ is the most appropriate outcome for the plan change land and he supports the plan change from an urban design perspective. The assessment goes on to expand that the plan change land is strategically well-located and is very suitable for the proposed LIZ, particularly when considering its compatibility with the on-going operations of the Whenuapai Airbase. Furthermore, Mr Munro outlines the history of the area and how the land has been identified for business/industrial use for a considerable time period, further supporting his conclusions that PPC 107 represents the most appropriate urban design outcome for the plan change land. While the assessment does acknowledge that the PPC will result in a substantial change to the character of the predominantly semi-rural/semi-lifestyle state of the neighbourhood, it is Mr Munro's opinion that the proposed industrial use would not be inappropriately adverse in the same way it has been

appropriate to rezone similar-character land elsewhere in Whenuapai. Mr Munro concludes his assessment that the proposed LIZ is the most appropriate outcome for the plan change land and he supports the plan change from an urban design perspective.

370. Mr Munro also notes a number of contributing factors in terms of the proposed Precinct plan and provisions which further supports the appropriateness of the PPC from an urban design perspective. The urban design assessment notes the following:

"The proposal includes a Precinct Plan that demonstrates how an appropriate land use quality will be achieved. This includes an indicative high-level urban structure (blocks and roads), protection of ecologically sensitive areas, provision for specific pedestrian and cyclist facilities over and above what is normally expected as part of new public roads, and landscaped amenity along new streets. Accepting that the urban design quality of industrial zones can be reasonably expected to fall short of a high-density urban centre or premium residential neighbourhood, the proposal will exceed the minimum outcomes generally enabled within the Light Industry zone."

371. Section 11.12 Character and Visual Amenity Effects of the AEE provides the following assessment and excerpts from the Landscape Visual Assessment by SOLA Landscape Architects Ltd:

Whilst it is noted that the properties immediately adjoining the PPC land would be most affected by development enabled by the PPC, the overall visual effects would be low-moderate and are anticipated via the zoning of the PPC land for future development. Effects will be appropriately mitigated by the proposed precinct provisions, such as the open space buffer along the interface with future Council land, as well as existing vegetation on the neighbouring properties filtering or partially screening future development. Furthermore, although future development would constitute a distinctive change, it is not a type of change which is unexpected in the area and the quality of development required by the precinct provisions will ensure that a suitable level of amenity is achieved for the adjoining properties.

Similarly, when the viewed from the surrounding road network, future development enabled by the PPC would be minimized by the green network along the stream corridors, street tree planting and planting associated with the open space buffers and front yard setbacks to ensure development integrates with the landscape. Additionally, the general road users are unlikely to be particularly sensitive to future development as they would only have fleeting views of the PPC land while moving through the area, in combination to future development being viewed in the context of the surrounding RNZAF Base and the existing light industrial area along Hobsonville Road. Therefore, the visual effects from the surrounding road network would be low-moderate and acceptable.

Furthermore, it is also considered that a range of positive landscape effects arise from the PPC, such as enhancement of the on-site stream network, extensive native planting across the PPC land (including the planting of riparian areas), open space buffers to future Council park land and front yard landscaping buffers. These aspects will assist in maintaining a suitable level of amenity on the PPC land.

SOLA concludes with the following:

"While the proposed development would result in a significant visual change from the site's current open semi-rural state to one with urban characteristics, particularly for some of the immediate neighbours, such visual change is anticipated and is in accordance with the key planning initiatives for the area within the FULSS, FDS, WSP and AUP. With this type of change, effects to the bio-physical landscape and in turn landscape character and visual amenity effects are anticipated and for the most part unavoidable.

Despite the relatively low landscape values, the development would initially generate landscape and visual effects of low to moderate and some significance. These, however, are inevitable with urban development in a predominantly semi-rural area at the start of a process of urbanisation. In addition, the visual effects of the development of the site apparent from the early stages would decrease over time (5-7 years) as proposed landscape initiatives become established and the other portions of the FUZ are developed.

In conclusion, the proposed PPC would fulfil the need for light industrial urban intensification and provide an opportunity for an innovative and environmentally sustainable urban development. The proposal would be largely consistent with regional growth strategies for the area and would result in a high-quality urban development with a range of positive landscape and environmental outcomes."

We adopt this assessment and therefore consider that any adverse effects arising from the PPC can be sufficiently managed and mitigated.

Specialist Assessment

- 372. Ms. Rebecca Skidmore, of R. A. Skidmore Urban Design Ltd. has provided an urban design assessment of PPC 107 on behalf of council, attached as attachment 3 to this report. Ms. Louise Thomas of Auckland Council's Parks Department has provided a Parks Planning Assessment on behalf of Council, attached in attachment 3 to this report.
- 373. Ms. Skidmore has provided the following Conclusions and Recommendations in her report, reproduced below:

It is my conclusion that the assessment provided by the Applicant goes some way to address the outcomes anticipated by the RPS, AUP and associated Auckland Council policies and plans through the provision of a pedestrian / cycle link between the easternmost road in the precinct plan area and Brigham Creek Reserve. The proposal is not required to provide additional public open space in the form of a neighbourhood park due to the proximity of Brigham Creek Reserve and Spedding/Trig Reserve. Therefore, the proposal is considered to be consistent with the Regional Policy Statement and the AUP which require that open spaces are provided for the recreation and amenity needs of residents, (RPS Objective B2.7.1, B2.7.2, AUP Subdivision Policy E38.3).

It is recommended that any opportunities for managing effects of the development on the adjacent reserves be strengthened, especially in relation to dominance effects and creating the potential for passive surveillance onto the reserve, to ensure development is in line with principles of crime prevention through environmental design.

Comment is provided above in relation to submissions and further submissions to the proposed plan change. I support Watercare's submission relating to potential effects on the pump station located in the centre of Brigham Creek Reserve and therefore potential flood effects on the reserve itself. I refer to Healthy Water's 42A assessment which includes specialist feedback on potential flood effects on the reserve and defer to them in terms of the technical matters associated with the assessment of flooding. I support Watercare's proposed amendments to address flooding matters as noted above.

The private plan change is therefore supported in part. It provides good connectivity between the two reserves with the inclusion of walking and cycling connections. However, an addition to the precinct description it is recommended to strengthen the reference to walking and cycling.

In terms of the interfaces with Brigham Creek Reserve and Spedding/Trig Reserve, the Applicant has included a yard standard and a height in relation to boundary standard. This is supported, but additional wording is recommended in Section 5 in relation to the interface with the reserves and passive surveillance to ensure that crime prevention and bulk, dominance and shading are appropriately managed. The size of the two reserves ensures that, should my recommendations be incorporated into the provisions, bulk and dominance effects of new development, if managed in line with the provisions recommended above, will be comfortably absorbed within the context of the wider reserves.

In terms of the potential additional flooding and issues with the operation of the WWPS, I have read the submission by Watercare and the specialist 42A report which addresses the associated flooding effects which will be realised should the WWPS be unable to operate. I therefore support Watercare's submission and recommend that their proposed amendments and Healthy Waters suggested amendments in their 42A report dated March 2025 be incorporated into the plan change.

My overall view is that I support the private plan change, subject to the amendments recommend above.

374. Ms. Thomas has provided the following Conclusions and Recommendations in section 7 of her report. These are reproduced below:

The PPC is supported by a detailed UDA and LVEA (updated in response to Clause 23 request). From my review of these assessments, together with other documentation lodged with the PPC request, site visit and review of relevant

statutory and non-statutory planning documents, I am in agreement that the proposed B:LI zone is suitable for the PPA and the Precinct provision are generally suitable to address potential adverse amenity, character and landscape effects.

While there are no submissions that specifically raise urban design or landscape issues, my review has identified a limited number of detailed matters that it would be helpful to further address through the Precinct provisions. These primarily relate to the interface created with Brigham Creek Road and Trig Road and the interface created with the future parks within the adjacent existing FUZ.

Submissions

375. There are no submissions on PPC 107 categorised as being related to 'urban design' or 'open space'.

Issues

376. Both Ms Skidmore and Ms Thomas have recommended amendments to PPC 107. Although there are no submissions related to the topic of urban design or parks planning I consider that the amendments the specialists have recommended are relevant to the matters of s7(c)) the maintenance and enhancement of amenity values in Part 2 of the RMA, requirements in the NPS-UD to achieve well-functioning urban environments and requirements in RPS B2 to integrate planning of land use, infrastructure and development.

377. The relevant issues are:

- the way future development will interface with Brigham Creek Road and Trig Road
- identification of streets within the Precinct and on the Precinct Plan
- adjacent future parks.

Analysis

Interface of future development with Brigham Creek and Trig Road

378. Ms. Skidmore generally agrees with the assessment's provided in the Urban Design Report and Landscape Visual Assessment supporting the application. Ms. Skidmore explains that, in response to a Clause 23 request from Council, the Urban Design specialist for the Applicant indicated the E38 subdivision policies and matters of discretion are adequate to ensure high quality, well-addressed street frontages are achieved along Brigham Creek and Trig Road, but noted that an additional subdivision matter of discretion could be added to the precinct provisions as follows:

For subdivisions that involve allotments fronting Trig and/or Brigham Creek Road, measures to ensure future development positively contributes to the visual interest and enlivenment of the street, and provides for pedestrian (public) access.

379. Ms. Skidmore is concerned that the scale of buildings anticipated within the LIZ zone, minimum yard standards, and that these buildings are likely to orient towards the internal street network with their backs and sides facing Brigham Creek and Trig Road could lead to an interface which is not attractive to pedestrian and cycle movements. I note that both these corridors will be upgraded partially through works associated with PPC 107 and further through NoR W1 and W3 to

support multiple transit modes along their lengths. Ms. Skidmore also notes that although the stream corridors and wetlands will create natural structuring elements within the Precinct the effect of these natural elements in breaking up built form has been "somewhat overstated". Ms. Skidmore supports the inclusion of a matter of discretion similar to the one provided by Mr Munro and and reproduced in paragraph 348 above and associated assessment criteria.

380. In reliance on Ms. Skidmore's assessment I consider that the inclusion of the additional matter of discretion (in paragraph 378 above) will encourage a better interface between the plan change area and the surrounding environment and will achieve higher amenity values along an arterial and future arterial road. It is also my opinion that encouraging better outcomes along the interface is relevant to the requirements of Direction 1 in the Transport and Access outcome in the Auckland Plan 2050 by improving safety for walking and cycling users of the transport system. I recommend this amendment is accepted.

Identification of internal streets within Precinct

- 381. Ms Skidmore's opinion is that the street network shown does not result in any key urban design issues. Ms Skidmore raises a concern, however that the identification of internal roads within the precinct plan does not allow for flexibility of arrangement at the consenting and construction phase. Her view is that this may lead to additional consent processing requirements if a change in strategy for development in the PPC area and its roading layout eventuates.
- 382. Ms Skidmore notes that through the Clause 23 process Mr Munro for the Applicant confirmed that the location of the roads as depicted in the Precinct Plan has been tested by the Applicant and their Architect. This is communicated by Mr Munro, and I note that there is not an architectural report in the applicant's documents supporting PPC 107. Mr Shepherd's transport assessment on behalf of council was generally satisfied with the traffic assessment provided by the Applicant based on the proposed road layout and Ms Dorofaeff's assessment of transport infrastructure seeks a non-complying activity status for applications which do not comply *I1.6.1 Transport Infrastructure Upgrades* which stages development with the construction of the internal road layout and external road upgrades.
- 383. Ms. Skidmore has not suggested an amendment to the precinct provision associated with this concern. I consider that as the Applicant has provided the internal road layout as part of PPC 107 and indicated they intend to construct it and state that they are able to provide it, that no amendment is necessary to address this concern.

Future Reserves

384. Ms Skidmore and Ms Thomas both express concern about the relationship of PPC 107 with the future parks at 161 Brigham Creek Road and 4 and 6 Spedding Road and 92 Trig Road. These sites are currently FUZ and are owned by Council and earmarked for future recreation reserves. Ms Thomas's assessment indicates the timeframe for the rezoning of the two parks is uncertain. These parks are discussed briefly in Site and surrounding area section above. Ms Thomas describes the interface between the plan change area and the future reserve sites and the current status of the reserves in paragraphs 3.8 and 3.9 of her assessment.

The plan change area shares a 420m boundary with Brigham Creek Reserve to the south and the east of the plan change area. The reserve is 16.12 hectares. The reserves are undeveloped with no public amenities or infrastructure and currently provides only open grassed paddocks with some trees and a stream for informal recreation opportunities. The only current pedestrian access to the reserve is via a metalled driveway from Brigham Creek Road. The Parks and Community Facilities Department has no current plans for the development of the reserve.

The plan change area also shares a 455m boundary with Spedding/Trig Reserve to the south and west of the plan change area. This reserve is 15.17ha of Council owned land. This reserve is also undeveloped with no public amenities or infrastructure. The landform is currently open grassed paddock with some overland flow paths and some belts of non-native vegetation.

- 385. Ms Thomas and Ms Skidmore discuss the provisions relating to the interface between the plan change area and the future reserves. As notified PPC 107 introduces a five metre yard buffer to be planted with native vegetation. A Height in Relation to Boundary (**HIRB**)control applies which states that no buildings or parts of buildings must project beyond a 35-degree recession plane measured from a point six metres vertically above ground at the site boundary. Ms Skidmore notes this is the same HIRB which would apply if the adjacent sites were zoned as open space. Ms Thomas considers that the maintenance of this interface to be important to manage shading, bulk and dominance effects on the two reserves. Ms Skidmore notes that the requirements for planting are a development standard rather than a matter for assessment at the resource consent stage and if the planting requirement is achieved just by using ground cover planting, adverse effects may not be suitably mitigated.
- 386. Ms Thomas also discusses the connections in the Upper Harbour Local Board's Greenways Plan. There is no connection in the Greenways Plan within the plan change area, but Ms. Thomas notes that the two sites that will be reserves were purchased by Council following the creation of the Greenways Plan. She considers that the connection between the future reserves through the plan change area and access by active transport modes is important to the provisions discussed in paragraph 357 below. I note PPC 107 as notified includes active connections on all internal streets and an indicative connection between the plan change area and the future reserve at 161 Brigham Creek Road.
- 387. Ms. Thomas and Ms. Skidmore propose the following provisions related to the connection of the plan change site with open space. These are provided at Section 5.0 Proposed amendments to Plan Change and Section 7 Conclusions and Recommendations in their reports. These amendments are:
 - Addition to the I1.1 Precinct Description to:
 - specify walking and cycling connections within the precinct will ensure good cycling and walking connectivity between these two reserves
 - o recognise the function of the interface of the plan change area with the future reserves in providing convenient public access, effective passive surveillance, and the avoidance of bulk and dominance effects from light industrial development on the reserve

- Addition of a new objective to Objectives I1.2 that recognises the importance of the interface of the plan change area with the future reserves, for the reasons detailed in the precinct description
- Addition of a new policy to Policies I1.3 to recognise and reinforce the function of the buffer between the plan change area and the future reserves
- Amendment to I1.7.1 Matters of Discretion and I1.7.2 Assessment Criteria to include assessment of matters related to the effects of exceedance of the HIRB standard, including shading, level of planting, built form and passive surveillance.
- 388. Ms Skidmore and Ms Thomas make an overlapping recommendation for amendments to I1.7.1 Matters of Discretion and I1.7.2 Assessment Criteria. I consider that both of these recommendations can be addressed in one amendment. Ms. Skidmore makes the recommendation for a non-specific amendment to include policy guidance to ensure design measures are included to reduce adverse amenity effects on adjacent public open spaces. I consider Ms. Thomas' recommended amendments satisfy this recommendation.
- 389. Ms. Thomas has included an assessment against the NPS-UD, RPS, AUP zone provisions, and Open Space Provision Policy 2016. I agree with this assessment and consider the provisions relevant to the recommended amendments are:

NPS-UD Policy 1	Planning decisions contribute to well-functioning urban environments, which are urban environments that, as a minimum: have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport; and
B2.3.2 A quality built environment Policy 1	Manage the form and design of subdivision, use and development so that it contributes to a well-functioning urban environment and does all of the following: (a) supports the planned future environment, including its shape, landform, outlook, location and relationship to its surroundings, including landscape and heritage; (b) contributes to the safety of the site, street and neighbourhood; (c) develops street networks and block patterns that provide good access and enable a range of travel options; (d) achieves a high level of amenity and safety for pedestrians and cyclists;

	(e) meets the functional, and operational needs of the intended use;
B2.7.1 Open space and recreation facilities Objective (3)	Reverse sensitivity effects between open spaces and recreation facilities and neighbouring land uses are avoided, remedied or mitigated.
B2.7.2 Open space and recreation facilities Policy (2)	Promote the physical connection of open spaces to enable people and wildlife to move around efficiently and safely.
B2.7.2 Open space and recreation facilities Policy (7)	Avoid, remedy or mitigate significant adverse effects of land use or development on open spaces and recreation facilities.

- 390. I consider that the two components to the amendments recommended by Ms Thomas and Ms Skidmore are the protection of the interface of PPC 107 with the future reserves and emphasis on the connection between the two future reserves through the plan change area. Of these, the amendments to interface provisions are more extensive than the provisions which reinforce connection between the open space reserves. I acknowledge that the Applicant has already included some provisions in PPC 107 that are focussed on protecting the interface and providing for active connections through the plan change area.
- 391. My concern is that, as Ms Thomas notes, there is no timeline for the rezoning of the reserves. I consider that the interface and connections between the future reserves may not be recognised by future users of the plan change before the time in which the future reserves are rezoned. Although the provisions of B2.7 included above relate to open space zones the B2.3.2 Policy 1 clearly states that subdivision, use and development should support the planned future environment. My opinion is that this provision provides the basis for considering the future outcomes of the planned environment in the applicable development controls. The development controls do, in part, function to create guidelines and set emphasis by which to manage the cumulative effects of future resource consents on the environment.
- 392. My other consideration is that the recommended amendments to PPC 107 provide additional context to the function of *I1.6.8 Height in Relation to Boundary* and reinforce the integration of the plan change area with the surrounding environment which is likely to develop at a later date.
- 393. For these reasons I recommend that the amendments be accepted. I have combined Ms Thomas' and Ms Skidmore's amendments where they overlap, and I have included these in the amended precinct provisions in Attachment 8.

Topic Conclusion

- 394. For the reasons set out above I recommend that:
 - the following amendments which are unsupported by submissions are accepted:
 - i. Addition to the I1.1 Precinct Description to:
 - specify walking and cycling connections within the precinct will ensure good cycling and walking connectivity between these two reserves

- recognise the function of the interface of the plan change area with the future reserves in providing convenient public access, effective passive surveillance, and the avoidance of bulk and dominance effects from light industrial development on the reserve
- ii. Addition of a new objective to Objectives I1.2 that recognises the importance of the interface of the plan change area with the future reserves, for the reasons detailed in the precinct description
- iii. Addition of a new policy to Policies I1.3 to recognise and reinforce the function of the buffer between the plan change area and the future reserves
- iv. Amendment to I1.7.1 Matters of Discretion and I1.7.2 Assessment Criteria to include assessment of matters related to the effects of exceedance of the HIRB standard, including shading, level of planting, built form and passive surveillance.

8.6 Economics

Issues:

- 395. This part of the report addresses issues that have been categorised as relating to economics. The issues covered include:
 - consideration of land supply made available by PC69
 - the low vacancy rate low vacancy and high rental inflation in the Northwest catchment to the wider region
 - economic benefits of the plan change.

396.

Application

397. An economic assessment, prepared by Insight Economics, has been provided in support of this application. This report is included in Attachment 1 to this report. Section 11.5 of the AEE provides an assessment of economic effects. The conclusions of this assessment are reproduced below:

The economic assessment goes on to demonstrate that the proposed rezoning of the PPC land is the most suitable way to meet the identified demand for industrial land. The following summarises the rationale and economic benefits of the PPC outlined in the economic assessment:

- As discussed above, the PPC will enable 36 ha of developable land to be brought to market and will provide a much-needed boost in industrial land supply. In particular, the extent and shape of land within the PPC land enable large industrial lots to be provided.
- The PPC land is located in a strategic location within close proximity to key transport routes, existing workforce, and other industrial land, has a predominantly flat topography suited to industrial activities, and is suitably located in regard to existing residential activities.
- The PPC is located within close-proximity of existing urban areas, such as Whenuapai township, Hobsonville, Westgate and three Special Housing Areas,

- and provides a spatial match between household growth and employment, whilst also reducing commute times and distances.
- The infrastructure and buildings enabled by the rezoning will have significant oneoff and on-going economic impacts on GDP, jobs and wages and will enable businesses to establish onsite, generating further ongoing economic impacts.
- The PPC could generate full time employment for 1,110 people, over \$77.5 million in salaries/wages and generate an overall annual output of more than \$395 million to support not only the north-west but the wider Auckland region.

It is considered that the economic assessment undertaken by Insight Economics has sufficiently shown that there is a pressing need for additional LIZ land in the north-west, in order to meet existing and future demand. The PPC directly acknowledges and responds to this need and is consistent with the long-term planning vision for the PPC land. It is therefore considered that the PPC provides for numerous positive economic benefits and is supportable on economic grounds.

Specialist Assessment

398. Mr Tim Heath, of Property Economics, has provided an economic assessment of PPC 107 on behalf of Council. That report is attached in Attachment 3 to this report. Mr Heath has included a summary of his assessment in his section 4 which is reproduced below.

This review has evaluated IE economic assessment of a PPC to rezone 47ha of Future Urban Zone land to Light Industrial Zone. The land has been identified within the Whenuapai Structure Plan as an appropriate location for industrial activities. For this reason, Property Economics have no issue with the proposed rezoning in regard to the proposed land use.

We do however find the following issues with the IE assessment

- No consideration has been given to the additional supply made available by PC69 which has rezoned 52ha of Future Urban Zone land to Light Industrial. Reportedly, this land already has earthworks underway with land titles expected to be available by Q12025, and some tenant occupation in Q42026.
- The report highlights the low vacancy rate in the Northwest catchment and the high rental inflation but does not consider its relativity to the region. Property Economics found that the localised inflation in rental prices matches growth elsewhere in the region. With an estimated four years' worth of growth in the construction pipeline the regional rental inflation has slowed over the past year. Consequently, the market data does not support an immediate localised shortfall.
- The anticipated, quantified, economic benefits largely depend on the assumption that the PPC will provide additional supply and stimulate growth that

would not have happened otherwise. Property Economics challenges this assumption, suggesting the recently rezoned Spedding Block delays the need for additional land in the Northwest catchment.

Although these issues represent gaps in the economic assessment, Property Economics does not believe the proposed rezoning is likely to have an adverse economic outcome provided that any potential infrastructure issues can be solved.

Ultimately, additional industrial land is expected to be required within the medium term and bringing additional land on stream before it is strictly required will, in this case, help support a competitive land market and support growth.

As it is identified in the FDS as part of the area to be rezoned sometime from 2025 onwards, Property Economics does not believe there are any significant economic costs to the rezoning ahead of the Council-initiated plan change.

Submissions

399. There are no submissions on PPC 107 categorised as being related to economics.

Analysis

400. Mr. Heath makes no recommended amendments to PPC 107. Comments from the economics assessments are provided here only for the panel's reference.

9. SUBMISSIONS

- 401. Submissions have been addressed in Section 8 of this report. The analysis of submissions is based on themes rather than as a response to each individual submission point. The tables in **Attachment 6** provide a recommendation on each submission point.
- 402. The tables are based on the same topics as discussed in Section 8 of this report.
 - 8.1 Planning
 - 8.2 Whenuapai Airbase
 - 8.3 Transport
 - 8.4 Hydrology
 - 8.5 Urban Design and open Space

- 8.6 Economics
- 403. As necessary and appropriate, further analysis will be given of any new information provided by submitters in evidence.

10. ALTERNATIVES AND METHODS

- 404. I have reviewed the alternatives and methods analysis provided in the s32 document and consider it to be sound.
- 405. The amendments in Attachment 8 are based on submissions and specialist assessment of PPC 107. Broadly, these amendments are intended to enable the development of the plan change area to integrate with infrastructure provision that supports transport outcomes and provides the plan change area with water supply and wastewater infrastructure.
- 406. The overall intention of the objectives of PPC 107 remains as notified and as assessed in the application documents.
- 407. In general, I consider the unamended precinct provisions (as notified) and the amended and new provisions are the most appropriate methods to achieve the objectives, subject to the changes discussed in this report and incorporated in Attachment 8.

11. RISK OF NOT ACTING

408. The AEE identifies the options in section 9.4 Development of Options. Option 1 presents the applicant's view of not acting and does not support the option. I agree with this assessment.

12. CONCLUSIONS

- 409. Based on the technical reviews, analysis of submissions and statutory and non-statutory documents, I consider that PPC 107 is the most appropriate resource management technique to enable the development of the business park for light industrial activities and is generally consistent with the outcomes identified in the WSP, and will be in accordance with the NPS-UD and has appropriate regard to the RPS.
- 410. The plan change will assist in meeting the purpose of the RMA and will provide a range of positive economic and environmental outcomes, thereby supporting the Whenuapai community and the wider Auckland region.
- 411. I note that Auckland Council and other submitters have expressed concern over the transport and underground infrastructure that is necessary to support the development of the plan change and the Whenuapai area. However, having regard to the transport network improvements proposed to be implemented by the Applicant, it is considered that the plan change is appropriate.

- 412. Amendments to the precinct provisions have been recommended to address other actual and potential adverse effects on the environment arising from the plan change, including particular transport effects, reverse sensitivity effects, and stormwater and flood management effects.
- 413. Having considered all of the submissions and further submissions and reviewed all relevant statutory and non-statutory documents, having had regard to all statutory obligations including those under ss.32 and 32AA of the RMA, I recommend that PPC 107 should be approved with modifications as outlined in this report and as set out in Attachment 8.

13. RECOMMENDATIONS

- 414. That, the Panel accept or reject submissions (and associated further submissions accordingly) as outlined in this report.
- 415. I recommend that PPC 107 be approved with modifications and the Auckland Unitary Plan be amended by inclusion of the Precinct, but as modified to address the matters set out in this report and at Attachment 8, including:
 - the new zoning, the associated new precinct text, tables and plans proposed by PPC 107, and application of SMAF1 over the plan change area
 - the inclusion of the amendments set out in **Attachment 8** to this report.

14. SIGNATORIES

	Name and title of signatories	
Authors	Myles Anderson Policy Planner Regional, North, West and Islands Planning and Resource Consents	30 May 2025
Reviewer / Approved for release	Eryn Shields Team Leader Regional, North, West and Islands Planning and Resource Consents	Ey Shields
		30 May 2025

APPENDIX THREE SPECIALIST PEER REVIEW REPORTS

Technical Memorandum



To: Myles Anderson **From:** Peter Runcie

Company: Auckland Council SLR Consulting New Zealand

cc: Date: 28 May 2025

Project No. 810.031519-v1.1

RE: PC107 - Whenuapai Business Park

Acoustics - Peer Review

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1.0 Introduction

SLR has undertaken a review of the private plan change, on behalf of Auckland Council in relation to acoustic effects.

This review was undertaken by Peter Runcie. Peter is a Technical Director (Acoustics & Vibration) at SLR Consulting NZ Limited (SLR), specialising in environmental and architectural acoustics.

Peter holds the qualification of a Bachelor of Science Degree with Honours in Audio Technology from the University of Salford in the United Kingdom (2007). He is a full member of both the Institute of Acoustics (UK) and the Acoustical Society of New Zealand, a member of the New Zealand Planning Institute and SLR's New Zealand representative for the Association of Australasian Acoustical Consultants.

Peter has over 17 years' experience in the field of acoustic consultancy. His work has involved a wide range of acoustic assessments, including working on numerous assessments of environmental noise effects from projects across New Zealand, Australia, Middle East and the UK. He has undertaken acoustic assessments of developments impacted by aircraft noise and is assisting Auckland Council with airport noise relate to Plan Change 78 (Manukau Metropolitan Centre Zones). He has presented evidence at numerous council level hearings, and in the New Zealand Environment Court.

2.0 Reference documents

The following documents have been reviewed and inform this technical memorandum.

- Whenuapai Business Park Private Plan Change Aircraft Noise Planning Standards report Rp 003 20220615 dated 9 November 2023 (Revision 02), prepared by Marshall Day Acoustics, (the acoustic assessment).
- Proposed Precinct Provisions (Appendix F of the provided documentation).
- Submissions received.

3.0 Key Issues

The key acoustic issues associated with the private plan change relate to noise from the nearby Royal New Zealand Air Force (RNZAF) Base. These issues can be broken into two components:

- 1. Potential noise effects (health and amenity) on future noise sensitive occupants of the land encompassed by the private plan change; and
- 2. Potential reverse sensitivity effects on the operation of the RNZAF Base due to new sensitive activities establishing near to the Base, specifically related to engine testing noise.

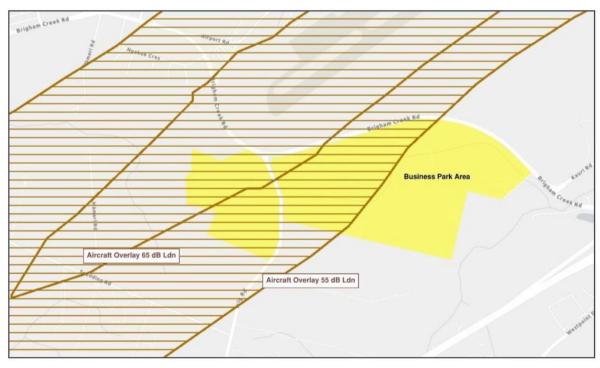
4.0 Applicant's Assessment

The applicant's assessment is focussed on airport noise planning standards and does not discuss standards related to generation of noise from development of the land based on the current or proposed Auckland Unitary Plan (AUP) site zoning.

Figure 2 of the acoustic assessment identifies that the western half of the site is subject to the Whenuapai Airbase Aircraft Noise Overlay (AUP Activity Table D24.4.1 and Standard D24.6.1) – reproduced on **Figure 1** below.

Figure 1 Existing Airbase Noise Overlay (from Acoustic Assessment)

Figure 2: Whenuapai Airbase Aircraft Noise Overlay on Proposed Business Park Area



These controls are in place to manage noise impacts from aircraft taxiing, taking off and landing on Activities Sensitive to Aircraft Noise¹ (**ASAN**), including prohibiting development of ASAN on land in the *Aircraft Noise Overlay - Whenuapai Airbase - noise control area*

¹ ASAN is defined in the AUP as "Any dwellings, boarding houses, marae, papakāinga, integrated residential development, retirement villages, supported residential care, care centres, education facilities, tertiary education facilities, hospitals, and healthcare facilities with an overnight stay facility."



(65dBA). The requirements of D24 would apply equally to development of land under current FUZ zoning and the proposed BLI zoning.

The private plan change area is also identified as impacted by noise from engine testing. Engine testing (also called aircraft or engine ground running) describes the operation of some or all the engines of an aircraft whilst on the ground and is not part of the noise captured in the *Aircraft Noise Overlay - Whenuapai Airbase - noise control area (55dBA) or (65dBA)* noise contours. The level of engine testing noise the private plan change area is potentially exposed to is identified in Figure 3 of the acoustic assessment based on predicted noise contours prepared by other consultants², reproduced here in **Figure 2**. Broadly the northern third of the subject site is identified as between the 57 and 65 dB Ldn engine testing noise contours.

Figure 2 Engine Testing Noise Contours (from Acoustic Assessment)

Figure 3: Plan Change 5 Var 1 Engine Testing Noise Contours Relative to Whenuapai Business Park Site



The acoustic assessment proposes adopting the previously proposed provisions of Plan Change 5 to manage engine testing noise effects (both on future occupants and in terms of reverse sensitivity effects on RNZAF). These would apply to ASAN within the subject site, described as most likely to include worker's accommodation, tertiary education facilities, care centres and hospitals.

Broadly the proposed precinct provisions seek to:

- 1. set internal limits specific to engine testing noise;
- 2. provide engine testing noise contours (Precinct Plan 2) to identify the level of exposure to engine testing noise and therefore which set of approved solutions are applicable; and
- require that no-complaints covenants are included on each title issued within the precinct to waive all rights of complaint under the Resource Management Act 1991

² Tonkin & Taylor Whenuapai Airbase - Engine Testing Noise Contours report Version 1 dated March 2021.

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and successive legislation or otherwise in respect of any lawful noise associated with the RNZAF Base Auckland.

For buildings on land within the engine testing noise contour a noise reduction of 17 to 21 dB is identified as likely to be required to meet the proposed internal noise limits. This is described as generally achievable with typical timber or steel frame cavity constructions, subject to geometry and the specifics of the building materials.

The acoustic assessment recommends that consideration is given to potential outdoor noise effects from activities at Whenuapai Airbase, in particular, the outdoors noise effects on early childhood education and care centres. No further comment on how this envisaged is provided.

With the proposed provisions and adoption of other existing AUP standards in place the assessment concludes that noise effects associated the with proposed plan change can be appropriately managed.

SLR Comment

The currently applicable standards related to generation of noise from development of the land based on the current Auckland Unitary Plan (AUP) site zoning, being *Future Urban Zone* (FUZ) are set out in Standard E25.6.4. The existing AUP Standards which would apply following the proposed private plan change, are those applicable to land zoned *Business – Light Industry* (BLI) - Standards E25.6.5 and E25.6.19 (Business Zone interface). In respect of noise received at surrounding FUZ land, specifically related to residential development on that land, the relevant noise limits remain unchanged as a result of the proposed plan change (being 55 dB LAeq during daytime hours and 45 dB LAeq during night-time hours).

In terms of managing noise generated by future development of the land, noise from flights arriving/departing the RNZAF Base and the potential for reverse sensitivity effects on the RNZAF Base the use of the existing AUP provisions (E25.6.5, E25.6.19 and D24) and the proposed no-complaint covenants are considered appropriate and supported.

It is acknowledged that engine testing noise is not considered in the AUP for the RNZAF Base but that its consideration is relevant and warranted to manage potential effects on future noise sensitive occupants. The proposed approach to managing noise effects on occupants from engine testing noise, as set out in points 1 and 2 above, is generally supported with some minor qualifiers described in more detail in Section 5.0 below.

5.0 Assessment of Acoustic Effects and Management Methods

Receiving Environment

No measurements at the private plan change area were provided in the acoustic assessment. However, as the existing site and surrounding area (excluding the airbase) is mostly rural or lifestyle block in nature the acoustic environment would be expected to be reflective of this context – low levels of traffic and suburban noise. The nearby RNZAF Base would be a dominating feature acoustically, although the operations are not like those of a commercial airport (regular and constant) and so we expect the acoustic environment would fluctuate from being controlled by airport operations over short periods to a more rural/lifestyle block acoustic environment at other times.

The proposed private plan change would modify the existing noise environment from a rural character to an industrial character as the area is developed over time.



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The effects of these changes at land outside the plan change area would be managed by the noise performance requirements for the BIL (E25.6.5 and E25.6.19) which reflect acoustic amenity and character values compatible with residential areas adjoining commercial or industrial land. It is noted that these limits are the same as the currently applicable FUZ noise performance requirements (E25.6.3).

The adoption of the noise standards from Chapter E25 is considered appropriate and supported.

Aside from general noise from industrial activities, engine testing noise from the RNZAF Base should be considered and will require new provisions given the current lack in the AUP.

Airport Noise Controls

It is useful to understand the context of the AUP approach taken to manage noise effects from airports is as it relates to the proposed engine testing noise provisions.

New Zealand Standard NZS 6805:1992 Airport Noise Management and Land Use Planning (**NZS 6805**) is used by territorial or regional authorities to control airport noise. The Standard establishes maximum acceptable levels of noise for the protection of community health.

NZS 6805 recommends how noise control boundaries should be established around an airport and how the airport operator should manage its operations to comply with the limits established by the boundaries. NZS 6805 does not specifically exclude or include engine testing noise when assessing the overall level of airport noise but the Standard is considered relevant since it provides guidance on the use of the day / night sound level (Ldn) and the averaging of aircraft activity.

NZS 6805³ recommends noise control measures in what the AUP calls the 'Aircraft Noise Overlay - Whenuapai Airbase- noise control area (65dBA)' (>65 dB Ldn) which are that new ASAN are prohibited with steps taken to provide existing residential properties with appropriate acoustic insulation to ensure a satisfactory internal noise environment, although specific internal noise limits are not provided.

NZS 6805⁴ also recommends that ASAN should be prohibited where aircraft noise levels exceed 55 dB Ldn (inside what the AUP refers to the 'Aircraft Noise Overlay - Whenuapai Airbase - noise control area (55dBA)' and NZS 6805 refers to as Outer Control Boundary) unless a district plan permits such uses, subject to a requirement to incorporate appropriate acoustic insulation to ensure a satisfactory internal noise environment, again without internal noise limits provided.

The D24 Aircraft Noise Overlay of the AUP requires discretionary activity resource consent for new ASAN within the 55dB Ldn and 65dB Ldn noise boundaries associated with the RNZAF Base, with ASAN required to comply with the acoustic requirements of standard D24.6.1 (an internal noise environment of habitable rooms not exceeding a level of 40 dB Ldn).

Whilst the AUP controls do not account for engine testing noise at the RNZAF Base, engine testing noise at Auckland International Airport is included in D24; these include a published contour using the Ldn descriptor (D24 Figure 1) and a requirement to insulate ASAN to meet



³ Table 1 of NZS 6805.

⁴ Table 2 of NZS 6805.

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an internal level of no more than 40dB Ldn. Similar requirements apply to engine testing noise from Christchurch International Airport using the Ldn descriptor.

Controls related to noise from flights associated with the RNZAF Base are already appropriately accounted for, as described above, and no change is proposed to this approach.

In an ideal world, ASAN would be constructed far enough away from airports, main roads, railway lines and industry to appropriately avoid noise pollution; this would include ASAN being avoided inside the 55 dB Ldn contours (including those associated with engine testing noise). However, this would potentially sanitise large tracts of land and some compromises are necessary, as has been adopted in the AUP. It is agreed that potential effects could occur on future occupants of ASAN because of engine testing noise and that this should be accounted for in the precinct provisions. Key to the function of these controls are identifying:

- 1. the extent of land exposed to the noise in question; and
- 2. appropriate internal noise limits to manage potential effects.

Noise Descriptor

The acoustic assessment has opted to use Ldn. An Ldn is the day night noise level a 24-hour average noise level, with a 10 dB adjustment added to night-time noise levels (10 pm to 7 am) to account for increased annoyance to noise at night. In the context of airport noise levels this is commonly presented as the average Ldn over an extended period of time, which could be 7-days, a season or a year. The benefit of this descriptor is that there is a significant amount of published international and New Zealand studies related to annoyance and health impacts from airport noise based on the Ldn descriptor. However, it does mean that individual short term loud events are somewhat 'smoothed out' due to averaging over a longer period.

Based on what is in use both in the AUP and across New Zealand for engine testing noise and the guidance in NZ 6805, we support the proposed the use of the Ldn descriptor.

Engine testing noise contours have been previously prepared on behalf of RNZAF which show the extent of engine testing noise on the site (see **Figure 2** above).

Internal Limits

To manage noise effects for occupants of ASAN the approach in the AUP (and commonly adopted across NZ) is to require the external noise in question to meet a specified internal noise level.

The acoustic assessment recommends adopting the same internal limit as D24.6.1 of the AUP for controlling airport noise (40 dB Ldn). This is consistent with internal noise levels set across New Zealand to protect amenity in sensitive receptors for road, ports and airports. Typically windows partially open for ventilation and cooling can reduce external noise levels by approximately 15 dB. This would suggest that land exposed to noise levels above 55 dB Ldn would require windows closed. This aligns with the requirements of D24 (and the guidance in NZS 6805) for ASAN to be **designed to meet internal requirements when exposed to levels greater than 55 dB Laeq** from the RNZAF Base.

The contours in Figure 2 show that the northern third of the private plan change area is exposed to engine testing noise greater than 57 dB Ldn. The 57 dB Ldn contour appears to have been presented by NZDF because a building which is ventilated with narrowly opened top hung windows can achieve a reduction of aircraft noise of up to 17 dB (partly as the noise source is located above the windows) which would reduce internal noise to 40 dB Ldn. SLR recommend that these contours are updated to show the 55 dB Ldn contour to be



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consistent NZS 6805 and generally D24. This is to account for the fact that engine testing noise occurs at ground level and not up in the air so partially open windows may not provide attenuation greater than 15 dB. This would extend the engine testing noise contours slightly further into the private plan change area than shown on Figure 2 above.

Adopting this approach and requiring new ASAN to meet the criteria in D24.6.1, would require buildings broadly located in the northern half of the site containing ASAN to be designed to achieve a reduction of up to 20 dB. This would be consistent to the level of insulation required for ASAN currently within the AUP *Aircraft Noise Overlay - Whenuapai Airbase - noise control area* (55dBA) and as noted in the acoustic assessment is considered achievable with typical constructions, subject to acoustic design review.

<u>Summary</u>

The proposed internal limit of 40 dB Ldn is supported, consistent with D24.6.1 of the AUP, and other jurisdictions.

It is, however, recommended that this limit applies for land exposed to engine testing noise greater than 55 dB Ldn consistent with the guidance in NZS 6805 and existing D24 provisions (D24.6.1). This will require updated engine testing noise contours to be prepared for inclusion on the Precinct Plan.

This has the benefit of aligning the precinct provision requirements with existing requirements in the AUP.

6.0 Technical Response to Matters Raised in Submissions

The only submission which raised concerns related to noise was from NZDF, who specifically noted concerns regarding reverse sensitivity effects on the RNZAF Base.

As discussed above SLR consider that reverse sensitivity can be appropriately managed through a combination of the proposed no-complaints covenant and the requirement to insulate ASAN exposed to engine testing noise and aircraft flight noise greater than 55 dB Ldn in accordance with the existing AUP provisions in D24.6.1.

7.0 Statutory Considerations

Resource Management Act 1991 (RMA)

Relevant statutory considerations under the RMA include:

- Section 16 RMA Duty to avoid unreasonable noise
- Section 17 RMA Duty to avoid, remedy, or mitigate adverse effects
- National Planning Standards (NPS)

Having reviewed the relevant provisions of the above-referenced documents, SLR confirm that through the adoption of controls as discussed above and recommended to be included in the precinct provisions, noise effects can be controlled to be reasonable and therefore satisfy the overarching requirements of the RMA.



8.0 Recommendations

8.1 Adequacy of information

The above assessment is based on the information submitted as part of the application. It is considered that the information submitted is sufficient to enable the consideration of the above matters on an informed basis.

8.2 Recommendation

This assessment does not identify any reasons to withhold approval. The aspects of the proposal considered by this memo could therefore be approved, subject to recommended precinct provisions detailed in Section 8.3 below.

8.3 Recommended Precinct Provisions

Should the private plan change be approved, the following changes to the applicant provided provisions are recommended to avoid, mitigate, or remedy environmental noise effects consistent with the approach adopted in the AUP.

- 1. Modify *I1.6.11 Development within the aircraft engine testing noise boundaries* as follows to reflect the definitions/terms in the AUP and refer to the existing appropriate provisions of D24 for consistency with the AUP regarding airport noise:
 - a) Between the 5**75** dB Ldn and 65 dB Ldn noise boundaries as shown on the Precinct Plan, new activities sensitive to **aircraft** noise and alterations and additions to existing buildings accommodating activities sensitive to **aircraft** noise must **be designed and constructed to meet the requirements of D24.6.1** provide sound attenuation and related ventilation and/or air conditioning measures:
 - i. To ensure the internal environment of habitable rooms does not exceed a maximum noise level of 40 dB Ldn; and
 - ii. That are certified to the Council's satisfaction as being able to meet Standard I6XX.6.11(a)(i) by a person suitably qualified and experienced in acoustics prior to its construction; and
 - iii. So that the related ventilation and/or air conditioning system(s) satisfies the requirements of New Zealand Building Code Rule G4, or any equivalent standard that replaces it, with all external doors of the building and all windows of the habitable rooms closed.
- 2. Update the Precinct Plan to show the 55 dB Ldn engine testing noise contour.

Regards,

SLR Consulting New Zealand

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Auckland Council PC107 - Whenuapai Business Park





Memo

To: Myles Anderson, Policy Planner, Auckland Council

From: Katherine Dorofaeff, Principal Planner, Spatial Planning and Policy Advice,

Auckland Transport

Date 28 April 2025

Subject: Private Plan Change 107 - Whenuapai Business Park - Planning

assessment of transport provisions (for the Council's s42A hearing

report)

1.0 Introduction

- 1.1 I have undertaken a review of Private Plan Change 107 (**PC107** or the **plan change**), on behalf of Auckland Council (**the Council**) in relation to transport effects. My review is from a planning perspective and focuses on the efficacy of the precinct provisions in relation to transport matters. My review does not address traffic engineering. Council's transport consultant, Flow Transportation Specialists (**Flow**), is undertaking a traffic and transportation assessment.
- 1.2 PC107 proposes to rezone 47.6ha of land at Whenuapai from Future Urban Zone (**FUZ**) to Business Light Industry Zone. PC107 introduces a new Whenuapai Business Park Precinct and applies the Stormwater Management Area Flow control.
- 1.3 My qualifications and experience are summarised in Attachment A.
- 1.4 In writing this memo, I have reviewed the following documents:
 - PC107 (zoning plan, precinct provisions including precinct plan and staging plan)
 - Integrated Transport Assessment (TEAM ITA) (prepared by Team Traffic, dated 22 October 2024) and transport peer review (by Don McKenzie Consulting, dated 7 December 2023)
 - Private plan change request (prepared by Campbell Brown Planning Ltd, dated
 23 October 2024) (Campbell Brown Planning Assessment)
 - Clause 23 response tables
 - Submissions which raise transport issues
 - Upper Harbour Local Board views.

2.0 Key transport issues

NPS-UD and AUP-RPS

2.1 In Attachment B I have outlined the objectives and policies in the National Policy Statement - Urban Development (NPS-UD) and the Auckland Unitary Plan Regional Policy Statement (AUP-RPS) which are most relevant to PC107 from a transport perspective.

- 2.2 In my view, the NPS-UD and AUP-RPS objectives and policies outlined in Attachment B cover three key themes relevant to this proposal:
 - (a) Integrating development with infrastructure provision including effective, efficient and safe transport. Integration includes ensuring transport infrastructure is planned, funded and staged to integrate with urban growth. (NPS-UD Objective 6(a); AUP-RPS B2.2.1(1)(c) and (5)(a); B2.2.2(7)(c); B2.3.1(1)(d); B2.5.2(8); B3.3.1(1)(a) to (c); B3.3.2(4)(a) and (5)(a));
 - (b) Reducing dependence on private vehicle trips by encouraging land use development and patterns that support other modes and reduce the need to travel, and by providing for and enabling walking, cycling and public transport. (NPS-UD Objective 3(b) and (8)(a); Policy 1(c) and (e); AUP-RPS B2.2.1(1)(d); B2.3.2(1)(d) and (2)(b); B3.3.1(1)(e); B3.3.2(4)(b) and (5)(b));
 - (c) Providing for the future development and upgrading of Auckland's transport infrastructure. (NPS-UD Objective 6(b); AUP-RPS B3.3.2(1) and (3)).
- 2.3 I am aware of other possible private plan changes for the Whenuapai area. If these proceed this raises issues about cumulative traffic and transport effects from other future developments. However at this stage PC107, PC109 Whenuapai Green (98-100 and 102 Tōtara Road) and PC111 Hobsonville Grove (84 and 100 Hobsonville Road) are the only current proposed private plan changes which have been notified in the Whenuapai area.

Future Development Strategy

- 2.4 I have also considered the Council's Future Development Strategy 2023-2053 (**FDS**) as a strategy to have regard to under s74(2)(b)(i) of the RMA and Clause 3.17 of the NPS-UD. The FDS is relevant to ensuring transport infrastructure is planned, funded and staged to integrate with urban growth.
- 2.5 Whenuapai is identified as a Future Urban Area in the FDS. PC107 applies to land which is identified in the FDS as being within the Whenuapai Business stage. The timing for the Whenuapai Business stage is not before 2025+ but that timing is subject to a note that 'some business can take advantage of existing capacity, these are the projects required to support full buildout'. The following transport projects (or 'prerequisites') are otherwise specified to support development readiness: Spedding Road / Northside Drive connection over SH16; SH16 to SH18 Connections; Spedding Road Upgrade and Extension; Mamari Road Upgrade and Extension; Trig Road Upgrade; North Western Bus Improvements (not rapid transit); Northwest Rapid Transit¹. I note the Brigham Creek Road upgrade is not identified as a prerequisite.
- 2.6 The FDS acknowledges that private plan changes requests will occur and identifies that the timing for development can be brought forward if a private plan change applicant funds the prerequisites, or identifies alternate funding tools which limit impacts on Council's financial position and commitments. The FDS also recognises that not all infrastructure is needed for initial new or business communities and that staged roll out of infrastructure can be considered where it does not impact the Council's debt profile or its ability to fund infrastructure.²

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¹ p39 of Appendix 6, Auckland Future Development Strategy 2023-2053, Auckland Council

² P34 of Appendix 6, FDS

3.0 Applicant's assessment

3.1 The TEAM ITA concludes as follows:

'... there is no traffic engineering or transportation planning reason to preclude approval of this WBPPC, since the full extent of development enabled by the plan change will be appropriately supported by a new road network and upgrades to existing roading to maintain and enhance appropriate levels of safety and efficiency on the surrounding road network.'

- 3.2 I rely on Flow to assess the TEAM ITA conclusions from a transport engineering perspective. I have considered the findings of the ITA where it is relevant to precinct provisions. I have focussed on the extent to which the precinct provisions will give effect to NPS-UD and AUP-RPS objectives and policies relating to transport and ensure that subdivision and development enabled by PC107 is appropriately supported by transport infrastructure.
- 3.3 I have particularly considered the portions of the Campbell Brown Planning Assessment that address the NPS-UD (Section 10.4.1), the AUP-RPS (Section 10.10) and Transport Effects (Section 11.3). I have undertaken my own assessment of the precinct provisions below and identify some amendments which, in my view, would better give effect to the NPS-UD and the AUP-RPS.

4.0 Assessment of transport effects and management methods

4.1 This section of my memo assesses the precinct provisions in relation to the key transport issues identified in Section 2.0. Where I recommend amendments to the precinct provisions they are included in Attachment C.

Integrating development with infrastructure provision including effective, efficient and safe transport

4.2 PC107 is not consistent with the timing for development set out in the FDS or with the list of transport infrastructure prerequisites identified. However the FDS does acknowledge that some business can take advantage of existing capacity. I consider that at a minimum, the proposal needs to ensure that development will be integrated with the provision of effective, efficient and safe transport infrastructure sufficient to support the level of business growth enabled.

Transport infrastructure upgrades

- 4.3 The precinct provisions include the following requirements for transport infrastructure upgrades:
 - Standard I1.6.1 Transport infrastructure upgrades, requires new and upgraded roads to be constructed in accordance with Table 1 Road Function and Required Design Elements and Table 2 Intersection Type and Design.
 - The standard also includes a staging plan, and requires the infrastructure to be constructed prior to occupation of any building, or for subdivision, prior to the issue of any s224(c) certificate.
 - A non-complying activity status applies to use and development, and subdivision that does not comply with Standard I1.6.1.

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³ p45, TEAM ITA

- A special information requirement specifies that Transport Design Report is needed for any proposed new road intersection or upgrading of an existing road intersection illustrated on the Precinct Plan.
- 4.4 I support the application of a non-complying activity status where Standard I1.6.1 is not met. The TEAM ITA has identified the transport infrastructure required to support subdivision and development enabled by PC107. The requirement to provide that infrastructure is included within Standard I1.6.1. In my view it is therefore appropriate that proposals which do not comply with the standard are subject to a robust assessment as non-complying activities.
- 4.5 I recommend that Standard I1.6.1(1) include a reference to 'intersections', so that it is clear that 'New and upgraded roads <u>and intersections'</u> must be constructed prior to the occupation of buildings, in accordance with the staging requirements and the relevant tables. I also recommend a formatting change so that the last sentence of I1.6.1 appears as subclause (c) under subdivision.
- 4.6 The transport infrastructure specified in Tables 1 and 2 are generally consistent with input given by AT during the Clause 23 process. I rely on Flow to assess whether any additional transport infrastructure is required to give effect to the integration of development with effective, efficient and safe transport infrastructure. I am aware that Flow has an outstanding concern about the visibility issues at the SH18 / Trig Road interchange and how the applicant will implement the identified mitigation.
- 4.7 I consider that there are two amendments required to Table 2 and associated diagrams as follows:
 - (a) Table 2 includes a requirement for intersections with Trig Road and Brigham Creek Road to be designed in general accordance with the concept drawings included in the precinct provisions. These drawings are relatively detailed for inclusion in precinct plan. In line with the 'general accordance' statement, each of the concept drawings should be annotated with the following:
 - 'All drawings are indicative designs to be refined further through the Engineering Plan Approval process.'
 - (b) Table 2 includes a comment indicating that the Trig Road / Brigham Creek Road roundabout will be a single land roundabout with an additional circulating lane on the northern side. Technical advice from AT subject matter experts is that the decision about whether an additional circulating lane is required is a matter to be determined at later consenting stages. The comment should be qualified accordingly.
- 4.8 The transport infrastructure requirements are supported by Objectives 1 to 3; and by Policies 1 to 5. However in my view, there is a need for robust 'avoid' objective to align with the non-complying status that applies to use, development and subdivision that does not provide the specified transport infrastructure.
- 4.9 The Precinct Plan shows that the two north-south collector roads would extend to the southern boundary and provide access to the adjacent FUZ land. This would service future development of that land. The Precinct Plan also includes an 'indicative vehicle, cycleway and pedestrian connection' between collector road 1 and the Council owned reserve land to the east. I consider it important to provide this access otherwise the only access to the reserve will be from Brigham Creek Road which is an arterial road.

Trip generation standard

4.10 The ITA includes the following statement:

'We are satisfied that the wider roading network can accommodate 725 peak hour trips generated by the development of the PPC area. To ensure the precinct is not developed beyond its capacity the proposed precinct provisions limit the cumulative extent of buildings to 115,000m² GFA, unless a traffic monitoring report prepared by a suitably qualified expert has demonstrated that peak hour trip generation does not exceed 725 vehicles per hour.⁴1

- 4.11 This conclusion is reflected in Standard I1.6.2 Trip Generation which requires that the cumulative extent of the buildings within the Precinct shall not exceed 115,000m² GFA 'unless a traffic monitoring report prepared by a suitably qualified expert has demonstrated that peak hour trip generation does not exceed 725 vehicles per hour'. Use and development that does not comply with this standard is listed as a restricted discretionary activity (A5). The ITA⁵ advises that the expected maximum GFA for PC107 is 151,200m².
- 4.12 In my view, the trip generation standard should be amended as follows:
 - (a) A purpose statement should be included. This is consistent with the other standards in the precinct.
 - (b) It should be shortened to simply specify the GFA limit (i.e. the maximum peak hour trip generation should be deleted). With this amendment, the standard could then be renamed as 'GFA limit'. Traffic generation standards, such as the peak hour trip generation standard proposed, are often problematic in terms of monitoring and linking to effects. In addition a traffic monitoring report should not be relied on to determine whether an activity is permitted or requires a resource consent.
 - (c) There should be an associated special information requirement requiring applications for buildings to demonstrate compliance with Standard I1.6.2 by including details of existing and consented GFA for buildings within the Precinct.
 - (d) Use and development that does not comply with Standard I1.6.2 should be treated as Discretionary rather than Restricted Discretionary. A more onerous activity category is warranted as additional transport infrastructure may be required. If the Restricted Discretionary status is retained, then I recommend that the assessment criteria at I1.7.2(6) be tightened.
 - (e) A new or amended policy is needed to support the proposed Standard I1.6.2. Existing policies focus on implementation of the Precinct Plan and identified transport infrastructure upgrades. There is potential for development which infringes Standard I1.6.2 to require additional transport infrastructure not identified in the precinct plan or covered by Standard I1.6.1 Transport Infrastructure Upgrades.

Reducing dependence on private vehicle trips

4.13 PC107 will enable development to occur before the active mode network and public transport infrastructure and services required to support growth in the North-West

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⁴ p6&7, TEAM ITA

⁵ p23, TEAM ITA

have been fully funded and implemented. I anticipate that Flow will comment on any gaps in the ITA in addressing provision for walking, cycling and public transport. I have considered how the precinct provisions provide for and enable active modes and public transport, and note as follows:

- (a) Objective 2(b) and (c) specifically address provision of safe and efficient walking and cycling connections, and bus access and bus stops.
- (b) Table 1 Road Function and Required Design Elements, includes cycle and pedestrian provision for the roads shown on the Precinct Plan. The provision is consistent with input provided by AT during the Clause 23 process.
- (c) Table 1 Road Function and Required Design Elements, specifies that bus provision will be required for all roads shown on the Precinct Plan. This means that the roads will need to be designed with carriageway lanes and geometry of intersections capable of accommodating buses. This will provide AT with options for operating bus routes into the industrial development along the collector roads. AT's ability to provide new, amended or more frequent bus routes will be dependent on funding.
- 4.14 The rezoning and development of this land for industrial uses will result in additional employment opportunities which potentially reduces the need for those living locally to commute further for employment. This is consistent with encouraging land use development and patterns that reduce the need to travel.
- 4.15 I recommend later below that a vehicle access restriction be applied to the portion of Trig Road located within the precinct. This is consistent with the future arterial road status of Trig Road. Such a restriction will also improve the safety of the separated cycle facilities along Trig Road. At this stage, I do not recommend any other amendments to precinct provisions to better give effect to NPS-UD and AUP-RPS provisions about reducing dependence on private vehicle trips and providing for and enabling walking, cycling and public transport.

Providing for the future development and upgrading of Auckland's transport infrastructure

- 4.16 Route protection, in the form of Notices of Requirement (**NOR**), is in place for the future development and upgrading of Trig Road and Brigham Creek Road. PC107 is directly affected by two AT NOR as follows:
 - (a) NOR W1 upgrade of the Trig Road corridor to an urban arterial with separated active mode facilities.
 - (b) NOR W3 upgrade of Brigham Creek Road with separated active mode facilities.
- 4.17 Both NOR are subject to appeal. Both have 15 year lapse dates. The NOR are for route protection and the associated works are currently unfunded as they are not included in the Regional Land Transport Plan (**RLTP**) 2024-2034 budget and the 30-year Development Contributions Policy has not been adopted⁶. Prior written consent will be required from AT before any person may do anything in relation to the land

⁶ The Council's 30 Year Development Contributions Policy for the Inner Northwest has been consulted on and will be considered by the Council for adoption (decision planned for May 2025). The Development Contributions Policy will outline the planned delivery times for each of the AT / Council transport projects in the Northwest (including Trig Road and Brigham Creek Road). The policy will also identify projects or portions of projects developers are anticipated to deliver.

- subject to the NOR that would provide or hinder the public work or project or work to which the NOR relates⁷.
- 4.18 The precinct provisions also require the developer to construct some of the works on Trig Road and Brigham Creek Road envisaged by the NOR. However the applicant's ability to upgrade Trig Road and Brigham Creek Road adjacent to the plan change area are constrained by land ownership. A developer can only undertake works within the existing legal road and other land which it can access due to ownership or agreements with other landowners. In my view, taking into account the constraints that apply, the works proposed by the applicant, and required by the precinct provisions, are consistent with providing for the future development and upgrading of Auckland's transport infrastructure.
- 4.19 As noted above, the precinct plan has provided for access to the adjacent FUZ land to the south which is consistent with providing for future development of transport infrastructure to service this land.
- 4.20 Brigham Creek Road is identified as an arterial road in the controls layer of the AUP(OP) maps. This means that it is subject to the vehicle access restrictions applying to arterial roads in Chapter E27 Transport⁸, and construction or use of vehicle crossing is a restricted discretionary activity. Trig Road is not identified as an arterial road in the AUP(OP). However the NOR provides for the road to be upgraded as an urban arterial with separated active mode facilities to service planned growth in the north-west. For this reason it is my view that as part of PC107, vehicle access restrictions should be applied where the site has frontage to Trig Road. This would require a new standard, supporting policy, assessment matters and some other consequential amendments. The inclusion of a vehicle access restriction would not constrain the use of existing access points for existing or consented levels of development.

5.0 Submissions

Submission 1.2 - David George Allen

- 5.1 Submission 1.2 seeks walking and cycling access on Kauri Road, and further analysis on whether improvement works are required for the Kauri Road / Brigham Creek Road intersection.
- 5.2 In my view it would not be reasonable to require walking and cycling access to be provided on Kauri Road as part of PC107. The plan change does not include any land with frontage to Kauri Road and walking and cycling on Kauri Road are not required to support the land use enabled by PC107.
- 5.3 With respect to the Kauri Road / Brigham Creek Road intersection, the effects of traffic from PC107 on this intersection was considered by Flow and AT as part of the Clause 23 process and is addressed in the ITA. I rely on Flow's traffic engineering assessment that no works or further modelling are required for this intersection.
- 5.4 For the reasons set out above, I recommend that submission 1.2 be rejected.

Submission 3.4 - Cabra Development Ltd

5.5 Submission 3.4 relates to Standard I1.6.2 Trip Generation. The submission suggests that the precinct standards could or should require additional mitigation to reach the

⁷ The relevant sections of the RMA are s178(2) for the NOR, and s176(1)(b) once the designation is in place.

⁸ see Table E27.4.1(A5), E27.6.4.1(2) and 3(b)

- maximum build out of 150,000m² GFA and / or additional assessment criteria to consider the need for other mitigation measures should the 725vph be exceeded.
- Standard I1.6.2 sets a GFA limit of 115,000m² but allows this to be exceeded if a traffic monitoring report shows that the peak hour trip generation does not exceed 725 vph. I have addressed the trip generation standard in paragraph 4.10 and following paragraphs and recommended that the standard be shortened to simply specify the GFA limit (i.e. delete the maximum peak hour trip generation of 725 vph). The requirement for a resource consent in excess of 115,000m² will provide for assessment of the need for additional mitigation. I also recommend that the activity category for non-compliance be amended from restricted discretionary to discretionary. If the Restricted Discretionary status is retained, then I have recommended that the related assessment criteria be tightened.
- 5.7 In my view, the amendments I recommend are consistent with the concerns that the submission raises about the potential requirement for additional mitigation. I therefore recommend that submission 3.4 be accepted in part.
 - Submissions from Auckland Council about vehicle access to Trig Road
- 5.8 Submissions 5.4, 5.12 and 5.13 address vehicle access to Trig Road. This includes seeking:
 - Amendments to the precinct provisions to require a Restricted Discretionary Activity consent and assessment matters (based on E27.8.1(12) and E27.8.2(11)) for the construction of a vehicle crossing on Trig Road (5.4, 5.12)
 - Amendments to the Precinct Plan and Infrastructure Staging Plan to show a fourth leg on intersection 'A' to provide access to the western side of Trig Road (5.4, 5.13).
- 5.9 I support the submissions seeking vehicle access restrictions on Trig Road. The relief sought is consistent with my assessment in paragraph 4.20 above.
- 5.10 In terms of Intersection A, the intersection concept design does show a fourth leg of the roundabout as 'indicative access for 96A Trig Road'. Table 2: Intersection type and design, also includes as a comment 'a future fourth leg could provide access to part of the PCA west of Trig Road'. However there is no requirement in the precinct provisions to provide the fourth leg.
- 5.11 In my view, if the Vehicle Access Restrictions are applied to Trig Road as recommended it is not necessary to show the fourth leg for Intersection A on the Precinct Plan and Infrastructure Staging Plan. It is not clear that a fourth leg will be the best way of accessing the land and the Vehicle Access Restriction will allow access to be assessed at the consenting stage.
- 5.12 For the reasons set out above, I recommend that submission 5.4 be accepted in part, submission 5.12 be accepted, and submission 5.13 be rejected.
 - Other aspects of submission 5 Auckland Council
- 5.13 Submission 5.2 seeks that the plan change adequately provide for strategic integration of transport, wastewater and water infrastructure and address funding of this infrastructure. I have considered this submission as it relates to transport and agree that the plan change needs to ensure that the enabled development will be integrated with the provision of transport infrastructure. I note that this submission is

- supported by a further submission by Watercare however their focus is on wastewater and water infrastructure.
- 5.14 Submissions 5.7 and 5.8 seek retention of the objectives and policies. I support retention of the objectives and policies relevant to transport matters, but do not have a view about the other objectives and policies.
- 5.15 I recommend that submission 5.2 be accepted (along with the further submission from Watercare), and submissions 5.7 and 5.8 be accepted in relation to transport matters.
 - Submission 6.4 New Zealand Defence Force
- 5.16 Submission 6.4 seeks to ensure that safe and efficient access to the RNZAF Base Auckland is not compromised by the development enabled by PC107.
- 5.17 I am aware that Flow considers that no further action is required in response to this submission point. I rely on this traffic engineering assessment and have no further comments on this matter.
 - Further submissions
- 5.18 I have referred to a further submission from Watercare above in paragraph 5.13. I understand that there are no other further submissions relating to the submissions discussed above.

6.0 Local Board views

- 6.1 The Upper Harbour Local Board views on PC107 are set out in a resolution from their 27 March 2025 meeting. I have reviewed the resolution and note that the following matters are relevant to transport:
 - Support for matters raised in the ACS submission, which includes some transport matters, and identifies the need to integrate with transport infrastructure and the funding of such infrastructure
 - Support for employment opportunities in the North-West and Whenuapai close to residential neighbourhoods and good transport connections
 - Request for the Applicant to provide a vehicle connection from the new road to the Council park at 161 to 167 Brigham Creek Road
 - Does not support construction prior to the commissioning of the required infrastructure
 - Request for large street trees in any new roads
 - Support for travel by active and public transport modes.
- 6.2 With respect to street trees, decisions about type and placement of street trees are addressed at later consenting stages.
- 6.3 I consider that I have otherwise already addressed the other matters raised by the Local Board in Section 4.0 and 5.0, including in my review of the ACS submission.

7.0 Conclusions and recommendations

7.1 I have assessed the precinct provisions and identified some amendments that I consider warranted to give better effect to NPS-UD and AUP-RPS objectives and

policies related to transport. The reasons for the recommended amendments are set out in Section 4.0. The amendments are included in Attachment C and are summarised below:

- (a) Amendments to the transport infrastructure requirements to:
 - (i) Include a robust 'avoid' objective to align with the non-complying status applying to non-provision of the required infrastructure.
 - (ii) Add a reference to 'intersections' in Standard I1.6.1(1).
 - (iii) Annotate concept drawings as indicative designs to be refined further through the Engineering Plan approval process.
 - (iv) Provide some additional flexibility to the final form of the Trig Road / Brigham Creek Road intersection.
- (b) Amendments to the trip generation standard, including amended wording, inclusion of a supporting policy, a more onerous activity status for non-compliance, and a special information requirement.
- (c) Addition of a vehicle access restriction along the Trig Road frontage, with a supporting policy, and assessment matters for non-compliance.
- 7.2 Subject to my recommended amendments, and a favourable assessment by Flow, I am able to support PC107 from a transport perspective. In my view, with these amendments the plan change will give effect to the transport related objectives and policies of the NPS-UD and the AUP-RPS by:
 - (a) Integrating development with infrastructure provision including effective, efficient and safe transport. This includes ensuring transport infrastructure is planned, funded and staged to integrate with urban growth. (NPS-UD Objective 6(a); AUP-RPS B2.2.1(1)(c) and (5)(a); B2.2.2(7)(c); B2.3.1(1)(d); B2.5.2(8); B3.3.1(1)(a) to (c); B3.3.2(4)(a) and (5)(a));
 - (b) Reducing dependence on private vehicle trips by encouraging land use development and patterns that support other modes and reduce the need to travel, and by providing for and enabling walking, cycling and public transport. (NPS-UD Objective 3(b) and (8)(a); Policy 1(c) and (e); AUP-RPS B2.2.1(1)(d); B2.3.2(1)(d) and (2)(b); B3.3.1(1)(e); B3.3.2(4)(b) and (5)(b));
 - (c) Providing for the future development and upgrading of Auckland's transport infrastructure. (NPS-UD Objective 6(b); AUP-RPS B3.3.2(1) and (3)).
- 7.3 I have considered the submissions related to transport. Some submissions are in accordance with amendments I have already recommended above. I do not suggest any additional amendments in response to matters raised in submissions. My recommendations on individual submissions are as set out below:

#	Submitter	Recommendation
1.2	David George Allen	Reject
3.4	Cabra Development Ltd	Accept in part
5.2	Auckland Council	Accept (as it relates to transport infrastructure)

#	Submitter	Recommendation
5.4	Auckland Council	Accept in part
5.7	Auckland Council	Accept (as it relates to transport)
5.8	Auckland Council	Accept (as it relates to transport)
5.12	Auckland Council	Accept
5.13	Auckland Council	Reject
6.4	NZ Defence Force	Accept in part

Attachment A

Qualifications and experience

- I am a Principal Planner in the Spatial Planning and Policy Advice team of AT. I have held this or similar positions in AT since October 2017. My responsibilities include leading AT's response to relevant statutory and legislative changes, notices of requirement and plan changes within the Auckland region.
- 2. I hold the qualification of a Bachelor of Town Planning degree, from the University of Auckland. I am a full member of the New Zealand Planning Institute. I have approximately 30 years of policy and planning experience in public sector roles in New Zealand and overseas.
- 3. Prior to my current position with AT, I worked as a Policy and Planning Advisor for the Office of the Prime Minister in the Cook Islands Government. Before that I held principal and senior planner roles at Kāpiti District Council, Auckland Council and the former Auckland City Council.
- 4. Through my various roles I have established a sound working knowledge of the Resource Management Act 1991, including private plan change and resource consent processes.
- 5. My directly relevant experience in leading AT's input into other private plan change proposals in growth areas, includes:
 - (a) PC6 Auranga, Drury;
 - (b) Private plan changes in the Warkworth area including PC25 (Warkworth North), PC40 (Clayden Road), PC93 Warkworth South; and
 - (c) Private plan changes in the North-West area including PC69 (Spedding Block), PC86 (41-43 Brigham Creek Road), PC100 (Riverhead South), PC109 Whenuapai Green and PC111 Hobsonville Grove.

Attachment B

Relevant objectives and policies in the NPS-UD, and the AUP-RPS

National Policy Statement - Urban Development

- 1. In my view, the NPS-UD and AUP-RPS objectives and policies outlined above cover three key themes relevant to this proposal:
 - (a) Integrating development with infrastructure provision including effective, efficient and safe transport. Integration includes ensuring transport infrastructure is planned, funded and staged to integrate with urban growth. (NPS-UD Objective 6(a); AUP-RPS B2.2.1(1)(c) and (5)(a); B2.2.2(7)(c); B2.3.1(1)(d); B2.5.2(8); B3.3.1(1)(a) to (c); B3.3.2(4)(a); B3.3.2(5)(a));
 - (b) Reducing dependence on private vehicle trips by encouraging land use development and patterns that support other modes and reduce the need to travel, and by providing for and enabling walking, cycling and public transport. (NPS-UD Objective 3(b) and (8)(a); Policy 1(c) and (e); AUP-RPS B2.2.1(1)(d); B2.3.2(1)(d) and (2)(b); B3.3.1(1)(e); B3.3.2(4)(b) and (5)(b));
 - (c) Providing for the future development and upgrading of Auckland's transport infrastructure. (NPS-UD Objective 6(b); AUP-RPS B3.3.2(1) and (3));
- 2. The NPS-UD seeks to achieve "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".9
- 3. "Well-functioning urban environment" has the meaning in Policy 1.¹⁰ Policy 1 sets out a list of matters, (a) to (f), all of which are to be satisfied as a "minimum" if a well-functioning urban environment is to be achieved.¹¹ I address Policy 1 further below.
- 4. The NPS-UD also recognises that growth and urban development needs to be coordinated with infrastructure planning and funding decisions. This is highlighted in Objectives 3 and 6 of the NPS-UD as stated below (with emphasis in bold added):

Objective 3: Regional policy statements and district plans enable more people to live in, and more businesses and community services to be located in, areas of an urban environment in which one or more of the following apply:

- (a) the area is in or near a centre zone or other area with many employment opportunities
- (b) the area is well-serviced by existing or planned public transport
- (c) there is high demand for housing or for business land in the area, relative to other areas within the urban environment.

Objective 6: Local authority decisions on urban development that affect urban environments are:

- (a) integrated with infrastructure planning and funding decisions; and
- (b) strategic over the medium term and long term; and

⁹ NPS-UD, Objective 1.

¹⁰ NPS-UD, Section 1.4 Interpretation.

¹¹ The conjunction "and" is used between each sub-paragraph (a) to (f) indicating that all matters must be achieved.

- (c) responsive, particularly in relation to proposals that would supply significant development capacity.
- 5. Objective 8 of the NPS-UD seeks urban environments that "support reductions in greenhouse gas emissions" and "are resilient to the current and future effects of climate change".
- 6. In the context of the matters likely to be of concern to AT for PC107, the following objectives and policies are of particular relevance: Objectives 3(b), 6(a) and 6(b); and Policy 1(c).
- 7. Objective 3(b) refers to allowing more businesses to be located in areas of an urban environment which are well-served by existing or planned public transport.
- 8. Objective 6(a) and (b) refer to the need for local authority decisions on urban development that affect urban environments to be integrated with infrastructure planning and funding decisions, and to be strategic over the medium term and long term.
- 9. Policy 1(c) identifies that one of the "minimum" requirements for achieving well-functioning urban environments is "good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport". Another minimum requirement as set out in Policy 1(e) is to "support reductions in greenhouse gas emissions".

AUP - Regional Policy Statement

10. Turning to the AUP-RPS, I consider that the following objectives and policies from Chapter B2 Urban growth and form, and Chapter B3 Infrastructure, transport and energy, are relevant to PC107 as it relates to transport matters:

B2.2 Urban growth and form

B2.2.1 Objectives

(1A) ...

(1) A well-functioning urban environment with a quality compact urban form that enables all of the following:

..

- (c) better use of existing infrastructure and efficient provision of new infrastructure:
- (d) good accessibility for all people, including by improved and more efficient public or active transport;

. . .

- (5) The development of land within the Rural Urban Boundary, towns, and rural and coastal towns and villages:
 - (a) is integrated with the provision of appropriate infrastructure; and

B2.2.2 Policies

- (7) Enable rezoning of land within the Rural Urban Boundary or other land zoned future urban to accommodate urban growth in ways that contribute to a well-functioning urban environment and that do all of the following:
 - (c) integrate with the provision of infrastructure;

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(caa) provide good accessibility, including by way of efficient and effective public or active transport.

. . .

(d) follow the structure plan guidelines as set out in Appendix 1; and

. . .

B2.3 A quality built environment

B2.3.1 Objectives

(1) A well-functioning urban environment with a quality built environment where subdivision, use and development do all of the following:

. . .

(d) maximise resource and infrastructure efficiency;

...

B2.3.2 Policies

(1) Manage the form and design of subdivision, use and development so that it contributes to a well-functioning urban environment and does all of the following:

..

- (b) contributes to the safety of the site, street and neighbourhood;
- (c) develops street networks and block patterns that provide good access and enable a range of travel options;
- (d) achieves a high level of amenity and safety for pedestrians and cyclists;

..

(2) Encourage subdivision, use and development to be designed to promote the health, safety and well-being of people and communities by all of the following:

. . .

(b) enabling walking, cycling and public transport and minimising vehicle movements; and

. . .

B2.5 Commercial and industrial growth

B2.5.2 Policies

(8) Enable the supply of industrial land which is relatively flat, has efficient access to freight routes, rail or freight hubs, ports and airports, and can be efficiently served by infrastructure.

..

B3 Transport

B3.3.1 Objectives

- (1) Effective, efficient and safe transport that:
 - (a) supports the movement of people, goods and services;
 - (b) integrates with and supports a quality compact urban form;
 - (c) enables growth;
 - (d) avoids, remedies or mitigates adverse effects on the quality of the environment and amenity values and the health and safety of people and communities; and

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(e) facilitates transport choices, recognises different trip characteristics and enables accessibility and mobility for all sectors of the community.

B3.3.2 Policies

- (1) Enable the effective, efficient and safe development, operation, maintenance and upgrading of all modes of an integrated transport system.
- (2) Enable the movement of people, goods and services and ensure accessibility to sites.
- (3) Identify and protect existing and future areas and routes for developing Auckland's transport infrastructure.
- (4) Ensure that transport infrastructure is designed, located and managed to:
 - (a) integrate with adjacent land uses, taking into account their current and planned use, intensity, scale, character and amenity; and
 - (b) provide effective pedestrian and cycle connections.
- (5) Improve the integration of land use and transport by:
 - (a) ensuring transport infrastructure is planned, funded and staged to integrate with urban growth;
 - (b) encouraging land use development and patterns that reduce the rate of growth in demand for private vehicle trips, especially during peak periods;

. . .

- (f) requiring activities adjacent to transport infrastructure to avoid, remedy or mitigate effects which may compromise the efficient and safe operation of such infrastructure.
- (6) Require activities sensitive to adverse effects from the operation of transport infrastructure to be located or designed to avoid, remedy or mitigate those potential adverse effects.
- (7) Avoid, remedy or mitigate the adverse effects associated with the construction or operation of transport infrastructure on the environment and on community health and safety.
- 11. PC107 must give effect to the AUP-RPS provisions under section 75(3)(c) of the RMA.¹²

¹² Proposed RPS provisions are a matter to have regard to: s74(2)(a) of the RMA.

Attachment C

Recommended amendments to the precinct provisions

I6XX.1 Whenuapai Business Park Precinct

I1.1. Precinct Description

. . .

I1.2. Objectives [rcp/rp/dp]

General

(1) Whenuapai Business Park Precinct is developed in a staged, comprehensive, and integrated manner to facilitate the development of a business area for predominantly light industrial land use activities.

Transport Infrastructure

- (2A) Subdivision and development that is not staged and co-ordinated with the required transport infrastructure is avoided.
- (2) Transport infrastructure that is required to service subdivision and development within the Precinct:
 - a) Provides for freight
 - b) Provides safe and efficient walking and cycling connections
 - Provides for bus access and bus stops to support future improvements to public transport connectivity
 - d) Mitigates traffic impacts on the surrounding road network
 - e) Provides connectivity to facilitate future subdivision and development of adjacent sites; and
 - f) Is staged and co-ordinated with subdivision and development
- (3) Roading connections, new or upgraded intersections, and the upgrading of Brigham Creek and Trig Road are provided to support subdivision and development within the Precinct.

I1.3. Policies [rcp/rp/dp]

General

- (1) Develop Whenuapai Business Park Precinct in accordance with the Precinct Plan.
- (2) Ensure that where a stage identified on the Precinct Plan (Infrastructure Staging) is subdivided or developed, the associated upgrading or establishment of transport and three waters infrastructure is undertaken and completed at the same time.
- (3) Stages may be developed in any order, or more than one stage can be developed at one time.

Transport

(4) Require the development of a transport network that implements the elements and connections identified in the Precinct Plan and is in accordance with Tables 1 and 2 I6XX: Road Function and Design Elements.

- (5) Subdivision and development within each identified stage does not occur in advance of the availability of transport infrastructure to support that stage, as identified on the Precinct Plan (Infrastructure Staging).
- (5A) Require that the efficient, effective and safe operation of the Trig Road as a future arterial road is supported by restricting vehicle access.
- (5B) Require traffic effects from development to be controlled by an overall GFA limit.

. . .

I1.4. Activity table [rcp/rp/dp]

All relevant overlay, Auckland-wide and zone activity tables apply unless the activity is listed in Activity Table I6XX.4.1 below.

Activity Table I6XX.4.1 specifies the activity status of regional / district land use / subdivision / coastal works, occupation and/ or activities in the coastal marine area / activities in, on, under or over the beds of lakes, rivers, streams and wetlands / take, use, dam or divert water, heat or energy / discharge of contaminants or water into water; or discharges of contaminants into air, or onto or into land or water activities in the I1XX.1 Whenuapai Business Park Precinct pursuant to section(s) 9(2) / 9(3) / 11 / 12(1) / 12(2) / 12(3) / 13 / 14 / 15 of the Resource Management Act 1991.

A blank in the activity status column means that the activity status in the relevant overlay, Auckland-wide or zone provision applies.

In addition to the provisions of the Precinct, reference should also be had to the planning maps (GIS Viewer) which show the extent of all designations, overlays and controls applying to land within the Whenuapai Business Park Precinct. Development in the Precinct is subject to height restrictions under Designation 4311. Reference should also be made to Whenuapai Airbase Designation 4310 including the Aircraft Noise provisions of Condition 1 and associated Airbase Noise maps. This Precinct introduces additional 57 dB Ldn and 65 dB Ldn noise contour boundaries for aircraft engine testing noise and restrictions for activities sensitive to noise within this area.

Commented [KD1]: 5.4 (consequential)

Table I6XX.4.1 Activity table

Activity		Activity status
Use and De	evelopment	
(A1)	Activities listed as permitted, restricted discretionary or discretionary activities in Table H17.4.1 Activity Table in the Business Light Industry Zone.	
(A2)	Use and development that does not comply with Standard IX.6.1.	NC
(A3)	New activities sensitive to noise and alterations and additions to existing buildings accommodating activities sensitive to noise within the aircraft engine testing noise boundaries	D
(A4)	Activities that do not comply with: Standard XX Development within the aircraft engine testing noise boundaries; but do not comply with any one or more of the other standards contained in Standards X.	NC
(A5)	Use and development that does not comply with Standard IX.6.2.	RD D
(A5A)	Construction or use of a vehicle crossing to Trig Road	RD
Subdivision		
(A5)	Subdivision listed in Chapter E38 Subdivision	
(A6)	Subdivision that does not comply with Standard IX.6.1, IX.6.3 and IX.6.4.	NC
Lighting		
(A7)	Activities listed as permitted or restricted discretionary activities in Table E24.4.1 Activity Table (Lighting)	

Commented [KD2]: 5.4

I1.5. Notification

. . .

I1.6. Standards

All relevant overlay, Auckland-wide and zone standards apply to the activities listed in

Activity Table I6XX.4.1 unless otherwise specified below.

If there is a conflict or difference between the Precinct standards and the Auckland-wide and zone standards, the standards in this Precinct will apply.

All activities listed in Activity Table I6XX.4.1 must comply with Standards I.X.6(1) - I.X.6(11).

Commented [KD3]: Should read I1.6.1 - I1.6.11

Commented [KD4]: reformatted from below as para

I1.6.1 Transport Infrastructure Upgrades

Purpose:

- To mitigate the adverse effects of traffic generation on the surrounding road network
- To achieve the integration of land use and transport
 - (1) Prior to the occupation of any buildings within a particular stage, the transport infrastructure shown on Precinct Plan (Infrastructure Staging) must have been constructed for that stage. New and upgraded roads <u>and intersections</u> must be constructed in accordance with Tables 1 and 2 I6XX: Road Function and Design Elements.
 - (2) Subdivision
 - a) Must be designed to ensure the protection of the future road corridors, intersections and connections shown on Precinct Plan.
 - b) Prior to the Council issuing a certificate under section 224(c) of the Resource Management Act 1991 for subdivision within a particular stage, the transport infrastructure shown on Precinct Plan (Infrastructure Upgrading) must have been constructed for that stage.
 - c) New and upgraded roads and intersections must be constructed in accordance with Tables 1 and 2 I6XX: Road Function and Design Elements.

New and upgraded roads and intersections must be constructed in accordance with Tables 1 and 2 I6XX: Road Function and Design Elements.

I1.6.2 Trip GenerationGFA Limit

Purpose:

- To mitigate the adverse effects of traffic generation on the surrounding road network
 - (1) The cumulative extent of buildings within the Precinct shall not exceed 115,000m² GFA unless a traffic monitoring report prepared by a suitably qualified expert has demonstrated that peak hour trip generation from all existing or consented development in the Precinct does not exceed 725 vehicles per hour.

I1.6.2A Vehicle Access Restriction for Trig Road

Purpose:

• to restrict direct vehicle access onto a future arterial road

Commented [KD5]: 5.4

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- to promote safe and efficient operation of transport infrastructure particularly for active modes
 - (1) Vehicle access restrictions apply under E27.6.4.1(2) and 3(c) as if Trig Road was identified as an arterial road on the planning maps.

I1.6.3 Stormwater Management

I1.6.4 Wastewater and Water Supply Infrastructure

...

I1.6.5 Bird strike

...

11.6.6 Yards

..

I1.6.7 Riparian Margins

..

I1.6.8 Height in Relation to Boundary

...

I1.6.9 Lighting

• • •

11.6.10 Noise

...

I1.6.11 Development within the aircraft engine testing noise boundaries

...

I1.7. Assessment – restricted discretionary activity

11.7.1. Matters of discretion

The Council will reserve its discretion to all of the following matters when assessing a restricted discretionary activity resource consent application, in addition to the matters specified for the relevant restricted discretionary activities in the overlays, Aucklandwide or zones provisions:

- (1) Matters for all restricted discretionary activities (including otherwise permitted activities that infringe a permitted standard):
 - a) Whether the infrastructure required to service any subdivision or development is provided;
 - b) The effects of the proposal on the future ability to construct the road

corridors and connections shown in the Precinct Plan;

- Whether the proposal will provide for the safe and efficient functioning of the current and future transport network;
- d) Whether stormwater and flooding are managed appropriately;
- e) Whether the ecological outcomes will be appropriate;
- f) Effects of the operation of RNZAF Base Auckland including reverse sensitivity effects and any measures to avoid, remedy or mitigate these effects:
- Lighting associated with development, structures, infrastructure and construction

(2) Vehicle crossings to Trig Road

The matters of discretion in E27.8.1(12) apply.

I1.7.2. Assessment Criteria

The Council will reserve its discretion to all of the following matters when assessing a restricted discretionary activity resource consent application, in addition to the matters specified for the relevant restricted discretionary activities in the overlays, Aucklandwide or zones provisions:

(1) For subdivision:

- a) The extent to which any subdivision or development layout is consistent with and provides for the upgraded roads and new indicative roads and connections shown on the Precinct Plan;
- b) Whether the proposed subdivision includes the delivery of the transport infrastructure identified on Precinct Plan (Infrastructure Staging) and in accordance with the Road Function and Design Elements Tables;
- Whether the proposed road corridors and connections will service the Precinct in a safe and efficient manner;
- d) Whether the proposed subdivision enables development that would require transport infrastructure upgrades to be provided;
- e) Whether the proposed subdivision will adversely affect the safe and efficient operation of the current and future transport network;
- f) Whether a safe and efficient road design is provided;
- g) The extent to which any subdivision or development layout provides for the functional requirements of the existing or proposed transport network, roads and relevant transport modes;
- h) Whether the proposal includes methods to ensure the construction of road corridors and connections, within its stage shown in Precinct Plan (Infrastructure Staging); and
-) Whether the following required works are located, designed, and

Commented [KD6]: 5.12

undertaken in a staged manner, in accordance with the Precinct Plan (Infrastructure Staging), that facilitates and avoids unnecessary rework in future upgrades to Brigham Creek Road and Trig Road to provide strategic network connections to service wider growth:

- Proposed new roundabout on Trig Road, and Trig Road upgrade
- Upgraded Brigham Creek Road/ Trig Road intersection roundabout, and Brigham Creek Road upgrade
- New Brigham Creek Road left in, left out intersection and Brigham Creek Road upgrade
- New Brigham Creek Road signalised intersection and Brigham Creek Road upgrade
- (2) ...
- (3) ...
- (4) ...
- (5) ...
- (6) For land use not complying with standard IX.6.2 Trip Generation GFA Limit:
 - a) The extent to which Whether the wider transport network can accommodate peak hour trip generation from the Precinct—that exceeds 725 vehicles per hour, while maintaining reasonably safe and efficient movement of traffic.
 - b) The extent to which new Whether any transport infrastructure upgrades are—required to accommodate the trip generation proposed, and the likely timing for such upgrades to have been will be completed and operational to support the development.

(7) Vehicle crossings to Trig Road

The assessment criteria in E27.8.2(11)(a) apply.

I1.8. Special information requirements

- (1) Transport Design Report:
 - a) Any proposed new road intersection or upgrading of existing road intersections illustrated on the Precinct Plan must be supported by a Transport Design Report and concept plans, prepared by a suitably qualified transport engineer confirming that the location and design of any road and its intersection(s) supports the safe and efficient function of the existing transport network and can be accommodated within the proposed or available road reserves. This may be included within a transport assessment supporting land use or subdivision consents.
 - b) In addition to the report and plan required in (1)(a) where an interim upgrade is proposed, information detailing how the design allows (where possible)

Commented [KD7]: Preference is for D status. If RD status maintained, then the following amendments are recommended.

Commented [KD8]: 5.12

for the ultimate upgrade to be efficiently delivered must be provided.

- (2) ...
- (3) Any application for buildings must whether Standard I1.6.2 GFA Limit is complied with by including details of the existing and consented GFA for buildings within the precinct.

Other amendments

- Amend the precinct plan to identify a Vehicle Access Restriction for Trig Road (future arterial)
- Annotate each of the concept drawings for intersections with the following: 'All drawings
 are indicative designs to be refined further through the Engineering Plan Approval
 process'

Table 1: Road Function and Required Design Elements

Road name	Proposed role and function of road in precinct area	Minimum road reserve width ¹	Total number of lanes	Design speed	Median ²	Cycle Provision	Pedestrian provision	Freight or heavy vehicle route	Access restriction	Bus provision ³
Brigham Creek Road upgrade (Between Kauri Road and Intersection D)*	Arterial	30m	4	60km/hr	No	Yes-one side ⁴	Yes-two sides ⁵	Yes	Yes	Yes
Brigham Creek Road upgrade (West of Intersection D)*	Arterial	Various	2	60km/hr	No	Yes-two sides ⁶	Yes-two sides ⁶	Yes	Yes	Yes
Trig Road	Future Arterial	24m	2	60km/hr	Yes	Yes-two sides	Yes-two sides	Yes	No Yes	Yes
Roads 1, 2, 3	Collector	24m	2	50km/hr	No	Yes-two sides	Yes-two sides	Yes	No	Yes

Table 2: Intersection Type and Design

Intersection Reference (refer Precinct Plan Infrastructure Staging)	Intersection Type	Designed in general accordance with:	Comments
A - Trig Road	New Intersection - Roundabout	47712-DR-C-8510	Single Lane roundabout. A future fourth leg could provide access to part of the PCA west of Trig Road
B - Trig / Brigham Creek Road	Upgraded Intersection - Roundabout	47712-DR-C-8511	Single lane roundabout. At consenting stage consideration to be given to the need to include the following: - with an additional circulating lane on the northern side. Two approach lanes on Brigham Creek Road, eastbound.
C - Brigham Creek Road	New Intersection - Left in, left out	47712-DR-C-8512	
D - Brigham Creek Road	New Intersection - Signalized	47712-DR-C-513	

^{*} Denotes interim upgrades to Brigham Creek Road (i.e. not the ultimate width provided for by AT's NOR W3)

Commented [KD9]: 5.4 (Consequential)

¹ Typical minimum width which may be varied in specific locations where required to accommodate network utilities, batters, structures stormwater treatment, intersection design, significant constraints or other localised design requirements.

² Flush, solid or raised medians subject to Auckland Transport approval at EPA stage.

³ Carriageway lanes and geometry of intersections capable of accommodating buses. Bus stop form and locations and bus routes shall be determined with Auckland tresource consent and engineering plan approval stage.

⁴ Two-way cycleway on northern side only.

⁵ Southern side footpath extending to the eastern extremity of Lot 1 DP 167537 (159 Brigham Creek Road)

⁶ Shared path on northern side of Brigham Creek Road remains





Project: Private Plan Change 107: Whenuapai Business Park

Title: **Transportation Hearing Report**

Document Reference: P:\ACXX\453 Whenuapai Biz Park Private Plan Change Transport

Review\4.0 Reporting\R1B250508 - PC107 Hearing report.docx

Prepared by: **Harry Shepherd** Reviewed by: **Angie Crafer**

Revisions:

Date	Status	Reference	Approved by	Initials
10 January 2025	A – Draft for Council review	R1A250110	Angie Crafer	AC
8 May 2025	B - Final	R1B250508	Angie Crafer	AC

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SUMMARY OF MY PEER REVIEW

Auckland Council (Council) has requested Flow Transportation Specialists (Flow) to review the transportation matters associated with an application for a Private Plan Change 107 (PPC107), which has been lodged by Neil Construction Limited (Applicant).

In terms of the transport aspects of PPC107

- I am generally satisfied with the transport assessment that has been undertaken. Through my review during the Clause 23 process, the assessment has been updated by the Applicant to resolve the majority of my concerns
- I am satisfied with the Applicant's assessment of traffic effects and the traffic modelling methodology undertaken to assess those effects. I am satisfied that the majority of the traffic effects can be mitigated by the proposed intersection upgrades
- I am also satisfied with the walking, cycling and public transport accessibility as a result of the proposed transport infrastructure upgrades
- I have an outstanding concern that the mitigation identified by the Applicant to address visibility issues at the SH18/Trig Road interchange is not necessarily going to be implemented, and that this will result in adverse safety effects because of the increase in traffic resulting from PPC107. I recommend that the Applicant address this in evidence, including what mechanism could be included in PPC107 to ensure that appropriate mitigation is in place. Refer to Section 3.3.2 of my report
- I recommend that Precinct Provisions are updated to apply vehicle access restrictions on Trig Road, given its status as a future arterial road. Auckland Transport also shares this view. Refer to Section 3.8
- I recommend that the Trip Generation standard of the Precinct Provisions is updated to remove reference to trip generation, and instead refers to GFA only. I consider this will be easier to implement and monitor. Refer to Section 3.9
- I have reviewed the transport-related submissions, and note that the some of the changes requested to PPC107 are consistent with my recommendations above. Other submitters have asked for other transport amendments, which I consider aren't necessary to support the Plan Change from a transport perspective.

I am supportive of the Plan Change being approved provided my recommendations and outstanding concerns are satisfactorily addressed.

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APPENDICES

FLOW CLAUSE 23 INFORMATION REQUESTS AND APPLICANT RESPONSES APPENDIX A

APPENDIX B FLOW CLAUSE 23 INFORMATION REQUESTS AND APPLICANT RESPONSES

1 INTRODUCTION

This report has been completed by Harry Shepherd (Principal Transportation Engineer) and reviewed by Angie Crafer (Director). Angie and I are experts in the field of transport planning and engineering.

I hold a Bachelor of Engineering (Honours) degree specialising in Civil and Environmental Engineering from the University of Auckland. I have nine years of experience in the field of traffic engineering and have worked on numerous developments and roading projects across Auckland and New Zealand. I have previously acted as an expert witness in Council hearings in Auckland and Levin.

Neil Construction Limited (Applicant) has lodged a private plan change application to change the Auckland Unitary Plan. Private Plan Change 107 (PPC107) seeks to rezone some 47.5 ha of land in Whenuapai from Future Urban Zone to Business – Light Industry Zone. The private plan change seeks to apply a new Whenuapai Business Park Precinct over the land to manage effects of future development on the land and to apply the Stormwater Management Area Flow control.

The scope of this specialist transport report is to assist Council in determining the transport outcomes of PPC107 and includes the following

- A summary of PPC107 focusing on transport matters
- A review of the material provided to support the application for PPC107, and a discussion of the potential effects of PPC107
- Summary of submissions, relating to transport matters only
- My recommendations.

I have reviewed the following documents, as they relate to transport matters

- Application for Private Plan Change (as notified), prepared by Campbell Brown, dated 23 October 2024, including
 - Appendix D: Integrated Transport Assessment (ITA).
 - o Appendix E: Proposed Zoning Map
 - Appendix F: Proposed Whenuapai Business Park Precinct Provisions
 - o Appendix G: Proposed Whenuapai Business Park Precinct Plan
 - o Appendix H: Proposed Whenuapai Business Park Precinct Staging Plan
 - Appendix L: Transport Peer Review
 - o Appendix O: Infrastructure Report.
- Submissions as outlined in Section 4.

A SUMMARY OF THE SITE AND PPC107

This Private Plan Change request seeks to make changes to the Auckland Unitary Plan – Operative in Part (Unitary Plan) to enable the rezoning of multiple land holdings collectively referred to as the Whenuapai Business Park. The site comprises an approximate land area of 47.5 ha over 12 properties.

The request seeks to rezone the PPC land from Future Urban Zone to Business – Light Industry Zone. PPC107 seeks to apply a new Whenuapai Business Park Precinct over the land. The proposal is intended to enable a light-industrial business area to be established to support business and employment opportunities in Whenuapai and the wider north-west area.

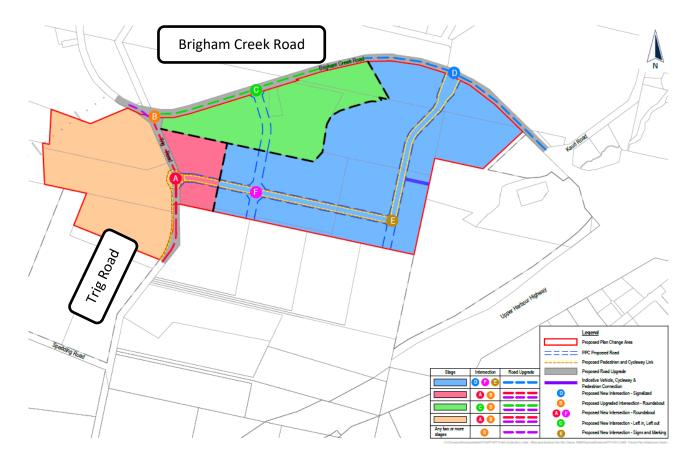
Key transport aspects of the Precinct include

- Transport infrastructure upgrades, which include
 - Road corridors
 - Upgrade of Brigham Creek Road along the site frontage
 - Upgrade of Trig Road along the site frontage
 - A new internal road network, comprising three indicative collector roads
 - Intersections
 - A new roundabout on Trig Road
 - Changing Brigham Creek Road / Trig Road priority-controlled intersection to a roundabout
 - A new left-in / left-out intersection on Brigham Creek Road
 - A new signalised intersection on Brigham Creek Road
 - Public transport
 - Signalised pedestrian crossings at the proposed new Intersection D on Brigham Creek Road, providing connection to bus stops
 - Provision of bus stops on Trig Road, Brigham Creek Road and the internal collector roads to be designed at a later stage
 - Walking & cycling
 - Signalised pedestrian crossings at the proposed new Intersection D on Brigham Creek Road, providing connection to the existing cycleway and footpath
 - Footpaths and cycle facilities on both sides of Brigham Creek Road, Trig Road, internal collector roads (except no cycle path proposed on the southern side of Brigham Creek Road, east of Intersection D)
- A staging plan, with 4 stages. Each stage has road upgrade prerequisites that must be constructed prior to occupation of buildings within that stage
- A trip generation threshold, where the cumulative extent of buildings within the Precinct shall not exceed 115,000 m² GFA unless a traffic monitoring report prepared by a suitably qualified expert

has demonstrated that peak hour trip generation from all existing or consented development in the Precinct does not exceed 725 vehicles per hour.

The Precinct Plan with infrastructure staging is shown in Figure 1.

Figure 1: Whenuapai Business Park Precinct Plan with infrastructure staging (Appendix H of the notified application)



3 MY REVIEW OF TRANSPORT MATTERS

A summary of all the transportation matters raised throughout my review, including Clause 23 information requests, is contained in Appendix B. The following subsections summarise the key transport matters raised during my review. My position is provided for each transport matter.

3.1 Transport assessment

As part of my review (prior to notification), I requested additional information from the applicant about their assessment of transport matters, specifically

- Years of assessment
- Traffic demands on the wider network (ie other traffic, not related to PPC107)
- Trip generation (all modes of transport)
- Vehicle trip distribution
- External transport upgrades assumed (for all modes of transport)

I used the information provided in considering the effects on all transport modes, as explained in the following sections.

3.2 Assessment of traffic effects

My concerns early in the Clause 23 process were to ensure that the traffic effects of PPC107 could be properly understood, so that any safety and operational impacts could be identified, and planned for, with appropriate mitigation.

The applicant provided justification for their traffic effects assessment methodology in the ITA and in Appendix L: Transport Peer Review.

- The methodology adopted assessed a 2030 future year for weekday morning peak (AM) and evening peak (PM) hour periods
- The traffic demands were based on traffic counts, collected in 2022 and 2024, and used a 2.6% linear traffic growth rate to project what traffic volumes would be in 2030. Added to this was the traffic predicted by Spedding Land Company Ltd as identified in the ITA prepared for approved Plan Change 69 (PC69)
- Two scenarios were assessed, one with and one without the additional PPC107 traffic (both at 2030). I note that I have provided separate commentary on the trip generation of PPC107 in Section 3.9
- SIDRA Intersection modelling software was used to model the key intersections, providing outputs that allow an assessment of intersection operational performance, including expected vehicle queuing and delays
- For the purposes of assessing traffic effects, the applicant assumed 60% of traffic would travel via the Brigham Creek Road Road / SH18 interchange and 40% via the Trig Road / SH18 interchange

 No external or unfunded roading upgrades have been fundamentally assumed in the traffic effects assessment.

Based on the information responses provided by the applicant, I am satisfied with the adopted methodology.

3.3 Traffic effects at key intersections

During my review, I asked for further information to understand the effects at several intersections in the local transport network, where PPC107 would increase the number of vehicle trips travelling through.

The applicant assessed the following intersections as part of their assessment

- Trig Road / new roundabout intersection (Intersection A)
- Trig Road / Brigham Creek Road roundabout (Intersection B)
- Brigham Creek Road / new left-in/left-out intersection (Intersection C)
- Brigham Creek Road / new signalised intersection (Intersection D)
- Brigham Creek Road / Kauri Road
- Brigham Creek Road / SH18 interchange
- Trig Road / SH18 interchange.

Brigham Creek Road is subject to a Notice of Requirement.¹ While currently closed for submissions, the Notice of Requirement provides a designation for Brigham Creek Road to be widened to four lanes with footpaths on both sides and separated cycle paths on both sides.

For Intersections A to D

- The Applicant proposes new or upgraded intersections
- I note that some of the Applicant's proposed upgrades on Brigham Creek Road are not in full accordance with the Notice of Requirement design, specifically in relation to the footpaths and separated cycle paths on both sides. This is due to property boundary constraints (between the Spark owned site and the New Zealand Defence Force Base) and topographical constraints (east of Intersection D). This means that Brigham Creek Road does not have four lanes between Intersections B and D. Furthermore, cycle facilities are only provided on the north side of Brigham Creek Road (east of Intersection D) whereas the Notice of Requirement design has cycle facilities on both sides
- Despite the intersection upgrades not being in full accordance with the Notice of Requirement, I
 consider that the Applicant's assessment in the ITA shows that the intersections can perform
 within their theoretical capacity when accounting for the PPC107 traffic predicted for 2030.

https://www.aucklandcouncil.govt.nz/plans-projects-policies-reports-bylaws/our-plans-strategies/unitary-plan/auckland-unitary-plan-modifications/Pages/details.aspx?UnitaryPlanId=178 (accessed 10 January 2024)

Pedestrians and people cycling will be able to make use of the signalised crossing facilities at the new signalised intersection to access the pedestrian/cycle path and bus stops.

I provide my comments on some specific intersections below.

3.3.1 Brigham Creek Road / Kauri Road intersection

Earlier in my review, I requested that the Applicant assess the Brigham Creek Road / Kauri Road intersection, as this was not included in the original ITA.

While no upgrades are proposed at this intersection as part of PPC107, the ITA now shows that this is not necessary for the traffic anticipated to be generated by PPC107.

3.3.2 SH18 interchanges

I requested further information earlier in my review to understand the effects at the SH18 interchanges at Brigham Creek Road and Trig Road.

I am satisfied with the Applicant's traffic modelling and assessment of the SH18 / Brigham Creek Road interchange, where the ITA predicts the northern roundabout will operate at 72% of its theoretical capacity in 2030 with PPC107 traffic.

For the SH18 / Trig Road interchange

- The Applicant identifies a potential safety concern in section 4.5.5 of the ITA
- Drivers are required to stop at the stop line at the SH18 off-ramp, giving way to traffic on Trig Road before proceeding. Even if they stop just beyond the stop line, there are visibility constraints when looking north. The additional traffic resulting from PPC107 will exacerbate an existing condition, and in my view safety risks will be adverse because of increase in traffic turning right from the off-ramp, and the increase in traffic continuing southwards, due to PPC107
- Based on the assessment provided in the ITA, the assessment relies on vehicles undertaking a twostage right turn manoeuvre using the flush median. To undertake this manoeuvre safely with the increase PPC107 traffic, I consider it is important to provide sufficient visibility
- The Applicant suggests visibility can be improved by sight benching and removal of vegetation on the corner of the right turn lane
- I note that there is no mechanism for this recommendation to be undertaken, let alone addressed on a regular basis, to ensure that future vegetation growth doesn't obscure sight lines. Including it in the Precinct Provisions could be problematic, as this land is owned and managed by the New Zealand Transport Agency (NZTA). Vegetation is an ongoing maintenance issue, and it is possible that the vegetation would regrow unless fully removed. Upon reviewing the final set of Clause 23 responses, I recommended that the applicant engage with NZTA to discuss mitigations
- This is an outstanding issue, and I am not satisfied that the potential safety impacts will be mitigated
- I note that the SH18 / Trig Road interchange is part of the Trig Road Notice of Requirement W1, which anticipates that both intersections at the interchange will be upgraded. However, this

Notice of Requirement is still subject to appeals and I understand that funding is not allocated for the upgrades. Therefore, this upgrade can't be relied upon as mitigation.

In summary, I have an outstanding concern that the visibility issues at the SH18 / Trig Road interchange will not be mitigated as there is no mechanism included in PPC107 for this to occur. I recommend that this be addressed by the Applicant in evidence.

3.3.3 Brigham Creek Road / Trig Road intersection

During earlier stages of my review, I raised concerns about the predicted operation of the Brigham Creek Road / Trig Road intersection, which the Applicant proposes to amend from a priority-controlled intersection to a roundabout.

During the Clause 23 phase, the Applicant updated the design of the roundabout to provide additional capacity at the roundabout by providing two lanes on the north approach.

I note that this change came with the trade-off of removing a pedestrian crossing on one of the approaches. The applicant stated that there is constrained space on Brigham Creek Road which prevents a pedestrian crossing and two lanes on the north approach being provided. I consider that it would be beneficial to have pedestrian crossings on all three approaches of the intersection, to ensure good connectivity is provided for pedestrians and cyclists. However, I acknowledge that pedestrian crossings on two of the approaches will enable pedestrians or cyclists to cross Trig Road and Brigham Creek Road. The design will ultimately be approved by Auckland Transport (as Road Controlling Authority), and I consider there could be some flexibility that could potentially allow pedestrian crossings and the proposed number of lanes. I consider that this can be considered during detailed design, and explored further, with Auckland Transport, at the engineering plan approval stage.

3.4 Safety assessment

I asked the Applicant for further information during my review to understand the potential transport related safety effects of PPC107.

The original safety assessment provided in an earlier version of the ITA focused only on the roads fronting the site, and I requested information to understand the safety record of the roads leading up to the state highway interchanges.

The updated assessment identified some safety concerns on Trig Road, where fatal injury and serious injury crashes had occurred. However, the speed limit on Trig Road was reduced from 80 km/h to 60 km/h following these crashes, which is expected to improve road safety (and no serious injury crashes have occurred since). Furthermore, the Trig Road / Spedding Road will be upgraded as required by the Spedding Block Precinct (PC69) prior to the occupation of any buildings. The Applicant for PPC107 has stated that an application for Engineering Approval for this intersection has been lodged by Spedding Land Company Limited under ENG60424841.

I am therefore satisfied with the safety assessment that has been undertaken.

As noted previously in Section 3.3.3, the SH18 / Trig Road interchange visibility is an outstanding safety issue.

3.5 Walking, cycling and public transport accessibility

During my review prior to notification, I asked for further information to understand the potential number of walking, cycling and public transport trips, and to understand if connectivity for these modes would be achieved.

Through Clause 23 responses, the Applicant predicted 95 walk trips, 95 cycle trips, and 95 public transport trips during peak periods, for the full-build development scenario.

The following facilities are proposed to cater for these modes

- All collector roads within PPC107 will include separated footpaths and separated cycleways
- Past PPC107, Trig Road will be upgraded to provide separated footpaths and cycleways on both sides
- Past PPC107, Brigham Creek Road will be upgraded to provide separated footpaths and cycleways on both sides. The exception is for the section between Kauri Road and Intersection D, where there is insufficient space to provide a cycle path on the south side due to topographical constraints
- Crossing facilities for pedestrians and cyclists will be provided on all approaches at the following intersections
 - Intersection A on Trig Road
 - Intersection B on Trig Road / Brigham Creek Road (except for the west approach)
 - o Intersection D on Brigham Creek Road
- Crossing facilities for pedestrians and cyclists will be provided on the PPC107 approach at Intersection C on Brigham Creek Road
- All internal collector roads, and the upgraded sections of Brigham Creek Road and Trig Road will be designed to accommodate buses, including bus stops. The bus stop form, locations and bus routes will be determined with Auckland Transport at resource consent and engineering plan approval stages.

These proposed facilities will connect to the existing walking and cycling paths on Brigham Creek Road, which connect to the Whenuapai Centre. The centre contains urban activities including dwellings, retail & commercial, and a primary school. I consider that it is important to have this connectivity, as it will allow future employees from the site to work and live in Whenuapai, without needing to rely on private vehicle travel to travel to and from work. Providing for public transport connectivity will also allow people in the local as well as the wider area to access the site via bus.

In summary, I consider that the walking, cycling and public transport provisions are sufficient to support PPC107.

3.6 Staging plan

Appendix H identifies the Infrastructure Staging of the Precinct Plan. This contains four different stages, which have corresponding road and intersection upgrade prerequisites. There are also perquisites should 2 or more stages be developed.

As part of my Clause 23 review, I asked for additional information to understand how certain stages would be developed, and how connectivity to the network would be achieved should certain stages be developed first. In response to my requests, the Applicant updated the staging plan to address my concerns.

Therefore, I am satisfied with the amended Infrastructure Staging Plan (Appendix H of the notified material).

3.7 Sight distances

I asked for further information about sight distances at the upgraded intersections as part of my earlier review.

The visibility drawings provided by the Applicant were generally acceptable, but I note that they showed that some sightlines pass within the site boundaries and outside the road boundary at the Trig Road / Road 2 intersection (for northbound vehicles looking right from Trig Road towards Road 2). Additional land will need to be set aside to ensure these sight distances can be achieved and will endure. I consider that these issues can be addressed as part of future subdivision applications.

3.8 Trig Road access restrictions

Throughout my Clause 23 review, I asked for further information and raised concerns about vehicle access onto Trig Road, specifically for the orange stage on the west side of Trig Road.

Trig Road is not currently subject to vehicle access restrictions as it is not classified as an arterial road under the Unitary Plan. However, it is anticipated as an arterial road under the Trig Road Notice of Requirement W1.

While Table 1: Road Function and Required Design Elements of the proposed Precinct Provisions acknowledges that the function of Trig Road is a Future Arterial, it states 'no' under 'access restrictions'.

I consider that it is important to limit the number of vehicle access points on an arterial road, due to its important function in the road hierarchy, as well as the higher traffic volumes anticipated on such roads. Otherwise, safety for all road users is compromised by the potential conflict points and different types of turning manouevres that can be undertaken. Furthermore, Trig Road will have dedicated cycling facilities and consolidating access for properties fronting the arterial road via a road, rather than private crossings, will provide better safety outcomes for cyclists.

As part of previous information responses, the Applicant stated that some access from the orange stage could occur from a fourth leg at the Trig Road / Road 2 roundabout. However, it was also stated that it

may not be possible for all access to occur from this fourth leg as there are three separate sites held under different ownership.

While there are existing vehicle crossings serving the three existing sites in the orange stage, these serve very low intensity activities that do not generate many vehicle trips. I consider that the use of existing vehicle crossings can't be relied upon for future industrial development that is anticipated by PPC107.

I consider there should be Vehicle Access Restrictions to limit new vehicle crossings on Trig Road, as it is a future arterial road. Vehicle Access Restriction controls still allow for access points to occur onto arterial roads, where it can be demonstrated that this is suitable, but encourage the number of accesses to be limited.

Future resource consent applications for new activities for any sites fronting Trig Road will need to be assessed against criteria in section E27 of the Unitary Plan. Without a Vehicle Access Restriction, there is a risk that once any new development or vehicle access has been constructed, then it would not be possible to restrict accesses retrospectively.

I note that Auckland Transport has raised the same concern in their assessment of PPC107.

As such, I support the following amendments to the Precinct Provisions, as outlined in Auckland Transport's assessment

- Introduction of policy 5A
- ◆ Introduction of (A5A) in Table I6XX4.1 Activity Table
- Introduction of Standard I1.6.2A Vehicle Access Restriction for Trig Road
- ◆ Introduction of I1.7.1(2) and I1.7.2(7) to provide assessment criteria
- Amend the Precinct Plan to show the Vehicle Access Restrictions along Trig Road.

I consider that these amendments allow vehicle access restrictions to be enforced on Trig Road, in a similar manner to how vehicle access restrictions would be applied on a typical arterial road under the Auckland Unitary Plan.

3.9 Trip generation assessment and development thresholds

The Applicant has provided a trip generation assessment in Section 4.3 of the ITA.

- Two trip generation scenarios have been provided
 - 950 vehicle trips per hour, based on a trip generation rate of 0.63 trips per 100 m² GFA (applied to 151,200 m² GFA)
 - 725 vehicles per hour, based on a trip generation rate of 20 trips per hectare (applied to an assumed developable area of 36 hectares). Using the trip generation rate above, this corresponds to approximately 115,000 m² GFA.

The ITA's traffic assessment is primarily based on the 725 vehicles per hour scenario, and the proposed intersection upgrades are based on the 725 vehicles per hour scenario.

To provide certainty regarding the suitability of the proposed intersections, the Applicant has proposed the 'I6.2 Trip Generation' standard in the Precinct Provisions. This states that "The cumulative extent of buildings within the Precinct shall not exceed 115,000m² GFA unless a traffic monitoring report prepared by a suitably qualified expert has demonstrated that peak hour trip generation from all existing or consented development in the Precinct does not exceed 725 vehicles per hour."

In my opinion, trip generation thresholds are difficult to monitor and implement. This is due to variances in daily and hourly volumes and the difficulty to monitor all trips for the entire precinct in the future, as trips to/from the precinct would need to be measured and isolated from other trips.

Therefore, I consider that the 'I6.2 Trip Generation' standard should be amended to account for the GFA threshold development only. Accounting for GFA only is an easier method to control development, and therefore the trip generation of the Precinct.

I note that Auckland Transport has raised the same concern in their assessment of the Plan Change.

As such, I support the following amendments to the Precinct Provisions, as outlined in Auckland Transport's assessment

- Introduction of policy 5B
- Amendment of (A5) in Table I6XX4.1 Activity Table to change from a Restricted Discretionary Activity to a Discretionary Activity status²
- Amendment of Standard I1.6.2 to remove the trip generation threshold
- Introduction of I1.8(3) to provide special information requirements
- Amendment of I1.7.2(6) to update the assessment criteria.

I consider that these amendments are suitable to reflect the change of removing the trip generation threshold and implementing a GFA cap only.

Should any development over 115,000 m² occur in the future, then it would be assessed as a Discretionary Activity. Under the revised assessment criteria, any development application above this cap would need to assess if any further transport infrastructure upgrades would be required to support additional transport effects.

² I am also supportive of Auckland Transport's alternative suggestion to 'tighten' the assessment criteria of I1.7.2(6) if the Restricted Discretionary activity status is retained

4 MY REVIEW OF SUBMISSIONS

A total of 6 submissions were received

- Submission 1 David Allen
- Submission 2 Maraetai Land Development Limited
- Submission 3 Cabra Developments Limited
- Submission 4 Watercare none for transport
- Submission 5 Auckland Council Submitter (ACS)
- Submission 6 New Zealand Defence Force

Details of the submissions and my comments are provided in Appendix A.

In summary, I consider that the following changes to PPC107 are required in response to the submissions

- I support in part Cabra Development Limited's concerns about Standard IX6.2 Trip Generation. I have recommended changes to this standard as outlined in Section 3.9
- I support Auckland Council Submitter's submission to impose vehicle access restriction on Trig Road. I have recommended changes to this standard as outlined in Section 3.8.

Other submitters have requested changes to PPC107 as summarised below. However, I have considered that these are not necessary to support PPC107, for reasons that I outline in further detail in Appendix A

- Seeks a walking and cycling path on Kauri Road
- Questions if upgrades should be provided to the Kauri Road / Brigham Creek Road intersection
- Seeks to amend the Precinct Plan and Precinct Plan (Infrastructure Staging) to show a fourth leg on intersection 'A' to provide access to the orange shaded area on the western side of Trig Road.

4.1 Local board feedback

The Upper Harbour Local Board provided feedback of PPC107 during a meeting held on 27 March 2025. The following feedback relates to transport

- support this plan change subject to matters raised in submissions by Watercare and Auckland Council are dealt with appropriately, otherwise we do not support this plan change
- note that the local board understands the importance of local employment in the Northwest and in Whenuapai, there is a need to deliver a variety of local employment opportunities close to residential neighbourhoods and where good transport connections exist
- support the view of Auckland Council that the plan needs to integrate transport, wastewater and water infrastructure and address funding of this infrastructure
- requests that as part of the plan change the applicant provide a vehicular connection from the new road in the business park to the Auckland Council Park at 161-167 Brigham Creek Road
- considers travel by active and public transport modes is vital for any development.

I have addressed the majority of these matters in Section 3 of this report.

For the matter relating to the vehicular connection from PPC107 to the Auckland Council Park at 161-167 Brigham Creek Road, I note that the Precinct Plan shows an 'Indicative vehicle, cycleway & pedestrian connection'. I consider that this is sufficient to address this connection, and provides flexibility for the exact form of the access to be determined at a later stage.

5 SUMMARY AND CONCLUSION

I have reviewed the PPC107 application documents and submissions.

In terms of the transport aspects of PPC107

- I am generally satisfied with the transport assessment that has been undertaken. Through my review during the Clause 23 process, the assessment has been updated by the Applicant to resolve the majority of my concerns
- I am satisfied with the Applicant's assessment of traffic effects and the traffic modelling methodology undertaken to assess those effects. I am satisfied that the majority of the traffic effects can be mitigated by the proposed intersection upgrades
- I am also satisfied with the walking, cycling and public transport accessibility as a result of the proposed transport infrastructure upgrades
- I have an outstanding concern that the mitigation identified by the Applicant to address visibility issues at the SH18/Trig Road interchange is not necessarily going to be implemented, and that this will result in adverse safety effects because of the increase in traffic resulting from PPC107. I recommend that the Applicant address this in evidence, including what mechanism could be included in PPC107 to ensure that appropriate mitigation is in place. Refer to Section 3.3.2 of my report
- I recommend that Precinct Provisions are updated to apply vehicle access restrictions on Trig Road, given its status as a future arterial road. Auckland Transport also shares this view. Refer to Section 3.8
- I recommend that the Trip Generation standard of the Precinct Provisions is updated to remove reference to trip generation, and instead refers to GFA only. I consider this will be easier to implement and monitor. Refer to Section 3.9
- I have reviewed the transport-related submissions, and note that the some of the changes requested to PPC107 are consistent with my recommendations above. Other submitters have asked for other transport amendments, which I consider aren't necessary to support the Plan Change from a transport perspective.

I supportive of the Plan Change being approved provided my recommendations and outstanding concerns are satisfactorily addressed.

APPENDIX A

Flow clause 23 information requests and applicant responses

Table 1: Submission summary (transport matters) and commentary

Submitter and sub point	Summary of submission point / relief sought	Flow comment	Status
David Allen paragraph (1)	Seeks a walking and cycling path on Kauri Road to provide a connection to the plan change area	During my review, I requested additional information about walking and cycling connectivity to the wider Whenuapai area, as outlined in Section 3.5. My main concerns were about connectivity to the existing walking and cycling facilities on Brigham Creek Road, and to the Whenuapai Centre (which contains residential development, commercial activities and a school). Based on the information provided, I am satisfied that connectivity to these areas will be provided.	Not support
		The Plan Change will provide walking and cycling connectivity up to the Brigham Creek Road / Kauri Road intersection via the existing and proposed (by the applicant) facilities on Brigham Creek Road. Crossing opportunities will be provided via new or upgraded intersections required by the Plan Change. While a new walking and cycling path on Kauri Road is not proposed, I believe this is not required as part of the Plan Change and can be provided as the Kauri Road area urbanises in the future.	
David Allen paragraph (2)	Questions whether upgrades should be provided to the Kauri Road / Brigham Creek Road intersection	As part of the earlier information requests, I asked for additional information about the impacts at the Kauri Road / Brigham Creek Road intersection, as outlined in Section 3.3.1. I am satisfied with the responses provided by the applicant, which show that an upgrade at this intersection is not required at this stage	Not support
David Allen paragraph (3)	Questions validity of the trip distribution data from the "Waka App", and whether this impacts on the transport assessment	During my review, I asked questions about the trip distribution assumptions used in the traffic modelling assessment. The applicant used a variety of sources to apply their trip distribution assumptions, including the Northwest SATURN models and other plan changes. Therefore, the assessment is not reliant on the Waka App, and no changes are required as a result.	Not support
Maraetai Land Development Limited paragraph (4)	Supports the plan change. The private plan change would establish employment land to support the existing and planned residential areas in Whenuapai, promoting the use of public transport and active modes, such as cycling, and reducing the dependency on private vehicles.	General comment, no response required	No comment required
Cabra Development Limited paragraph (12)	Cabra supports the Applicant's proposed upgrades to Brigham Creek Road, Trig Road, and the identified intersections, to the design intended by the Supporting Growth Alliance's Notices of Requirement.	I note that the upgrades proposed on Brigham Creek Road are interim upgrades when compared to the design intended by the Supporting Growth Alliance's Notices of Requirement, but do not preclude the ultimate upgrade from being provided.	Comment only
Cabra Development Limited paragraph (13)	Cabra supports the staged approach to the delivery of upgrades via the infrastructure staging plan (Drawing C-4800 revision E). These upgrades will not only mitigate the adverse effects of the plan change but also positively contribute to and enable wider urbanisation in Whenuapai, particularly the proposed upgrade of the Trig Road and Brigham Creek Road intersection.	General comment, no response required	No comment required
Cabra Development Limited paraphragma (18)	It is unclear whether the staging of development and infrastructure is required to be carried out in a particular order, and if so, what planning framework applies should an infringement arise in this regard. For example, if the area shown in blue is delivered first, what effects arise if Intersection A is not in place at the time of use and development (given Intersection A is not required to be delivered until the area shown in red is developed), and so on.	I understand that the Staging Plan can be undertaken in any order. I also note that the traffic modelling assessment is based on the full buildout. During my review, I asked for further information to understand how staging would be delivered under different scenarios. My main concern was about how connectivity would be achieved. As outlined in Section 3.6, I am satisfied with the Staging plan and the requirements for each stage.	Comment only

Cabra Development Limited 3.4	The Integrated Transport Assessment ("ITA") identifies at section 3.4 that the Precinct can accommodate up to 151,200m2 GFA of industrial activity. However, the ITA explains that modelling identifies that 'sensitivities' arise in the road network from the volume of trips (950 trips at peak hour) that would be generated from this GFA. The ITA identifies that reducing the volume of trips to 725 trips at peak hour would retain spare capacity in the traffic network, including when the proposed intersection and road upgrades are included in the model. On this basis, Standard I1.6.2 Trip generation proposes to cap gross floor area at 115,000m2 unless a traffic monitoring report demonstrates that 'peak hour trip generation from all existing or consented development in the Precinct does not exceed 725 vehicles per hour'. While acknowledging that at this early stage and without the intersection upgrades being place, a high degree of assumption is required to foreshadow traffic rates and distributions. We also acknowledge that this business plan change will create job opportunities for the existing and emerging local community, and traffic will be travelling to/from the plan change area from nearby locations, supporting the reduction of traffic demand on the networks otherwise travelling to the Metropolitan Centre, SH16 and SH18. However, there appears to be 'gap' in traffic generation in the immediate local network that does not appear to be mitigated by the proposed transport upgrades, being the difference in traffic of 725 and 950 vehicles per hour (peak). We query whether the precinct standards could or should require additional mitigation in order to reach the maximum build out of 150,000m2 GFA, and/or whether additional assessment criteria may be required to consider the need for other mitigation measures should the 725 vph be exceeded.	Refer to Section 3.9 I have recommended that Standard I6.2 is amended to remove the reference to trip generation and include a GFA cap only. This is due to the difficulties of implementing a trip generation cap. A GFA cap is effectively a proxy for trip generation. Auckland Transport also supports this change This revised trip generation cap is based on 115,000 m² GFA, which corresponds to the lower 725 vehicle per hour trip generation scenario assessed in the ITA. The modelling and transport infrastructure upgrades are based on this scenario. Any development application above 115,000 m² GFA would need to assess whether any further transport infrastructure upgrades are required to support additional trip generation. As the 151,200 m² / 950 vehicle per hour scenario is not referenced in the Precinct Provisions, it has no relevance. I therefore consider that the proposed change satisfies the submitters request to consider mitigation for trip generation exceeding 725 vehicles per hour (implemented via the 115,000 m² GFA cap).	Support in part
Auckland Council Submitter paragraphs (11) to (15)	Provides overview of the Future Development Strategy (FDS), with several transport infrastructure prerequisites. FDS identifies the timing for the plan change area is not before 2025+. It includes a statement that "some business can take advantage of existing capacity", noting that the infrastructure prerequisites listed are the projects to support full build out. Where infrastructure needed to support a plan change is not planned for in the Long Term Plan and Regional Land Transport Plan, it is incumbent on the Applicant to show how the infrastructure needed to service the development would be provided. A key concern for ACS is therefore that the plan change must adequately provide for the strategic integration of transport, wastewater and water infrastructure, and the planning / funding of such infrastructure, with land use, otherwise it would be contrary to the principles of the FDS. ACS acknowledges that the Applicant has gone some way to address issues relating to infrastructure prerequisites.	The Plan Change will not provide transport infrastructure in accordance with the FDS schedule. The applicant has proposed some roading upgrades to Trig Road and Brigham Creek Road, which is partially in accordance with the FDS perquisites. During my review, I asked for additional information to understand if the traffic generated by the Plan Change could be accommodated by the existing and proposed transport network. Through several iterations of information requests and responses, I have been largely satisfied that the proposed roading upgrades are sufficient to accommodate for the Plan Change (subject to resolving some outstanding transport matters raised elsewhere in this hearing report). I note that the ACS does not specifically ask for anything related to transport and the FDS, but notes general concerns. Given the FDS includes the statement that "some business can take advantage of existing capacity", I am satisfied that the Plan Change does not need to be in full accordance with the FDS prerequisites.	No action required
Auckland Council Submitter paragraphs (20) and (27f)	Seeks to amend the Precinct provisions, including Table 1, to impose vehicle access restrictions on Trig Road and to require consent as a restricted discretionary activity for the construction of vehicle crossings, with corresponding matters of discretion and assessment criteria based on E27.8.1(12) and E27.8.2(11). ACS is concerned that if the plan change is approved, the subsequent development has the potential to undermine the functioning of Trig Road as an arterial road. A proliferation of vehicle crossings on this section of Trig Road, close to the intersection with Brigham Creek Road has the potential to compromise the function and safety of Trig Road. As a future arterial, Trig Road is important to the wider transport network and future urban development of the wider area.	I support this amendment. I raised the same concerns as part of my review, as outlined in Section 3.8.	Support
Auckland Council Submitter	Amend the Precinct Plan and Precinct Plan (Infrastructure Staging) to show a fourth leg on intersection 'A' to provide access to the orange shaded area on the western side of Trig Road.	In summary, I consider it is not necessary to amend the Precinct Plan and Precinct Plan (Infrastructure Staging) to show a fourth leg on intersection 'A', provided that vehicle access restrictions are imposed on Trig Road.	Oppose subject to vehicle access restrictions being implemented on Trig Road

paragraphs (20) and	This would enable the number of vehicle crossings to be limited to ensure the intended functioning and	In principle, I support the intention to consolidate access in the orange shaded area,	
(27g)	safety of Trig Road as an arterial road.	via a fourth leg on intersection 'A'.	
		I raised similar concerns and asked for additional information during earlier stages of	
		my review. The responses provided by the applicant stated that the orange shaded	
		area has three separate land holdings held under different ownership. A fourth leg	
		could provide access to 96 and 96a Trig Road, but not necessarily 94 Trig Road. In	
		response to this, I noted that I believed there should be some mechanism to limit the	
		number of vehicle crossings on Trig Road and recommended that vehicle access	
		restrictions be introduced on Trig Road.	
		I note that 'Table 2: Intersection Type and Design' in the Precinct Provisions states	
		"future fourth leg could provide access to part of the PCA west of Trig Road". This is	
		also shown in drawing 47712-DR-C-8510, which shows a fourth leg on the	
		roundabout with a note stating "indicative access for 96A Trig Road".	
		I also note that this fourth indicative leg is not shown on the Precinct Plan or Precinct	
		Plan (Infrastructure Staging), which ACS has requested in their submission.	
		Considering the earlier responses provided by the applicant and the indicative fourth	
		leg provided in the Precinct Provisions, I consider that it is not necessary to show a	
		fourth leg on Precinct Plan and Precinct Plan (Infrastructure Staging).	
		However, this is on the basis that vehicle access restrictions are imposed on Trig	
		Road, which will limit the number of vehicle crossings and protect the function of Trig	
		Road as a future arterial road. In this scenario, any future development occurring in	
		the orange areas would need to assess the vehicle access restriction criteria in E27.	
		One of the criteria includes the extent to which a site can be reasonably served by	
		different access arrangements such as a shared or amalgamated access with another	
		site. If this criteria is applied, then it may naturally encourage shared access	
		arrangements.	
New Zealand	NZDF seeks to ensure that safe and efficient access to RNZAF Base Auckland (including by emergency	While this point has not been assessed in the ITA specifically, an assessment has	No action required
Defence Force	services vehicles) is not compromised by development enabled under PPC 107, and seeks consideration of	been provided of the local road network. While the Plan Change will generate	
paragraph (14)	traffic impacts on RNZAF Base Auckland.	additional traffic, the applicant has proposed several transport infrastructure	
		upgrades to mitigate effects.	
		Based on my review of the ITA, the transport upgrades will not directly impact the	
		immediate access points into the RNZAF Base Auckland.	
		The applicant proposes to upgrade the intersection of Trig Road / Brigham Creek	
		Road, which is located approximately 380 m from Tamatea Avenue, where the base	
		has its primary vehicle access. The traffic modelling results in the ITA do not predict	
		long queues on Brigham Creek Road from this intersection towards Tamatea Avenue,	
		which could potentially compromise access into the base. Therefore, I consider no	
		further action is required in response to this submission point.	

APPENDIX B

Flow clause 23 information requests and applicant responses

CL	CLAUSE 23 REQUESTS AND RESPONSES: TRANSPORT – FLOW TRANSPORTATION SPECIALISTS													
#	Topic	Specific Request	request	Applicant response 15/05/24	Flow comment 04/06/24		Applicant response 2/08/2024	Flow comment 16/08/24	request 16/08/24	Applicant response 30/08/24	Flow comment			
1	Crash history	Please undertake a crash history assessment of the roads leading up to the state highway interchanges, where development traffic is anticipated to access the wider network.	history assessment for the sections of Brigham Creek Road and Trig Road fronting the site. The ITA does not include a crash assessment of the wider network. The ITA predicts a relatively large increase of trips accessing the external network via the state highway interchanges. The ITA should assess the safety effects of these additional trips.	Section 4.6 of the updated Integrated Transport Assessment (Attachment B).	been undertaken for the wider area. Several serious injury and fatal injury crashes have been identified in the area between the Site and the SH18 / Trig Road ramps. The ITA states that these crashes are "outside of being quantifiably an adverse impact of WBPPC traffic". The trip distribution assessment indicates that over 300 vehicles per hour will be travelling on this section of Trig Road during peak periods, which may have adverse safety effects. This area of Trig Road is beyond the area that will be urbanised as part of the Plan Change. While there is an NOR to accommodate the future urbanisation of Trig Road, we understand that funding is not allocated for construction works.	assessment of the safety impact of the additional trips travelling on Trig Road between the Site and SH18, and any mitigation that may be required.	of the attached Technical Note prepared by Team (Traffic Engineering and Management Ltd) dated 24 July 2024 (Attachment A)	updated assessment for Trig Road. The assessment states that Trig Road has recently had a speed limit reduction which could improve road safety. The Trig Road speed limit reduction from 80 km/h to 60 km/h occurred in early/mid-2023 based on Google Streetview. Only 2 non-injury crashes occurred after this time, although this is a short time period to assess crash trends. We note that there has been one fatal injury and one serious injury crash reported at the Trig Road/Spedding Road intersection. While the speed limit reduction may result in some safety improvements, it is not clear whether it mitigates the existing safety issues. The plan change will increase the number of trips travelling through this intersection. Further assessment should be provided at this intersection	assessment of Trig	traffic response prepared by TEAM in Attachment A .	assessment has			
2	Modelling years of assessment	Please undertake additional/sensitivity tests of the effects on the road network using	The ITA has undertaken a modelling assessment for 2028. This	A Strategic Assessment and Modelling Overview Memo	Accept the reasoning for not using the 2038 SATURN model, which is subject to various assumptions as	whether it is realistic for the full buildout of the	Gantt chart on page 4 and comments on page	The new assessment provides a completion & occupancy date of 2030 (previously 2028), to reflect						

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#	Topic	Specific Request	request	Applicant response 15/05/24	1		Applicant response 2/08/2024	Flow comment 16/08/24	request 16/08/24	Applicant response 30/08/24	Flow comment
		a 2038 modelling scenario.	short term timeframe for all development within the site to be completed. Furthermore, traffic volumes in Whenuapai would be relatively	has been prepared by Don McKenzie Consulting and provides an indepth analysis of the rationale for the PPC modelling used.	Consulting. However, we still request further information is provided for the decision to use the 2028 year as the basis for undertaking all modelling.	modelling has been undertaken. Consider modelling in an alternative year if adjustments need to be provided.	(Traffic Engineering and Management Ltd)	project timeframes and a potential full buildout scenario. We support looking at this slightly pushed out timeframe.			
3	Traffic demands	Please provide a table of all of the traffic volume datasets and assumptions used in the traffic modelling assessment for each road and intersection assessed. Please confirm if there is any allowance for any other approved	states: "in a 2028 future year scenario that is based on a combination of the Auckland Forecasting Centre's 2028 travel demand forecasts and recent	Assessment and Modelling Overview Memo (Attachment I) has been prepared by Don McKenzie	Satisfied with the traffic demands which have allowance for PC69 traffic volumes. Traffic demands potentially subject to changes from year of modelling assessment, as per additional information request above.			engineer has updated their annual traffic growth rate assumptions from 5% to 2.6%. Their estimate of future traffic volumes make	distribution diagram to ensure volumes between intersections align, and update the modelling assessment as appropriate.	prepared by TEAM in Attachment A and by Abley in Attachment B.	Network modelling

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#	Topic	Specific Request	Reason request		Applicant response 15/05/24	1		Applicant response 2/08/2024	Flow comment 16/08/24	request 16/08/24	Applicant response 30/08/24	Flow comment
		plan changes or developments such as PC69 Spedding Road.	arithmetic gadded to 202 It is not clear two datasets 2028 travel of forecasts and traffic count been combin calculate the used in the assessment. Furthermore clear if these include addit traffic from of approved pla changes or development PC69 Speddi	r how the s of the demand of recent as have ned to be volumes e, it is not be datasets attional other an an ants such as	the PPC modelling used.				missing traffic volumes between intersections. For example in the AM peak, there appears to be 100 vehicles per hour missing between Kauri Road and the SH18 interchange for the southbound traffic (green text). This should be checked in case it affects the SIDRA modelling, and updated as required.			daily/hourly variations. No further information required.
4	Wider network upgrades	Please outline what wider network upgrades such as the SH16/18 Connections project, are inherently included in the modelling assumptions.	The ITA proving showing Tupu Ngatār Supporting Contections which has the potential to traffic volum SH16, SH18, Creek Road, Road extens bridge over State Showing Shidge over State Shidge Shidge Shid	ing the Te shi Growth Indicative	assumptions are based on the 2028 Saturn Model and do not include the SH16/18 connections project. Please refer to the updated Integrated Transport Assessment in Attachment B.	The SATURN Model Extracts memo provided by Abley outlines the model assumptions for the 2028 SATURN model. This is summarised again in the Don McKenzie Consulting memo. The 2028 SATURN model does not include the SH16/18 Connections project, but does include some other projects that may not be realistic (such as a Sinton Road bridge and a new connection between Trig Road and Kauri Road). The applicant has not used this SATURN model and has instead relied on using their own traffic volumes for their modelling assessment. For		Noted.				

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#	Topic	Specific Request			1			Flow comment 16/08/24		l · ·	Flow comment
			-	response		request 4/06/2024	2/08/2024		request 16/08/24	response	
				15/05/24						30/08/24	
			Clarification is		their SIDRA modelling						
			requested, whether		assessment, the applicant has						
			this or any other		not relied on any external						
			projects are assumed		roading upgrades, other than						
			to be in place by the		those proposed as part of the						
			Auckland Forecasting		Plan Change.						
			Centre and the travel		Therefore, the modelling in its						
			demand forecasts that		current form does not rely on						
			have been provided		upgrades being delivered by						
			for use in the ITA.		other parties. No further						
			We acknowledge that		information is required for						
			the SH16/SH18		this point.						
			Connections project is								
			currently unfunded								
			under the current								
			Auckland Regional								
			Land Transport Plan								
			2021-2031.								
<u> </u>											
5	Mode share	Please include a mode		Please refer to		Please provide anticipated			Please provide clarity		
	assessment	share assessment of			provided in Section 4.3 of the		3 and 8 of the attached		around the	•	may be difficult to
		trips that will be		updated	ITA. The information provided	·		The state time time time	assumptions regarding		
		generated by the	transport modes and	Integrated Transport	in the information response is			share data has been applied			proposed trip
		development,	only assesses effects	Transport		assessment.		to the see total peak hour	vehicle trip rates, and		generation cap (eg
		including ride-share, as well as walking and	of vehicle trip generation of the	Assessment (Attachment B).	term scenario.			trips, assessed in previous			due to variances in daily and hourly
		cycling and public			Mode share data is requested		· ·	iterations of the applicant's	vehicle traffic	Their presince	traffic volumes,
		transport trips.		The Supporting	to understand possible			assessment. By inference of		provision nas also	and needing to
			\		walking, cycling and public			that assessment (diagrams	appropriate.	peen proposed to	keep a record of all
		Please assess where these trips may travel	-		transport trips. This will be useful to understand			of vehicle trips included in modelling), these were		address the matters raised. The	l '
		from and to.	· ·	Performance	alongside the vehicle trips			vehicle trips.		provision includes	
			provides an estimate	Indicator	that are being assessed as			· ·		a development cap	the precinct.
		Please assess trip	•		part of the modelling			In their assessment of			including that may
		generation of the		public transport	assessment.			different modes of travel,		vehicle/hour limit.	-
		expected activities for		mode share by	assessificite.			the applicant's traffic		Please refer to the	
		the peak period of the activities outside		2048 and 2,300				engineer has assumed the 950 trips are split amongst			may also be
		commute times. Please	•	additional daily				different travel modes, with		apaatea i reemet	difficult to monitor
		consider effects on the		active mode trips.				725 vehicle trips per peak			all peak hour
		transport network if	accommodate those	The Whenuapai				hour (a reduction of 225			vehicle trips for the
		this occurs at the same		Business Park PPC				vehicle trips per hour).			entire precinct in
		tina occura at the saille	,	<u> </u>				vernere trips per nourj.			

# Topic Specific Request Reason for the	I						
request	Applicant response 15/05/24	Flow comment 04/06/24	Applicant response 2/08/2024	Flow comment 16/08/24	request 16/08/24	Applicant response 30/08/24	Flow comment
departure time. influence the vehicle	will contribute to achieving this outcome.			These 225 trips are assumed to instead be made by walking, cycling, public transport, or sharing a ride in someone else's vehicle. We note that the previous ITA report assessed the following for trip generation 1,180 trips per hour based on a rate of 0.78 trips per 100 m² GFA and an estimated developable area of 36 hectares 720 trips based on a rate of 20 trips per hectare 950 trips was adopted as a midpoint Our understanding is that the original trip rates are vehicle trip rates, instead of total person trip rates. Therefore, we consider that it is not appropriate to apply reduction factors for other travel modes to rates that originally accounted for vehicles only. This has the potential to underestimate the potential number of peak hour vehicle trips generated by the plan change. We note that the likelihood of walking, cycling and using public transport rely on connected and viable networks, supporting			the future, as vehicle trips to/from the precinct would need to be measured and isolated from other vehicle trips. No further information required at this stage, but amendments to this condition may be discussed at the next stage.

CL	AUJL ZJ I\L	QUESTS AND INES	JI ONSES. INANS	TOKT - FLOV	V TRANSPORTATION	JI LCIALISTS					
#	Topic	Specific Request	request	Applicant response 15/05/24			Applicant response 2/08/2024	Flow comment 16/08/24	request 16/08/24	Applicant response 30/08/24	Flow comment
								pedestrian crossings), with supporting land uses, that enable the shorter active mode trips to be made.			
6	Modelling trip distribution	Please update the trip distribution assessment to include trips to and from the northwest, and potential trips within Whenuapai. Please include a comparison of the distribution predicted in the Auckland Forecasting Centre's models. Please include an assessment of effects of these trips going northwest, including the SH16 / Brigham Creek Road roundabout.	includes a diagram of the trip distribution used in the assessment. This assumes that 2/3 of	Section 3.4 of the updated Integrated Transport Assessment (Attachment B).	The same trip distribution assumptions have been used as previous. Based on the SATURN Model Extracts memo provided by Abley and the Don McKenzie Consulting memo, the proportion of trips travelling to/from the northwest is very low. While the select link analysis from the SATURN extracts show some trips in the AM peak travelling from the Site towards the SH16 / Brigham Creek Road roundabout, this is likely influenced by the SATURN model road network. We acknowledge that the trip distribution assumptions are 'worst case' when assessing the SH18 interchanges. No further information required.			distribution has been updated to assign 40% of trips generated by the plan change to the Trig Road interchange, compared to 33% previously. The remainder of trips would be assigned to Brigham Creek Road East (60% assumed now compared to 67%	trip distribution to Trig Road. Should the trip distribution assessment show trips heading south on Trig Road towards/from Westgate, please assess effects at the Trig Road/Hobsonville Road intersection.	traffic response prepared by TEAM in Attachment A and by Abley in Attachment B. Regarding Trig Road/Hobsonville Road intersection, 253 WBPPC peak hour trips are predicted at this intersection which is based on the SGA SATURN model distribution at the SH18/Trig Road interchange. There is a long-term plan for this intersection to be	applicant is relying on external mitigation for the Trig Road/Hobsonville Road intersection, which may not be guaranteed. It is not clear on the timing of these possible external upgrades, and whether the trips generated by the plan change would require this upgrade to be provided earlier. This could be

CL	AUSE 25 KE	QUESTS AND KES	PONSES: IKANS	PORT - FLOV	V TRANSPORTATION	SPECIALISTS					
#	Topic	Specific Request	request	Applicant response 15/05/24			Applicant response 2/08/2024	Flow comment 16/08/24	request 16/08/24	Applicant response 30/08/24	Flow comment
			south onto SH16 by travelling through the SH16/Brigham Creek Road roundabout.					travel towards/from Westgate and the SH16 interchange. If this is the case, then there may be traffic effects at the Trig Road/Hobsonville Road intersection that should be assessed.			
7	Brigham Creek Road/Kauri Road intersection	Please include an assessment, including modelling, of the Brigham Creek Road/Kauri Road intersection. Please advise if the Auckland Forecasting Centre models include a new link from the Kauri Road intersection to Trig Road.	Brigham Creek Road/Kauri Road intersection is not provided in the ITA. As the current intersection is priority controlled, it may have operational and safety issues with the	Section 5.4 of the updated Integrated Transport Assessment (Attachment B) and the	SIDRA modelling results is now provided for the Brigham Creek Road / Kauri Road intersection. No further information required.		Noted.				

likely be longer, and may

ramp signal phasing. To

roundabout depending on the

assess these effects, the ramp

extend back into the

CLAUSE 23 REQUESTS AND RESPONSES: TRANSPORT – FLOW TRANSPORTATION SPECIALISTS Topic **Specific Request** Flow comment 04/06/24 information Applicant response Flow comment 16/08/24 Further information Applicant Reason for the Applicant Further Flow comment response request 4/06/2024 2/08/2024 request 16/08/24 response request 15/05/24 30/08/24 development occurs first. Modelling of Please model the SH18 The ITA includes Please refer to Ramp meter signals Please provide data of the Please refer to page 8 We have reviewed the Please calibrate the Please refer to the We note that while operational SH18 interchanges to include Section 4.5.5 and ramp signal phasing at of the attached modelling and have the Trig Road / SH18 traffic response the applicant has The ITA does not provide interchanges ramp meter signals, assessments of the .5.6 of the both SH18 interchanges. echnical Note following comments: assessment to take prepared by TEAM noted safety ramp meter signals in the using a network model, SH18 interchanges at ntegrated prepared by Team account of existing n Attachment A. concerns about Trig Road interchange SIDRA modelling. Instead, the Please include ramp eg SIDRA Network. (Traffic Engineering visibility Trig Road and Brigham Transport ight turn behaviour ITA provides a written signals to the SIDRA Two scenarios have been rom the SH18 off-Creek Road. The Assessment and Management Ltd) imitations, no assessment stating that the models to fully assess ested: with and without (Attachment B) intersections within dated 24 July 2024 specific provisions these do not need to be potential queuing. staged right turns. (Attachment A). the interchanges the Strategic are provided to included in the modelling as Should the right turns Please provide an We assume that the staged appear to be modelled Assessment and mitigate this. This the demands at the ramps are at the Trig Road offassessment of a base right turn has been Modelling s in NZTA in isolation, and do not lower than the capacity of a amp be predicted to SIDRA model of the SH18 / modelled so that right turns from the Trig Road off-ramp operate at/near full controlled land, so include ramp meter Overview Memo typical 5.5 second dual lane Brigham Creek Road (Attachment I). signals. will require their ramp metering system. capacity and long roundabout and calibrate would use the flush median nput. Ramp meter signals delays, please assess it However, the cycle may be this to existing conditions. to make an interim right should be included for any mitigation may be We recommend higher than 5.5 seconds If any changes to the turn, followed by a merge the interchange onthat the applicant equired. during peak periods, which roundabout settings are with the through lane on ramps, as these discusses potential could reduce the capacity. required as part of Note: we recommend Trig Road, which would generate queues that mitigation with Further information about the calibration, please use this that NZTA Waka improve the modelled NZTA. can impact the local existing phasing is requested to reassess the Kotahi is provided capacity road network. to confirm the capacity and development scenarios opportunity to provide The scenario without the Furthermore, each existing operation. comments on the staged right turn predict 99 interchange (with nodelling results at For the SH18 / Brigham Creek · 106% capacity would be ramp meter signals) he SH18 interchanges Road roundabout, the reached for the right turns should be modelled as at Brigham Creek demand for the on-ramp is from the off-ramp, with a network, as Road and Trig Road. approximately 1,150 vehicles long delays of 107 – 142 interchanges typically per hour in the PM peak. seconds per vehicle operate as a system Even if this is less than the The staged right turn and there may be potential capacity of 1,300 scenarios predict no queues from one vehicles per hour, there will capacity or delay issues. adjacent intersection still be queuing. Not all of However, we consider that to the next. these vehicles will arrive in a not many people will be These changes would uniform pattern, meaning the confident or willing to allow the effects and 95th percentile queues would undertake a staged right

turn

That the effects will be

somewhere between these

two extremes is not useful,

capacity of the

assessed fully.

interchanges to be

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#	Topic	Specific Request	Reason request		Applicant response 15/05/24		Applicant 2/08/2024	response	Flow comment 16/08/24	request 16/08/24	Applicant response 30/08/24	Flow comment
						signals should be added to the SIDRA models, using SIDRA network. General modelling of SH18 / Brigham Creek Road interchange At the SH18 / Brigham Creek Road roundabout, the 'BCR West' approach appears to be reaching close to capacity, with degree of saturation between 90-100% in morning and evening peak periods. If the degree of saturation exceeds 100%, the delays and queue lengths will likely increase significantly. We note that roundabouts can be sensitive to model in SIDRA, and SIDRA can often provide more capacity than reality. The ITA provides a modelling scenario of the development only, but not of the existing conditions, or the base scenario (with PC69 and 5% growth traffic). Given the sensitivities of this roundabout, we would like to request the applicant calibrates the base model to existing conditions, to ensure it is fit for purpose to model the development scenario.			given that this could result in the intersection operating close to its capacity. We would like to understand how often this occurs at present, and recommend that the assessment be updated to better reflect the likely occurrence to existing conditions. Should these right turn movements be near 100% capacity and show high delays, we believe this presents safety and capacity issues which may need to be mitigated We note that the Trig Road Notice of Requirement (NoR W1) has identified signalised intersections at the Trig Road on and off ramp intersections. Brigham Creek Road interchange Both the AM and PM peak modelled outputs with the proposed plan change traffic show that many approaches would be at 90 — 100% of capacity While there do not appear to be significant queues or average delays predicted at the SH18 Brigham Creek Road interchange, we note			
									that the operation of the			

0 2	CLAUSE 25 REQUESTS AND RESI CHOSES. TRANSFORT TEOW TRANSFORTATION SECUREISTS										
#	Topic	Specific Request	Reason for the request	Applicant response 15/05/24	Flow comment 04/06/24		Applicant response 2/08/2024	Flow comment 16/08/24	request 16/08/24	Applicant response 30/08/24	Flow comment
								interchange's 3 roundabouts will be very sensitive to any additional traffic, given some approaches are predicted to operate at 90-100% of capacity. Any additional traffic (either generated by the proposed plan change or on the network) may result in adverse operation of the interchange and consequently SH18 Given the potential impacts on the State Highway interchanges, we recommend that NZTA Waka Kotahi is provided opportunity to provide comments on the modelling results.			
9	Staging plan	Please provide an assessment of the Brigham Creek Road/Trig Road intersection and Brigham Creek Road corridor upgrades being required by multiple stages.	Appendix I of the application documents provides the proposed infrastructure staging plan of the development. The staging plan consists of four different stages, with corresponding intersection and road corridor upgrades required at each stage. This staging plan primarily requires these intersection and road corridor upgrades to occur for stage	updated Integrated Transport Assessment	reasoning provided in the ITA	intersection upgrade for 'B' should be provided as a prerequisite for the green stage, to facilitate U-turns to support the left-in / left-out access on Brigham Creek Road Please assess how active mode crossing facilities can be provided across Brigham Creek Road can be provided, should the green or red stages be developed first.	& 9 of the attached Technical Note prepared by Team (Traffic Engineering and Management Ltd) dated 24 July 2024 (Attachment A).	updated, so that intersection upgrade 'B' is provided as a prerequisite for the green stage. This addresses the first component of our previous request. In response to the request about pedestrian connections should the green or red stages be developed first, the green stage would have a pedestrian connection provided with the upgrade of intersection 'B'.	Please assess how pedestrians will be able to cross Brigham Creek Road and Trig Road safely should the red stage be developed first in isolation, to provide connectivity to the Whenuapai Centre. Please assess how pedestrian crossing points can be provided safely on Trig Road and Brigham Creek Road for potential bus stops, when considering	prepared by TEAM in Attachment A. Please refer to the updated Staging Plan in Attachment D.	provisions have been updated to resolve the previous requests. Additional note:

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#	Topic	Specific Request	request	Applicant response 15/05/24			Applicant response 2/08/2024	Flow comment 16/08/24	request 16/08/24	Applicant response 30/08/24	Flow comment
			areas adjacent to the upgrades. The intersection upgrade for 'B' (Brigham Creek Road/Trig Road) is tied to stage orange. However, trips occurring in the blue, green or red stages may use this intersection to access the wider network, and therefore require the intersection to be upgraded should these stages be developed first. Furthermore, some sections of the Brigham Creek Road corridor upgrade may be required for multiple stages to provide walking and cycling connectivity.		needed under the following scenario For the green stage if this occurs first, as the only access would be a left-in / left-out access which may encourage U-turns or travelling on the network for a longer distance. Providing the upgrade for 'B' would provide opportunities for U-turns to occur safely We also note that some staging scenarios may not provide walking and cycling connectivity to the Whenuapai centre to the northwest. If either of the green or red stages were developed first, then there would be no pedestrian or cycle crossing point across Brigham Creek Road to access the rest of Whenuapai. This would encourage travel via private vehicle only.			_			contradict the Tabe 1: Road Function and Required Design Elements, which specifies cycle and pedestrian provisions on both sides of Trig Road. Precinct provisions can be amended at the next stage for consistency.
10	Sight distance	Please provide vertical and horizontal sight distance assessments of each proposed intersection. Please assess SISD based on the Austroads criteria of a 2.0 second reaction time and the speed	provides assessments of sight distance available at the proposed intersections. The assessment focuses on horizontal	of the updated Integrated Transport	generally acceptable. Noted that vertical alignment will be designed at detailed design	at a future subdivision stage to ensure sufficient sightlines for vehicles can be achieved.	Noted.				

#	Торіс	Specific Request	request	Applicant response 15/05/24	Flow comment 04/06/24		Applicant response 2/08/2024	Flow comment 16/08/24	request 16/08/24	Applicant response 30/08/24	Flow comment
		environment (typically +10 km/h of the speed limit).	there are some	Distance Drawings (Attachment M).	vehicles looking right from Trig Road towards Road 2). Additional land may need to be set aside to ensure these sight distances can be achieved. This could be addressed as part of a future subdivision application.	request 4/06/2024	2/08/2024		=		
			SISD calculation is based on a 2.0 second reaction time, which is different to the calculation for the								

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#	Topic	Specific Request	request	Applicant response 15/05/24			Applicant response 2/08/2024	Flow comment 16/08/24	request 16/08/24	Applicant response 30/08/24	Flow comment
			Brigham Creek Road signalised intersection. For this roundabout, the speed environment should be increased to 50km/h if the vehicle entering speed is 40 km/h.								
11	Trig Road access	Please assess if direct access onto Trig Road can be safely provided if a fourth leg is not provided at the proposed Trig Road / WPRPC roundabout.	ITA assesses the Trig Road / WBRPC internal road roundabout. The roundabout is designed to have three legs, consisting of two legs on Trigg Road and one leg on the WBRPC internal road network. No fourth leg to the west is shown in the plans, which would provide access to the orange stage in Appendix I Staging Plan. We note that Section 4.5.2 of the ITA states: "There is potential for the proposed Trig Road roundabout to also provide access to the WBPPC land on the western side of Trig Road, alternatively this land can be accessed directly by utilising the	Section 4.5.2 of the ITA. A fourth leg would provide access to 96 and 96a Trig Road, but would not provide access to 94 Trig Road. Existing and separate vehicle access is provided to 94, 96 and 96A Trig Road and these sites are held in different ownership. The existing access is safe and efficient. Future access will be subject to the provisions of E27 Transport. Site access can be	Table I6XX Road Function and Required Design Elements identifies Trig Road as 'Future Arterial' and has access restrictions. This would be triggered by a future subdivision application. No further information required.		Required Design Elements Tables acknowledges that Trig Road is likely to be an arterial road in the future. However, for the purposes of this PPC it is not an arterial road and access restrictions will not apply under the Auckland Unitary Plan until the appropriate process is undertaken by Auckland Transport. A further response was provided for a similar request from Auckland Transport as below: We disagree for the reasons provided within the Clause 23 response dated 15 May 2024. This response is provided below for ease: Whilst Trig Road will most likely be an	existing vehicle crossings and separate sites, but consider there should be a mechanism to limit new vehicle crossings on Trig Road, as it is a future arterial road. Vehicle Access Restriction controls still allow for provision of access points onto arterial roads (where suitable), but encourage the number of accesses to be limited. If a fourth leg on the west side is not provided at the Trig Road / Road 2 intersection, then more vehicle crossings may be required on Trig Road. While Trig Road is a 'future arterial', once any new development or vehicle	compromise' with identified access points and Vehicle Access Restrictions on Trig Road.	traffic response prepared by TEAM in Attachment A. A plan identifying an access point is provided on Drawing No 47712- DR-C-8103, which is on a new western leg of the proposed roundabout access to WBPPC.	that a fourth leg could be provided. This is indicatively suggested in 'Table 2: Intersection Type and Design', although it is possible that only three legs could be provided under the current conditions.

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#	Topic	Specific Request	Reason request	for th	e Applicant response 15/05/24			Applicant response 2/08/2024	Flow comment 16/08/24	request 16/08/24	Applicant response 30/08/24	Flow comment
			If no fourth roundabout currently puthen the asshould convehicle according provided find Road, and sufficient with the separation adjacent in can be provided for the currently of a local road Unitary Plate Notice of For Trig Roanticipates an arterial	h leg at the ut is proposed, ssessment asider direct cess being from Trig ensure visibility and from attersections vided. Road is classified as d in the an, the Requirement ad sthis being road, which icle access in the an could				currently and the introduction of a vehicle access restriction will impose additional consenting requirements that are not necessary or required until the road is an arterial. Existing and separate vehicle access is provided to 94, 96 and 96A Trig Road and these sites are held in different ownership. The existing access is safe and efficient. Future access will be subject to the provisions of E27	Vehicle Access Restrictions could encourage the construction of many vehicle crossings. We maintain our position with regard to Vehicle Access Restrictions on Trig Road. However, we are interested to understand how a 'workable compromise' would function.			
								that some business can				

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#	Topic	Specific Request	Reason request	for the	Applicant response 15/05/24			Applicant response 2/08/2024	Flow comment 16/08/24	request 16/08/24	Applicant response 30/08/24	Flow comment
								take advantage of existing capacity, making the timing a non-issue. The timing in the FDS is unrelated to VAR control. In this case, VAR control is not necessary to mitigate effects, until Trig Road is upgraded to an arterial in the future. Future development would occur in accordance with the Unitary Plan requirements in place at the time.				
12	Brigham Creek Road / Trig Road roundabout					evening peak period show	sensitivity assessment of the Brigham Creek Road / Trig Road roundabout to determine when two lane approaches may be required.	of the attached Technical Note prepared by Team (Traffic Engineering and Management Ltd) dated 24 July 2024 (Attachment A). Replacement road design drawings are attached as Attachment B - Road Upgrade Drawings, showing the addition of a double lane on the northern side of the roundabout. Details are amended in	roundabout is predicted to perform within capacity with the adjustments made to the intersection layout. However, we note that the modelled layout has removed the pedestrian crossings on the west Brigham Creek Road approach. The updated roading plan also does not include a pedestrian	can be provided on the west Brigham Creek Road approach of the Brigham Creek Road / Trig Road roundabout.	traffic response prepared by TEAM in Attachment A. We do not consider a safe pedestrian crossing can be provided on the west BCR approach at a point where a safe median refuge can be provided between single opposing traffic lanes. The Brigham Creek Road reserve is constrained between two NZDF owned land parcels which prevents widening the	previous iterations of the design had a pedestrian crossing, before the additional traffic lane was added on the west approach. While the applicant notes some land constraints, they own some land on the southwest corner of the proposed roundabout. There may be potential

#	Topic	Specific Request	Reason request	Applicant response 15/05/24	Flow comment 04/06/24	Applicant response 2/08/2024	Flow comment 16/08/24	request 16/08/24	Applicant response 30/08/24	Flow comment
					each approach. If the roundabout is close to reaching capacity, then it may need to be future proofed to accommodate the NOR design of two lanes on each approach. Recommend a sensitivity test is completed to show a threshold where the two lane design may need to be provided.	The Team response provides further detail as follows: An additional circulating lane has been added to the roundabout design, refer to the revised design below and the full trig Road upgrade design in Appendix E on page 53. The SIDRA model output of this roundabout design is provided on pages 30-35 in Appendix B. This roundabout design has acceptable spare capacity in 2030 with the Whenuapai Business Park traffic. The peak 85th percentile queue length modelled is 32 metres for BCR west and 57 metres for BCR east, with the degree of saturation less than 0.7, which provides confidence that extended two lane			the below plan that dimensions the road reserve width constraint of 20 metres.	considering other



Memo (technical specialist report to contribute towards Council's section 42A hearing report)

(April 2025)

To: Myles Anderson, Policy Planner, Plans and Places

From: Lee Te, Senior Healthy Waters Specialist, Healthy Waters and Flood Resilience

Carmel O'Sullivan, Senior Healthy Waters Specialist, Healthy Waters and Flood

Resilience

Brooke Waterson, Principal Waterways Planning, Healthy Waters and Flood

Resilience

James Taylor, Consultant Engineer, Healthy Waters and Flood Resilience

Subject: PC 107 (Private): Whenuapai Business Park, 69-73, 94-96A Trig Road and 141, 145,

151, 153, 155-157, 159, 163 Brigham Creek Road, Whenuapai - Stormwater and Flood

Assessment

1.0 Introduction

- 1.1 We have undertaken a review of the proposed private plan change (PPC) PC 107 (Private): Whenuapai Business Park from Neil Construction Limited, on behalf of Auckland Council in relation to stormwater and flood effects. The PPC 107: Whenuapai Business Park aims to rezone 47.5ha of Future Urban Zone land to Business Light Industry Zone and to propose the Whenuapai Business Park Precinct for the PPC 107 area.
- 1.2 Lee Kong Te hold a Master of Urban Planning (Professional) and Urban Design from the University of Auckland. Ms Te is an intermediate member of the New Zealand Planning Institute. Ms Te is a Senior Healthy Waters Specialist in the Resource Management team and provides input into resource consents and plan changes.
- 1.3 Carmel O'Sullivan holds a Bachelor of Engineering from Cork Institute of Technology. Ms O'Sullivan is a Chartered Professional Engineer and a Chartered Member of Engineering New Zealand. She is a Senior Healthy Waters Specialist in the Catchment Planning team. Ms O'Sullivan is the catchment manager for Whenuapai and provides input into development in Whenuapai.
- 1.4 Brooke Waterson holds a Master of Science in Earth Sciences from the University of Auckland. Ms Waterson is a Healthy Water Specialist – Water Quality and Land Advisor in the Waterways Planning team and provides input into stream assessment and restoration.
- 1.5 James Taylor holds a Bachelor of Engineering, Civil and Environmental Engineering from the University of Auckland. Mr Taylor is a water infrastructure engineer and team lead at Weir Consulting Engineers.

- 1.6 We have read the Code of Conduct for Expert Witnesses, contained in the Environment Court Consolidated Practice Note (2023) and agree to comply with it. We can confirm that the issues addressed in this memorandum are within our respective area of expertise and that in preparing this memorandum we have not omitted to consider material facts known to us that might alter or detract from the opinions expressed.
- 1.7 In writing this memorandum, we have reviewed the following documents:
 - PC 107 Private Plan Change Request
 - PC 107 Appendix A Ecological Impact Assessment
 - PC 107 Appendix E Proposed Zoning Plan
 - PC 107 Appendix F Proposed Whenuapai Business Park Precinct Provisions
 - PC 107 Appendix G Proposed Precinct Plan
 - PC 107 Appendix H Proposed Staging Plan
 - PC 107 Appendix K Flood Risk Hazard Report Part 1
 - PC 107 Appendix K Flood Risk Hazard Report Part 2
 - PC 107 Appendix M Engineering Peer Reviews
 - PC 107 Appendix N Stormwater Management Plan
 - PC 107 Appendix X Stream Condition Assessment
 - PC 107 Appendix Y Stream Erosion Assessment
 - PC 107 Clause 23 Response Tables
 - Submissions received for PC 107 raising stormwater and flooding related issues
- 1.8 This memorandum provides a technical review of the assessment of stormwater and flood effects, addresses submissions and assists the reporting planner's preparation of the hearing report in accordance with section 42A of the Resource Management Act.

2.0 Key Stormwater and Flood Issues

- 2.1 The key stormwater and flood issues are:
 - the downstream flood effects on property and infrastructure and the proposed management
 - assessment and interpretation of the flood modelling information
 - the adequacy of the proposed water quality treatment for roofs
 - the adequacy of the proposed stream hydrology and erosion mitigation

3.0 Whenuapai Structure Plan 2016 and Whenuapai Stormwater Management Plan

- 3.1 The Whenuapai Structure Plan was developed in 2016. The Whenuapai Structure Plan area includes the Whenuapai Air Force Base, the Whenuapai Village, the Whenuapai Centre, coastal inlets and waterways of the Upper Waitematā Harbour, see Figure 1. The two key objectives of the Whenuapai Structure Plan that relate to stormwater and flood effects are;
 - 5. The provision of infrastructure
 - timely public water, waste water and transport network infrastructure meets the growing needs of Whenuapai

- a water-sensitive design approach manages stormwater and utilises the existing stream network.
- 6. Enhance the natural environment and protect natural heritage
 - freshwater quality throughout the catchment is enhanced over time
 - scheduled natural heritage is protected
 - the overall biodiversity of the area is improved over time
 - environmental constraints, such as coastal erosion and contaminated land, are adequately managed
 - sedimentation of the Upper Waitematā Harbour is carefully managed through subdivision and development processes.

A key theme from the public engagement for the Whenuapai Structure Plan (2016) is the importance of the health and management of the waterways in Whenuapai and the Waitematā Harbour.



Figure 1. Whenuapai Structure Plan, with the PPC 107 area indicated by the red circle, source Auckland Council 2016

3.2 The Whenuapai Stormwater Management Plan (WSMP) by AECOM, dated August 2016, was prepared for the Whenuapai Structure Plan to support and promote sustainable long-term urban development and to use principles of Water Sensitive Design. The Whenuapai 3 Precinct: Stormwater Management Plan (W3PSMP) by 4Sight Consulting, dated September 2017 was developed to support a Whenuapai 3 Precinct plan change (PC 5 Whenuapai), (see Figure 2). The recommendations in the W3PSMP were a summary of the WSMP. PC 5 Whenuapai was withdrawn in full on 16 June 2022 by Auckland Council because of funding constraints for transport infrastructure to address adverse traffic effects generated by the

proposed PC 5 Whenuapai. The W3PSMP was not adopted under the Auckland Council Regionwide Stormwater Network Discharge Consent (NDC).



Figure 2. PC5 Whenuapai area, source Whenuapai 3 Precinct: Stormwater Management Plan (W3PSMP), dated September 2017

4.0 Applicant's Stormwater and Flood Assessment

4.1 The PPC 107 seeks to rezone Future Urban Zone land to Business – Light Industry Zone and to propose the Whenuapai Business Park Precinct for the PPC 107 area. The PPC 107 area currently is mainly used for farming and other rural activities. Figure 3 shows the proposed Whenuapai Business Park Precinct Plan for the PPC 107 area including the streams, wetlands, riparian margins and transport connections.

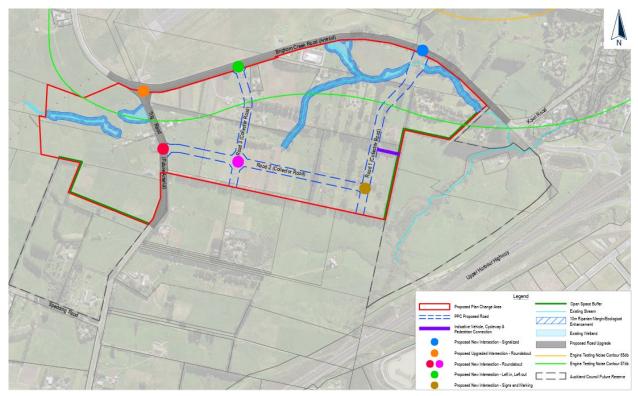


Figure 3. Whenuapai Business Park Precinct Plan, source the Section 32 Assessment Report, 23 October 2024

4.2 A stormwater management plan (SMP) by Cato Bolam, dated 22 October 2024 is proposed for the PPC 107 area. The proposed SMP outlines how stormwater and flooding will be managed for the PPC 107 area. It was stated by Cato Bolam in the SMP that the proposed SMP was based on The Whenuapai 3 Precinct Stormwater Management Plan (W3PSMP) and included the requirements of the Auckland Council Regionwide Stormwater Network Discharge Consent (NDC). A summary of the main matters proposed in the SMP by the applicant are outlined below and an assessment will be provided in Section 5 of this memorandum.

Proposed Stormwater Management Plan (SMP)

4.3 The PPC 107 area is divided into two catchments, PCA1 and PCA2, see Figure 4. PCA1 is to the east of Trig Road and is part of the Waiaroa Stream Catchment, the stormwater discharges into the Waiarohia Stream to Waiarohia Inlet and into the Upper Waitematā Harbour. PCA2 is to the west of Trig Road and is part of the Whenuapai Catchment, the stormwater discharges to Sinton Stream.



Figure 4. Diagram of area for PCA1 and PCA2, including box culvert (purple line) on Brigham Creek Road, overland flow paths, flood plains and flood prone areas from Auckland Council GeoMaps, source the proposed SMP, 22 October 2024

- 4.4 There is no existing public stormwater network in the PPC 107 area, other than culverts including the 4m box culvert under Brigham Creek Road (see Figure 4).
- 4.5 Section 1.8 of the proposed SMP states that PCA1 has overland flow paths and flood prone areas, see Figure 4). PCA2 has minor flood plains and overland flow paths. Flood modelling of flood plains and overland flow paths shows similar results with Auckland Council's GeoMaps, and any differences is a result of survey information that includes recent earthworks.
- 4.6 Figure 5 below shows PCA1 has a permanent stream (Waterway 2) and three intermittent streams (Waterway 3, 4, and 5), and there are wetlands (Wetland A and Wetland B). Wetland A is within the flood plain of Waterway 2. PCA2 has an intermittent stream (Waterway 14), and several wetlands (Wetlands C, D, E, F, and G).



Figure 5. Diagram of the streams and wetland in the PPC 107 area, source the Ecological Impact Assessment, October 2024

- 4.7 Section 1.6 of the proposed SMP states that the assessment by Viridis Environment Consultants found that "the condition of the waterways within the PCA was good and that there was largely no evidence of erosion, scour or other bank damage. This includes a "before and after" comparison of the main stream using dated photos to assess any damage caused overtime and in particular by the early 2023 significant rain events".
- 4.8 Section 2.1 of the proposed SMP states that the proposed SMP has been prepared in accordance with the NDC and if not adopted under the NDC a private diversion and discharge consent would be sought.
- 4.9 Section 3.1 of the proposed SMP states that Te Kawerau ā Maki provided a cultural impact assessment (CIA) for PCA1. The CIA indicates that the stream is the key cultural feature of the PCA1 site and requires protection. The SMP proposes to address this by providing hydrologic mitigation to reduce runoff from impervious areas, riparian planting of 10m on either side of the stream, and treatment of stormwater runoff from roads.
- 4.10 Section 6.28 of the proposed stormwater management plan states that for development staging during the future development of the individual lots, private stormwater management networks will be designed to service the lot to ensure retention and detention requirements and water quality treatment are provided. The public stormwater network will be designed to manage the stormwater runoffs in a 10% AEP storm event. Runoffs from roads will be collected by the cesspits after treatment in bioretention devices before discharging into the public stormwater network.
- 4.11 Section 6.0 of the proposed SMP sets out the principles for stormwater management and the proposed stormwater management for the PPC 107 area. The proposed stormwater management is summarised in Figure 6 below.

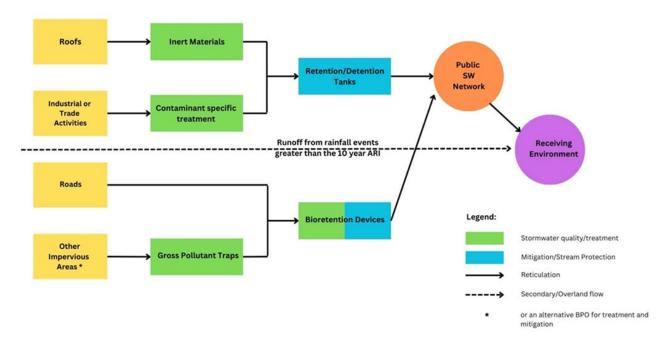


Figure 6. Diagram of proposed stormwater management for the PPC 107 area, including details about devices, water quality treatment and stream hydrology approach, source the proposed SMP, 22 October 2024

Stream Hydrology and Erosion

- 4.12 The increase in impervious surface will increase the flow rate and volume of stormwater runoff into the stream. This change in hydrology unless managed can have a significant adverse effect on streams, including stream erosion and bank instability, and unhealthy aquatic ecosystems. Mitigation based on Chapter E10 Stormwater management area Flow 1 (SMAF1) is proposed, this includes retention for 5mm stormwater runoff and detention for the 95th percentile is proposed for stream hydrology mitigation. This will be provided in tanks for roofs and buildings, and bioretention devices (rain gardens and swales) will be used for roads and other impervious areas. Bioretention devices will provide detention only and the retention volume will be allowed for as additional detention volume in the roof tanks.
- 4.13 It is also proposed that works in the stream will be required for removing existing culverts, removing artificial areas of ponding, construction of one or more bridges and planting. The removal of the existing culverts and reinstatement of the stream bed will restore the waterways and promote ecological and biodiversity values. Future developments will have at least a 10m setback from the top of the stream bank, and there will be 10m riparian planting on either side of the stream and wetland.
- 4.14 Green outfalls will be used where practicable and will comprise a riprap section to reduce the velocity of discharge and provide erosion protection, and a planted channel section to provide further water quality treatment. Stormwater outlets will be set back from the stream and multiple stormwater outlets will be used where feasible to minimise the peak flows at discharge points while maintaining the water balance to streams.

Water Quality

- 4.15 Water quality treatment is provided by requiring that stormwater runoff from all impervious areas (excluding inert roofs) to be treated in accordance with the requirements of Stormwater Management Devices in the Auckland Region (GD01 and TP10) for the relevant contaminants. Roofs and buildings will be constructed out of inert material. The poor infiltration rate of the soil limits the hydrological mitigation of the bioretention devices to detention only, and the retention volume will be allowed for as additional detention volume in the roof tanks. For the public road most likely bioretention devices (raingardens and swales) will form the bulk stormwater management devices.
- 4.16 Stormwater wetlands are not appropriate to provide water quality treatment because of the risk of bird-strike issues at the Whenuapai Airbase. However, large detention/wetland basin if selected, must be constructed as 'dry basins'. This can be located on the south of Brigham Creek Road.
- 4.17 The 10m riparian planting on either side of the stream will also provide filtration of surface runoff and reduce contaminants and sediments entering the waterways.

Flooding

- 4.18 Overland flow paths will be managed or re-routed to avoid effects on properties and the downstream environment and resource consent will be used if there are any alterations to the entry and exit points. The overland flows will depend on the final contours during future subdivisions and detail design. The existing and future public or private roads should be utilised to convey the overland flow paths where possible. Overland flow paths will be used for stormwater runoffs greater than a 10% AEP storm event.
- 4.19 For the 10% Annual Exceedance Probability (AEP) storm event it proposed that the primary stormwater network will be built to accommodate this for the Maximum Probable Development (MPD) imperious area and with climate change accounted for in accordance with the Auckland Code of Practice for Land Development and Subdivision Chapter 4: Stormwater (SWCoP).
- 4.20 Flood modelling was carried out for the 1%, 10% and 50% AEP storm events with MPD of 90% impervious area and 3.8 degree climate change to assess flood effects on downstream environment and properties. The flood modelling assessment shows that the flood extent from the future development of the PPC 107 area, area generally contained within the stream channel or riparian margin, See Figure 7 and Figure 8. No habitable floor levels are affected in the 1% AEP storm event as a result of the future development in the PPC 107 area. The PPC 107 area is located in the lower half of the catchment. Excluding the increase in stormwater runoff in the stream in PCA1, the flooding effects in the PPC 107 area can be managed by earthworks, new roads and building platforms. Overall, the difference in flood extent between pre development and post development is not significant therefore no mitigation is proposed for the 1% AEP storm event for the additional stormwater runoff generated from the future development in the PPC 107 area.

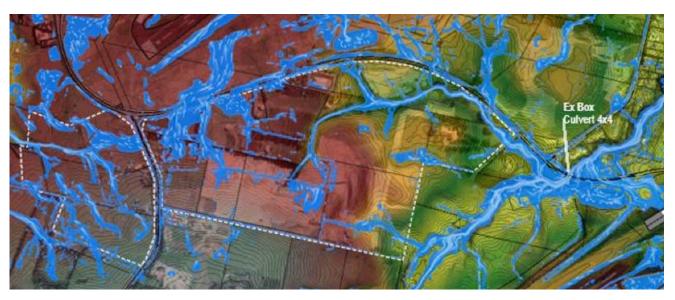


Figure 7. Pre development of flood extent from flood modelling with 3.8 degree climate change in a 1% AEP storm event , source the proposed SMP, 22 October 2024



Figure 8. Post development flood extent from flood modelling with 3.8 degree climate change in a 1% AEP storm event , source the proposed SMP, 22 October 2024

4.21 Future buildings will be located outside the flood plains and have minimum freeboards in accordance with the SWCoP, NZS4404, and the New Zealand Building Code. The proposed bridges within PCA1 will be designed to convey the 1% AEP storm event post development flow with climate change and will have the required freeboard.

Brigham Creek Road

4.22 The 4m box culvert under Brigham Creek Road has capacity to convey the 1% AEP storm event including the additional flow from the future development of the PPC 107 area. The flood extent between pre development and post development scenarios are very similar and "the effects on adjacent properties is less than minor", this also applies to sections of Brigham Creek Road. The 1% AEP storm event flood extent appears to be contained within the stream channel and riparian margin downstream of the box culvert. The flood depth on roads will comply with the Auckland Transport requirements.

131-137 Brigham Creek Road, New Zealand Defence Force

4.23 The flood modelling shows that the flooding effects on 131-137 Brigham Creek Road will be improved as the post development flow discharging to 131-137 Brigham Creek Road will reduce from 0.58m³/s to 0.08m³/s in a 1% AEP storm event.

139 Brigham Creek Road, New Zealand Defence Force

4.24 The flood modelling shows that the post development scenario flow discharging to 139 Brigham Creek Road will increase from 2.87m³/s to 3.52m³/s (2.94m³/s to 3.50m³/s) in the FFHRAR), however, the increase in flow will be contained within the flow channel. No habitable flood is expected to be flooded in a 1% AEP storm event.

161 Brigham Creek Road, Auckland Council and 163 Brigham Creek Road

4.25 The flood modelling shows no habitable floor will be flooded, however the driveway at 161 and 163 Brigham Creek Road will be affected. The existing culverts are under

capacity and the driveway overtops. The driveway will not be accessible in both pre development and post development scenarios in a 1% AEP storm event. Mitigation options include flood warning signage and upgrading the culverts to 1800mm diameter culverts. The larger culverts would convey the additional flow up to the 1% AEP storm event and provide an additional 20% capacity to allow for partial blockage. It is noted that the driveway is also subject to Auckland Transport Notice of Requirement (W3) Brigham Creek Road.

162 Brigham Creek Road

4.26 The flood modelling assessment shows the flood depth around the building at 162 Brigham Creek Road will remain unchanged in the post development scenario at 50% blockage at the box culvert, as the building has an existing floor level (RL9.13m) that is above the modelled flood level (RL9.08m) in a 1% AEP storm event with climate 3.8 degree climate change.

SEC 14 SO 421598, Brigham Creek Road, Watercare Services Limited

4.27 The Whenuapai Transmission Pump Station is located within an existing flood plain and flood prone area. Flood modelling shows that in the post development scenario in a 1% AEP storm event and the 4m box culvert under Brigham Creek Road is not blocked the increase in flood level is 30mm with climate change and 10mm without climate change and that "this effects is considered less than minor".

Flood and Flood Hazard Risk Assessment Report (FFHRAR)

4.28 The Flood and Flood Hazard Risk Assessment Report (FFHRAR), dated 18 October 2024 outlines the details of the parameters used in the flood modelling assessment. Figure 9 shows the catchment areas used for the flood modelling assessment, including upstream catchment areas. For the flood risk assessment in Section 4.0 of the FFHRAR a change of 50mm to 150mm is considered *minor*. The below sections provide a summary of the information that was not outlined in the proposed SMP, where the matters were covered in the SMP it was not repeated.

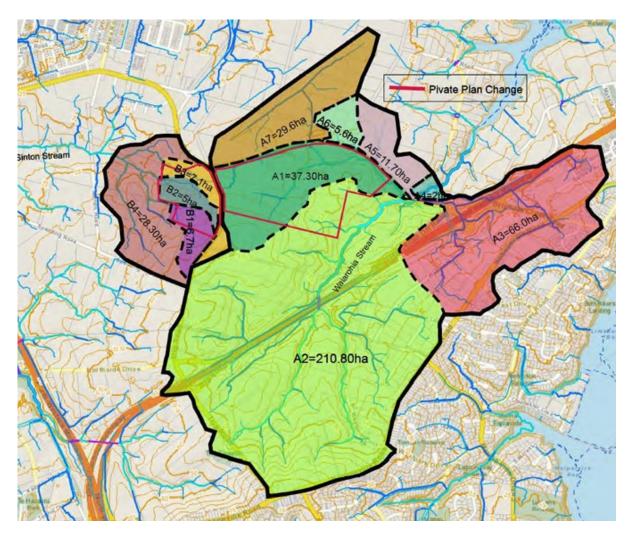


Figure 9. Catchment areas used in flood modelling, source Flood and Flood Hazard Risk Assessment, 18 October 2024

- 4.29 Two bridges are proposed at 151 and 155-159 Brigham Creek Road and a culvert is proposed at 96 Trig Road. Future upgrades to Brigham Creek Road, Trig Road and new roads are proposed and will be designed to covey the overland flow paths in a 1% AEP storm event. The proposed new roads will be designed for a dual role to convey the traffic and to provide for the overland flow paths in accordance with the SWCoP and the Auckland Transport Design Manual.
- 4.30 The post development scenario shows that flow from the PPC 107 area will change. The flow in the stream will increase from an upstream flow of 4.93m³/s to 28.22m³/s at the junction with Waiarohia Stream. This is from the following:
 - The flow from 141 Brigham Creek Road to the Royal New Zealand Air Force will be reduced by an average of 72% as a greater proportion of the flow will be retained within 141 Brigham Creek and discharged into the stream. The post development flood modelling assumes that the upgrade of Brigham Creek Road and Trig Road will be part of the PPC 107 proposed works.
 - There will be an additional flow of 2.04m³/s from Trig Road, and a flow of 4.93m³/s from Brigham Creek Road and Trig Road in combination, and flow from the southern boundary of PCA1 will discharge into the stream.

- 4.31 The flow affecting PCA2 will discharge into the existing wetland at 96 Trig Road or into Sinton Stream via a proposed culvert. If this culvert is blocked, it would overtop onto Trig Road with an increase in flow of 0.12m³/s. No downstream habitable floor levels appear to be affected as the flow will be contained within the stream channel or riparian margin.
- 4.32 The overland flow path in PCA1 will discharge to the box culvert under Brigham Creek Road. A portion of the discharge from the overland flow path from Catchment 1 will be temporarily stored in an existing stormwater pond (southeast of the box culvert) and the flood extent is contained within the riparian margin or flow channel.
- 4.33 For the scenario where the upstream culverts under State Highway 18 is not blocked, and there is a 50% blockage at the box culvert under Brigham Creek Road. Results show that there is an increase in flow at the box culvert however, there are no changes to flood depth.

Brigham Creek Road

- 4.34 The box culvert under Brigham Creek Road was assessed under two scenarios, no blockage and 50% blockage. In the 50% blockage scenario 32.45m³/s of the flow would pass through the box culvert and 24.17m³/s of the flow would overtop onto Brigham Creek Road. Brigham Creek Road would have a maximum flood depth of 520mm. However, the flood depth is mainly from the overland flow path discharging along Brigham Creek Road from the roundabout adjacent to the Upper Harbour Motorway (State Highway 18) (Catchment A3) (see Figure 9). In the no blockage scenario 56.62m³/s of the flow would pass through the box culvert and there would be no overtopping of Brigham Creek Road from the culvert. The discharge from Catchment A3 would result in a maximum flood depth of 0.28m on Brigham Creek Road before overtopping to the berm to flow towards the stream on 162 Brigham Creek Road. Therefore, there is existing flooding along Brigham Creek Road that is unrelated to the box culvert's capacity or the contributing catchment, but the flooding is a result of the overland flow paths from Catchment A3.
- 4.35 Section 4 of the FFHRAR outlines the flood risk from the future development of the PPC 107 area. It stated that in the pre development with a 50% blockage scenario there is a flood depth of approximately 520mm on Brigham Creek Road, and this flood depth would be impassable to both vehicles and pedestrians. In the post development with a 50% blockage scenario with full development for the PCA1 area the flood depth would increase by 20mm to a flood depth of 540mm, and in a post development with a 50% blockage scenario with full development for the whole catchment the flood depth is 0.65m (Table 1 states 0.61m), both these increases are considered to be *"less than minor"* or *"minor"* respectively. See Table 1 in the FFHRAR for more details.

Table 1. Flood hazard assessment on Brigham Creek Road at existing box culvert, pre and post development with 50% blockage scenario, including 3.8 degree climate change, source Flood and Flood Hazard Risk Assessment, 18 October 2024

Box Culvert Capacity Scenarios	Flood flows at Box Culvert (m³/s)	Maximum Flood Depth D (m)	Average Flood Velocities V (m/s)	Product of D & V (m ² /s)	Flood Duration above 200mm
Pre-development					
Full Capacity unblocked	56.62	NA	NA	NA	NA
50% Blockage	32.45 (24.17 over weir)	0.52	3.51	1.82	34min
Post-development (PCA1 Fully Developed)					
Full Capacity unblocked	59.71	NA	NA	NA	NA
50% Blockage	32.56 (27.15 over weir)	0.54	3.60	1.94	37min
Post-development (Full catchment MPD)					
Full Capacity with all culverts unblocked	65.10 (1.48 over weir)	0.30	1.6	0.48	34mins
50% Blockage in culverts	33.18 (58.28 over weir)	0.61	1.0	1.0	53min
50% Blocked 4m box culvert with 100% capacity for culverts under SH18 in upstream	32.62 (44.15 over weir)	0.54	1.64	0.89	60min

4.36 Post development the flood depth on sections of Brigham Creek Road and Trig Road along the PPC 107 area beyond the box culvert under Brigham Creek Road will have a depth of less than 200mm (except the point where two lanes merge into a single lane towards Brigham Creek Road and Trig Road future roundabout intersection) and increase in velocities, however, the roads will be designed to not exacerbate the existing flood risk and will comply with the Auckland Transport requirements. It is recommended that where there is flood risk, flood depth markers and vehicle warning signage be installed on Brigham Creek Road.

131-137 and 139 Brigham Creek Road, New Zealand Defence Force

4.37 See paragraph 4.23 and 4.24 above.

159 Brigham Creek Road

4.38 Section 3.5.6 of the FFHRAR outlined that there is an increase in maximum flood depth of 50mm (pre development 590mm). There will be access restrictions for an additional 2 hours (from 14 hours to 16 hours) in a 1% AEP storm event. However, this will be mitigated by providing a new accessway from the proposed Road 1.

161 Brigham Creek Road, Auckland Council and 163 Brigham Creek Road

- 4.39 Table 2 outlines the changes in flood flow, flood depth, flood velocity, depth and velocity relationship and duration at the driveways on 161 and 163 Brigham Creek Road post development. The scenarios used in the flood modelling include a 1 in 2 year, 1 in 10 year and 1 in 100 year ARI storm event (50%, 10% and 1% AEP storm event). In more frequent events, 10% and 50% AEP storm events there are changes to the flood characteristics for both sites, see Table 2. Post development the flood depth on the driveway will increase by 50mm at 161 Brigham Creek Road, and increase by 30mm at 163 Brigham Creek Road in a 1% AEP storm event.
- 4.40 Section 3.5.6 of the FFHRAR states that a new accessway from the proposed Road 1 can be used to mitigate the effects on 161 Brigham Creek Road and recommends upgrading the culvert under the driveway of 163 Brigham Creek Road to convey the 10% AEP storm event and to limit the flood depth on the driveway to less than 200mm.

Table 2. Summary of pre and post development flood characteristics for the driveway at 161 and 163 Brigham Creek Road, source Flood and Flood Hazard Risk Assessment, 18 October 2024

Table 4: Assessment of Impact/effect on Land and Structures for <u>2year</u> ARI PCA Only Excluding Climate Change										
Location	Flood floo	ws (m³/s)	Maximum Flood Depth D (m)		Flood Depth D Velocity V (m²/s)				Flood Duration above 200mm	
	Pre	Post	Pre	Post	Pre	Post	Pre	Post	Pre	Post
161 BC Rd Driveway/ 1050 Culvert	0.31/1.48	1.88/1.71	0.12	0.25	0.62	0.86	0.07	0.22	Omin	17min
163 BC Rd Driveway	1.88	3.74	0.19	0.22	0.83	1.45	0.16	0.32	0min	13min

Table 5: Assessment of Impact/effect on Land and Structures for <u>10year</u> ARI PCA Only Excluding Climate Change										
Location	Flood flows (m ³ /s)		Maximum Flood Depth D (m)		Average Flood Velocity V (m/s)		Product of D & V (m²/s)		Flood Duration above 200mm	
	Pre	Post	Pre	Post	Pre	Post	Pre	Post	Pre	Post
161 BC Rd Driveway/1050 Culvert	4.10/1.85	6.03/1.93	0.35	0.41	1.05	1.15	0.37	0.47	32min	43min
163 BC Rd Driveway	6.69	8.67	0.30	0.32	1.66	1.99	0.50	0.64	49min	44min

Table 6: Assessment of Impact/effect on Land and Structures for 100year ARI PCA Only Excluding Climate Change Location Flood flows (m³/s) Maximum Flood Average Flood Product of D Flood Duration above Velocity V & V (m²/s) 200mm										
	Pre	Post	Pre	Post	Pre	Post	Pre	Post	Pre	Post
161 BC Rd Driveway/1050 Culvert	11.50	13.95	0.36	0.41	1.15	3.26	1.0	1.27	1h31min	1h38min
163 BC Rd Driveway	12.47	15.27	0.37	0.40	2.27	2.42	0.83	0.97	1h30	1h29min

162 Brigham Creek Road

4.41 162 Brigham Creek Road has a garage and a dwelling. The garage is in a flood plain. The dwelling has a finished floor level of RL9.13m, this is above the model flood level of RL9.03m in a 1% AEP storm event. The garage will be removed as part of Auckland Transport's proposed Designation Brigham Creek Road (W3). No mitigation is proposed

for 162 Brigham Creek Road as there are no flood effects on the existing dwelling and accessway.

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4.42 See paragraph 4.27 above. Additionally, in the post development scenario in a 1% AEP storm event without climate change and the box culvert under Brigham Creek Road is 50% blocked there is an increase in flood level of 30mm at the Whenuapai Transmission Pump Station. No mitigation is proposed as per the Table in 3.5.6 Summary of Flood Effects "The impact of a 10mm increase in flood level in an existing flood plain is considered insignificant".

Mitigation

4.43 Section 4.3 of the FFHRAR states that given the flood effects identified and the location of the PPC 107 in the greater catchment, "the risk caused by the 1% AEP flow from the proposed plan change will be less than minor to minor". Mitigation for the 1% AEP storm event is not recommended because the PPC 107 site is in the lower end of the catchment and mitigation may increase flood risk by aligning peak flows with that of the upstream catchment. And that it is expected that "Development of properties upstream will be required to assess their effect on the downstream environment, and it is anticipated that developments south of the State Highway 18 motorway would likely be required to provide mitigation for the 1% AEP storm".

Stream Erosion Assessment

- 4.44 A stream assessment was provided by Viridis, titled Whenuapai Business Park Stream Condition Assessment, dated 11 April 2024. The assessment compared photos at different sections of the stream taken in 2020 to 8 April 2024 and "Any obvious areas of damage, such as scour, erosion, and bank collapse were noted, along with general comments about the condition of the channel, including the state of vegetation". The photo at location "W" was noted to have evidence of erosion. The assessment concluded that "Generally, the condition of the intermittent and permanent waterways within the site was good. There was largely no evidence of erosion or scour, or other bank damage such as undercutting, slumping, cracking or undermining of vegetation. The only exception was an area of bank slumping around photo point W" and "Overall, there were no significant differences found between the 2020 and 2024 surveys with regard to stream channel condition". Reference was made to the Auckland Anniversary January 2023 flood event and that the flood event did not appear to have caused any erosion, scour or damage to the banks of the stream, and that the stream banks show a high degree of resilience to change in hydrology.
- 4.45 A Stream Erosion Risk Assessment was carried out by Cato Bolam, dated 18 October 2024. The assessment used the Erosion Screening Tool (EST) Version 2024.0 provided by Healthy Waters and Flood Resilience. Four locations were used, see Figure 10 and Table 3. Table 3 provides information about each of the locations, based on an assessment by Viridis, 11 April 2024, and a geotechnical assessment report by CMW Geosciences in October 2023. The erosion threshold in the EST was used, see Figure 10. The EST included different storm events with climate change.

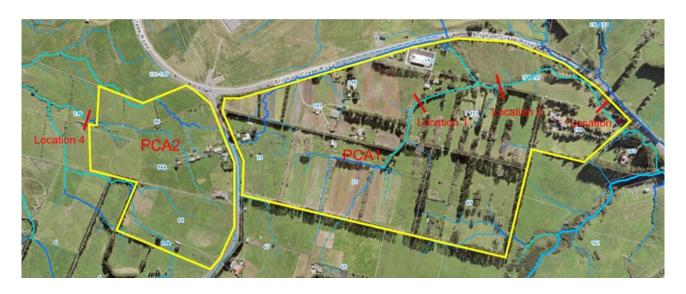


Figure 10. Stream Erosion Assessment locations, source Technical Memo: Stream Erosion Assessment, dated 18 October 2024

Table 3. Details of the four locations used for the stream erosion assessment with site observations by Viridis, 11 April 2024, source Technical Memo: Stream Erosion Assessment, dated 18 October 2024

Erosion assessment locations	Geological Layer	Stream assessment observation (By Vidiris)
Location 1	Puketoka Formation	Moderately incised. Vegetation growth along the channel banks. (Photo point E1)
Location 2	Puketoka Formation	Downstream of the existing artificial pond. No scour, erosion or bank cutting were observed, suggesting the bank is stable. Well vegetated. (Photo point M).
Location 3	Puketoka Formation	Channel is well defined, wetted area slightly incised; water was present. Bank is steep, slumping has occurred due to the steep bank and the sheet flow from Brigham Creek Road. (Photo Point W)
Location 4	Puketoka Formation	Not Applicable

Threshold	Excess Shear	Description
Green	<1.0	Indicates no erosion predicted to occur
Yellow	>1.0 <2.0	Indicates the potential for some erosion of the channel
Orange	>2.0 <10.0	Indicates the potential for channel to be mobile, (likely active erosion)
Red	>10.0	Indicates potential rapid rates of erosion and incision of channel

Figure 11. Erosion Thresholds used in the EST assessment, measured in Dimensionless Excess Shear Stress. The ratio of boundary shear stress to critical shear stress ($\tau b/\tau c$) is used as a dimensionless parameter to describe the relative magnitude of shear stress.

4.46 Results from the EST showed that there is potential for erosion in both pre and post development scenarios for frequent small events for all the locations, especially Location 1 and 2 (1 in 1 year ARI storm event) and Location 3 (1 in 0.5 year ARI storm event), see Figure 12. Figure 13 shows the duration of the excess shear in each erosion threshold, it shows the percentage of time exceeding the erosion threshold at each location in the existing climate scenario for both pre development (ED+C) and post development (PD+C). It concluded that the erosion threshold remains low with small percentage changes in erosion potential from pre development to post development. SMAF1 mitigation was not integrated into the EST assessment because results indicate the change in erosion potential is very small even without mitigation.

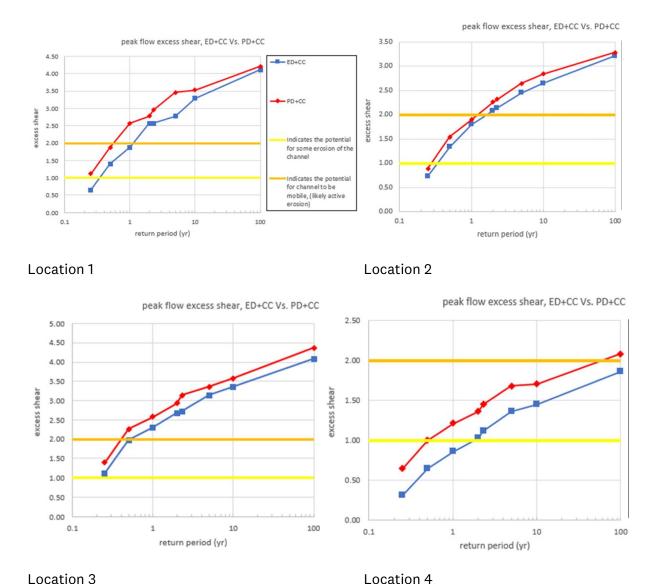


Figure 12. Peak flow excess shear for the four locations, with excess shear for the different frequencies of storm events, with climate change, pre development (blue line) and post development (red line), excess shear of less than 2 (below orange line) indicates the potential for some erosion of the stream channel, and excess shear of less than 1 (below yellow line) indicates

no erosion predicted to occur.

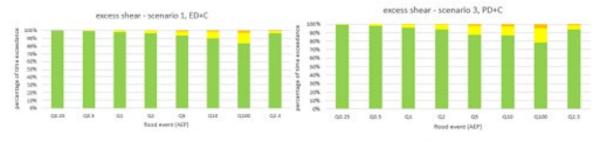


Figure 3 Location 1 Percentage of Time Exceedance

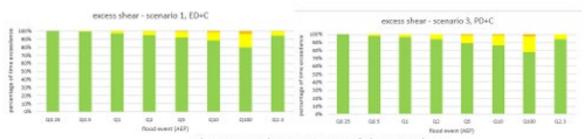


Figure 4 Location 2 Percentage of Time Exceedance

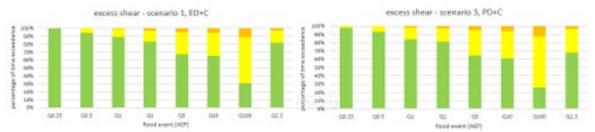


Figure 5 Location 3 Percentage of Time Exceedance

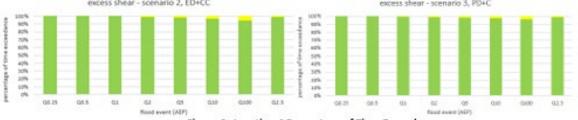


Figure 6 Location 4 Percentage of Time Exceedance

Figure 13. Percentage of time exceedance of the excess shear for the four locations across different frequency of storm events, comparing pre development in existing climate (ED+C) with post development in existing climate (PD+C)

- 4.47 The report stated that based on the EST results, the stream condition assessment by Viridis and the site investigation, "there is no evidence to suggest that the stream is sufficiently mobile to require a wider riparian margin to manage if a shift in alignment of the stream occurs in the existing situation", additionally the stream will be in private ownership. The proposed 10m wide riparian margin is unchanged.
- 4.48 The changes in erosion potential are considered to be "less than minor between pre and post development". In addition to SMAF1, it is also proposed to remove existing culverts and artificial ponds and reinstate the stream bed, water quality treatment to reduce sediment discharging to the stream, 10m riparian planting on either side of the stream, and setback and erosion protection of instream structures to protect the stream and reduce erosion. If erosion does occur in sections of the stream the following measures can be used to stabilise sections of the stream, reshaping the stream bank,

rock armouring of banks, installing geotextile cloth to stream banks, and other measures recommend by the geotechnical engineer.

5.0 Healthy Waters and Flood Resilience Assessment

- 5.1 The proposed Business Light Industry Zone for the PPC 107 is consistent with the industrial business activities area identified in the Whenuapai Structure Plan 2016. The MPD of impervious areas used by the applicant is 90%. There are no restrictions to impervious areas in a Business Light Industry Zone. The zone can develop to 100% imperviousness. Stormwater and flood effects are generated from impervious areas. There was no discussion provided by the applicant on how a 90% impervious area was determined, and whether this level of imperviousness is suitable for the specific characteristics of the PPC 107 area and the catchment.
- 5.2. The WSMP by AECOM was based on data available as of August 2016. The recommendation in the WSMP that there is minimal risk associated with flooding in the catchment and therefore it is not proposed that attenuation of extreme flows will be required, no longer applies. Auckland Council have updated the flood modelling for the Whenuapai Catchment in 2023 to incorporate a 3.8 degree climate change allowance, see Figure 14. There will be adverse effects on people, property and infrastructure if no mitigation is provided for the 1% AEP storm events for the Whenuapai Catchment.
- 5.3 Additionally, the recommendation in the WSMP for *decentralised at source bioretention devices* is not the current best practice for water quality treatment from Auckland Council and Auckland Transport, there has been a change towards communal and centralise treatment devices as these are more effective and efficient and are more cost effective in terms of long term operation and maintenance. Multiple bioretention devices on the roadside are unlikely to be accepted by Auckland Transport.
- 5.4 The 2016 Whenuapai Structure Plan is currently being updated to address current policies and strategies and a heightened focus on the impacts of climate change and stormwater management. It will include an updated Stormwater Management Plan. Community consultation on the 2025 Whenuapai Structure Plan is expected to occur in the middle of 2025.
- 5.5 PCA1 and PCA2 are located in the Whenuapai Catchment which discharges to the Waitematā Harbour. PCA1 catchment flows into Waiarohia Stream on the east of the catchment and PCA2 catchment flows into Sinton Stream on the west side of the catchment. Figure 14 shows the flood plains, overland flow paths, flood prone areas, and permeant streams for the PPC 107 area and surrounding environment. The flood plains are located around the streams. There is a significant flood prone area by the box culvert at Brigham Creek Road. Below is an assessment of the proposed stormwater management and flood hazard risk assessment by the applicant for the PPC 107 area.

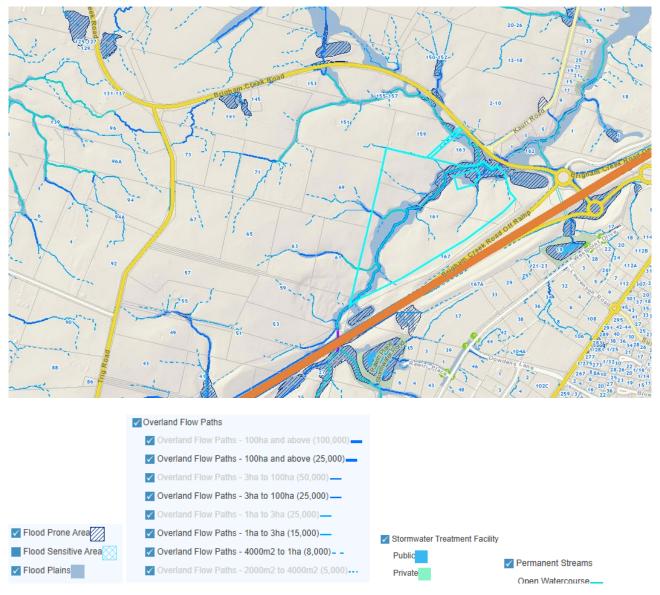


Figure 14. Flood prone areas, flood plains, overland flow paths, stormwater infrastructure and the PPC site circle in red, source Auckland Council GeoMaps, February 2025

The Proposed Stormwater Management Plan

5.6 The proposed SMP has provided an assessment of the PPC 107 area and has proposed stormwater management devices and infrastructure to address the stormwater and flood effects. The proposed stormwater management infrastructure includes inert building materials, water quality treatment devices that meet GD01 requirements, retention and detention tanks, and bioretention devices, before discharging into the public stormwater network, and ultimately into the receiving environment. These stormwater management devices are acceptable. However, the number and size of bioretention devices is unknown. Current best practice is to have communal and centralised treatment devices, this will ensure the proposed stormwater management devices are effective and efficient and will also minimise long term operation and maintenance costs. It is recommended the SMP be updated to provide further information on how this can be achieved.

5.7 The Heathy Waters and Flood Resilience department manages the regionwide stormwater NDC which authorises the diversion and discharge of stormwater from the public stormwater network in the urban area. Condition 13(b) of the NDC outlines the process for adopting an SMP for a greenfield development following the approval of a notified plan change, provided that the SMP has been prepared to support the plan change, the plan change is consistent with the SMP, and the SMP is consistent with Schedule 2 and Schedule 4 of the NDC.

The proposed SMP is not consistent with the NDC and currently cannot be adopted under the NDC as it does not meet all the requirements of Schedule 2 (issues, objectives, outcomes, and targets) and Schedule 4 (stormwater management requirements). Namely,

- the Schedule 2 requirement regarding risk to communities has not been fully addressed. Flood modelling results show increases in flooding levels downstream on people, property and infrastructure. Schedule 4 requires that stormwater and flood effects from the 10% and 1% AEP storm events are managed to ensure no adverse effects.
- assets that are to be part of the public stormwater network need to be designed and constructed to be durable and perform to the required level of service for the life of the asset,. The size and number of assets to be vested and whether there is consideration for safe access and maintenance, and the life cycle costs are unknown.

The issues regarding the proposed SMP for the PPC 107 were raised in the clause 23 process and further in this memorandum, the issues overlap generally with the requirements of the NDC, if the issues are addressed for the PPC 107 this would also address the matters in the NDC.

Stormwater Infrastructure

5.8 The proposed stormwater management includes new infrastructure and upgrades to existing infrastructure in the area. The development staging in the proposed SMP only addresses individual lots, Section 6.2.8 of the SMP states that during the future development of the individual lots, private stormwater networks will be designed to service the lot. This is acceptable. However, It is unclear when the proposed two bridges in PCA1 and the new culvert in PCA2 will be constructed. Also the stormwater management devices for the roads. The new accessway for 159 Brigham Creek Road and the new road connection to 161 Brigham Creek Road of the proposed Road 1, and the proposed upgrade of culverts under the driveways at 161 and 163 Brigham Creek Road. Additionally, when the removal of existing culverts and the artificial area of ponding will occur and reinstatement works required. It is recommended that further details are provided in the proposed SMP and also reflected in the proposed Whenuapai Business Park Precinct to ensure that stormwater management related infrastructure and devices are constructed and operational before the subdivision and development of the PPC 107 area occurs. A recommendation has been made to the Whenuapai Business Park Precinct in the Stormwater Management standard regarding this, see Paragraph 8.4.

Water Quality

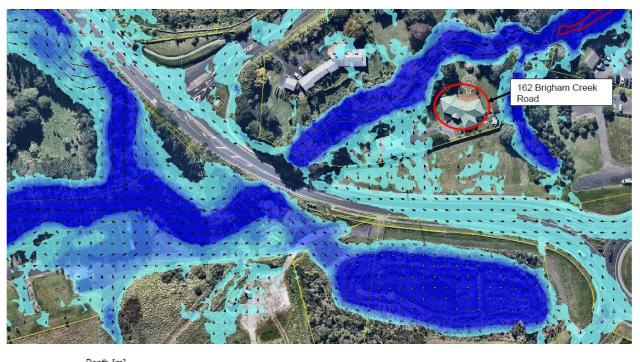
- 5.9 The Upper Waitematā Harbour has a significant ecological areas overlay. The PPC 107 area discharges into a low energy highly sensitive receiving environment. Stormwater treatment is key to mitigating the impact of development on the sensitive receiving environment. The proposed SMP includes the treatment of stormwater runoff from all impervious areas (excluding roofs). The stormwater treatment will be provided by devices that meet GD01 requirements, and roofs and buildings will be constructed from low contaminant generating material. It is unclear if the stormwater runoff from roofs will have internal reuse. The term 'low-contaminant generating' should be substituted for inert because all roofing materials will discharge some contaminants over time. Given the downstream sensitive receiving environment the proposed detention tanks should be plumbed for internal reuse such as toilet flushing, or the runoff from roofs should be treated in an appropriate downstream communal treatment device. It is acknowledged that there may not be much potential for reuse given the likely scale of the roof area compared to the demand for reuse in a Business - Light Industry Zone. It is recommended that further details be provided in the proposed SMP to provide for roof treatment or internal reuse of roof runoff. A recommendation has been made to the proposed Whenuapai Business Park Precinct in the Stormwater Management standard regarding Stormwater quality, see Paragraph 8.4.
- 5.10 Stormwater management devices that are proposed to be vested in Auckland Transport will need to meet Auckland Transport requirements. Additionally, if the future use is for industrial and trade activities, it will likely require site specific treatment for any industrial and trade activities runoff, this will be assessed at the resource consent stage

Flooding and Flood Hazard Risk Assessment

Cumulative Effects

5.11 To manage stormwater runoff in a 1% AEP storm event, the proposed SMP has not proposed any attenuation, it has recommended a pass flow forward approach. This allows stormwater runoff from the PPC 107 area to flow downstream without any onsite attenuation. The proposed SMP states that this approach can be used because the flood modelling results show that the flood extent is contained within the stream and riparian margin, no habitable floor levels are affected in the 1% AEP storm event, and the location of the PPC 107 area is in the lower half of the catchment. It is generally agreed that this approach can be used for sites that are in the lower part of the catchment and if flood modelling shows no downstream effects. This has not been demonstrated for the proposed PPC 107 development. The applicant's modelling has demonstrated that stormwater runoff from the PPC 107 area will increase flood levels downstream and there will be ongoing effects as future developments within the catchment increases. The quantity of water flowing downstream will result in cumulative effects on the environment, this will cause adverse effects on people, property and infrastructure. The upstream catchment is zoned Future Urban Zone so it is reasonably likely to be developed in the future. This was not addressed in the proposed SMP. There needs to be an integrated approach to ensure the downstream effects on people, property and infrastructure are managed. It is recommended further information is provided in the SMP.

5.12 The cumulative effects can be seen in the flood modelling, see Figure 15 and Figure 16. Figure 16 shows the modelled flood extents for a 1% AEP for MPD of 80% impervious area with 3.8 degree of climate change scenario. Figure 15 shows the modelled flood extents for 1% AEP storm event for Existing Development (ED) no climate change scenario. Figure 16 shows that there is a cumulative effect downstream if there are unmitigated flows from the upstream development within the catchment, including the proposed development of the PPC 107 area. When comparing Figure 15 and Figure 16, the diagram shows increases in flood extent (increase in areas subject to a flood plain with more areas shaded in blue), flood depth (increase in shade of blue, darker blue shades is for depth of 1m or more), flood velocity (arrows show direction of flow, longer arrows is faster flow), this changes the flood hazard classification for that area. Figure 16, shows as the applicant has stated that the flood extent from the future development of the PPC 107 area, is generally contained within the stream channel or riparian margin, however, the extent of the effects including from the development of the PPC 107 also affect private properties and infrastructure, Brigham Creek Road and Watercare Whenuapai Transmission Pump Station. Figure 17 shows the effects of 3.8 degree climate change on the downstream environment with existing levels of imperviousness, it is noted that both climate change and post development with MPD of 80% impervious area result in downstream effects on private properties and infrastructure, Brigham Creek Road and Watercare Whenuapai Transmission Pump Station.



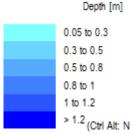
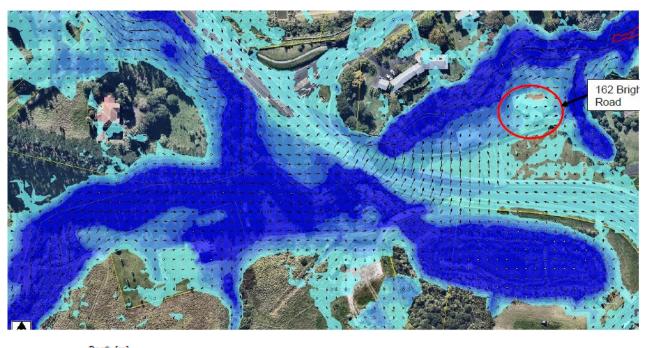


Figure 15. Existing development and no climate change in a 1% AEP storm event, source Auckland Council catchment model, January 2025



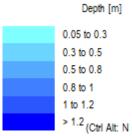
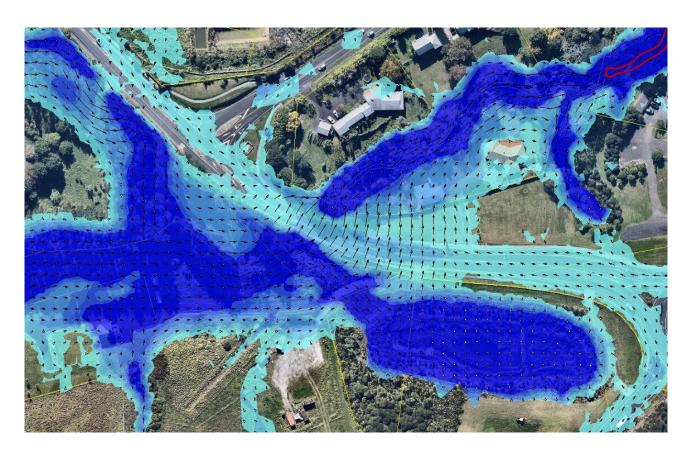


Figure 16. Post development with impervious area of 80% and 3.8 degree climate change in a 1% AEP storm event, source Auckland Council catchment model, January 2025



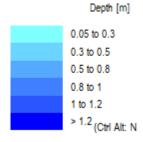


Figure 17. Existing development and 3.8 degree climate change in a 1% AEP storm event, source Auckland Council catchment model, March 2025

Flood Modelling Interpretation and Assessment

- 5.13 The FFHRAR makes the statement that a "change of flood level of 50mm to 150mm is considered minor" whilst "a change of less than 50mm is considered less than minor". Whether or not flood effects are 'minor' or 'less than minor' is generally considered based on the flood hazard risks posed by those effects, rather than an arbitrary selection of flood depth changes. It is unclear what the basis for selecting 50mm, and 150mm depth increases as the thresholds for 'less than minor' and 'minor'.
- 5.14 Section 4.3 of the FFHRAR acknowledges flood effects caused by by the proposed PPC 107 site, but that any mitigation (such as attenuation) within the PPC 107 site is not recommended because it is at the lower end of the catchment and mitigation may increase flood risk by coinciding peak flows from the proposed PPC 107 site with peaks flows from the upstream catchment. However, no analysis of this mitigation has been carried out to confirm this assumption. Moreover, this statement implies that the only available mitigation is to provide detention to attenuate flows to pre development levels. No other mitigation measures or strategies for avoiding flood effects downstream have been considered, such as reducing proposed impervious coverage, 'overattenuating' peak flows, or remedying hydraulic constraints in the downstream system.

Brigham Creek Road

5.15 It is not clear the basis for stating that an increase in flood depths of up to 150mm is considered 'minor' in the context of flooding for a 1% AEP storm event on Brigham Creek Road (see Figure 18, the purple line is the location of the box culvert). The flood depth on Brigham Creek Road in a 1% AEP storm event with a 50% blockage scenario at the box culvert has an existing flood depth of 520mm, therefore a change in the flood depth could change the flood hazard risk to people using the road. A flood depth of more than 600mm is classified as an extreme hazard for non-specialty vehicles for vehicle stability by the Australian Institute for Disaster Resilience, 2017 (AIDR, 2017). A change of 80mm would change the classification on Brigham Creek Road from high hazard to extreme hazard (AIDR, 2017), this is not a 'minor' effect. The change in frequency of flooding of an arterial road (Brigham Creek Road) is important to understand and is not discussed. The effects of changes to velocity on other sections of Brigham Creek Road and Trig Road following the proposed road upgrade were also not discussed, it was only stated that the flood depth is less than 200mm and the road will be designed to not increase the existing flood risk and will comply with the Auckland Transport requirements, it is unclear how Brigham Creek Road and Trig Road will be designed to achieve this. Further

information is required to understand the effect of the PPC 107 on roads, in terms of flood duration, frequency and flood hazard classification.

5.16 Figure 16 presents results from catchment scale modelling by Auckland Council, which shows the model predicts more significant flooding at Brigham Creek Road than that predicted by the modelling developed of the PPC 107 by the applicant. The Auckland Council catchment modelling also indicates that the existing 4m box culvert at Brigham Creek Road to have capacity for approximately 35m³/s flow during a 1% AEP storm event, whereas the PPC 107 modelling predicts significantly greater capacity at 65.1m³/s. It has not been established what the reasons for the difference between the two models are, however, the Auckland Council modelling considers a tidal boundary condition adjusted for sea-level rise, whereas the PPC 107 modelling assumes a normal depth tailwater condition which is typically a less conservative assumption that does not take into account the effects of climate change. Further assessment and/or peer review of the PPC 107 modelling would be necessary to confirm the suitability of the modelling to predict flood risks at Brigham Creek Road, and the proposed SMP updated accordingly.

131-137 and 139 Brigham Creek Road, New Zealand Defence Force

5.17 131-137 and 139 Brigham Creek Road are adjacent to PCA2 and flow discharges into the Sinton Stream (see Figure 18). Auckland Council Whenuapai Catchment modelling has not shown significant adverse downstream effects with MPD of 80% impervious area and 3.8 degree climate change.



Figure 18. 131-137 and 139 Brigham Creek Road (red dots), the streams (Sinton Stream at the western side and the Waiarohia Stream at the eastern side of the diagram, box culvert (purple line), and flood plains in the surrounding environment, source Auckland Council GeoMaps, March 2025

159 Brigham Creek Road

5.18 The clause 23 response (HW 7, 02 May 2024) from the applicant stated that the driveway at 159 Brigham Creek Road will not be accessible in a 50% AEP storm event or greater post development (see Figure 19), the PPC 107 will increase the flood depth by

50mm. It is noted that the owner of 159 Brigham Creek Road has been consulted and stated that he has not experienced flooding on the driveway (HW 7, 23 July 2024). However, this effect will be mitigated by providing a new accessway from the proposed Road 1. It is unclear when or how this new accessway will be provided, as it is not discussed in the proposed SMP or identified in the proposed Whenuapai Business Park Precinct provisions. A recommendation has been made to the Whenuapai Business Park Precinct in the Stormwater Management standard regarding this, see Paragraph 8.4.

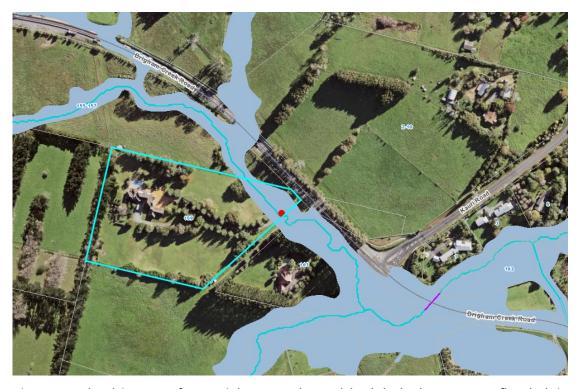


Figure 19. The driveway of 159 Brigham Creek Road (red dot), the streams, flood plains, and box culvert (purple line), source Auckland Council GeoMaps, March 2025

161 Brigham Creek Road, Auckland Council and 163 Brigham Creek Road

- 5.19 Figure 20 shows that the driveway of 161 and 163 Brigham Creek Road will be affected by flood plains in a 1% AEP storm event. The FFHRAR states that a new accessway from the proposed Road 1 for the PPC 107 can be used to mitigate the effects on 161 Brigham Creek Road and recommends upgrading the culvert under the driveway of 163 Brigham Creek Road.
- 5.20 It is unclear if the existing accessway at 161 Brigham Creek Road will be removed as part of the PPC 107. The proposed SMP states that to mitigate effects both culverts at 161 and 163 Brigham Creek Road can be upgraded, however, the FFHRAR does not provide this information and states that only the culvert for 163 Brigham Street will be upgraded. This needs to be clarified. If the existing driveway of 161 Brigham Creek Road is not removed, and 161 Brigham Creek Road will have two driveways (existing and new access way of the proposed Road 1), both driveways must be safe for people to use in a 1% AEP storm event. A recommendation has been made to the Whenuapai Business Park Precinct in the Stormwater Management standard to include upgrading the culverts at 161 and 163 Brigham Creek Road, see Paragraph 8.4.

- 5.21 The culvert under the driveway of 163 Brigham Creek Road is proposed to be upgraded, The proposed SMP states the culvert will be an 1800mm diameter culvert and this would convey flows up to the 1% AEP storm event, however, the FFHRAR references a 10% AEP storm event for the proposed new culvert, this is inconsistent. The upgrade needs to address secondary flows (1% AEP storm event) to ensure flows are managed in a 1% AEP storm event.
- 5.22 The proposed new road, Road 1 is one of the three proposed new roads that will be provided by the applicant. Figure 2 shows a 'Indicative Vehicle, Cycleway & Pedestrian Connection (purple line). It is not identified as a proposed new road, however, it is an important connection of the PPC 107 area to 161 Brigham Creek Road. The two existing accessways on 161 Brigham Creek Road will be subject to flood plains in a 1% AEP storm event (see Figure 20). It is important there are safe accessway in and out of 161 Brigham Creek Road. 161 Brigham Creek Road is owned by Auckland Council and is marked to be developed for sports and recreation activities. It is unclear who will be responsible for the construction of this connection. This connection is identified in the proposed SMP as mitigation for the effects on the existing driveway of 161 Brigham Creek Road, however, it is unclear how this will be implemented. It is recommended that further details are provided in the proposed SMP and also reflected in the proposed Whenuapai Business Park Precinct, such as in Table 1: Road Function and Required Design Elements, and the Precinct Plan. A recommendation has also been made to the Whenuapai Business Park Precinct in the Stormwater Management standard to include construction of this connection and to Table 1, see Paragraphs 8.4 and 8.8.

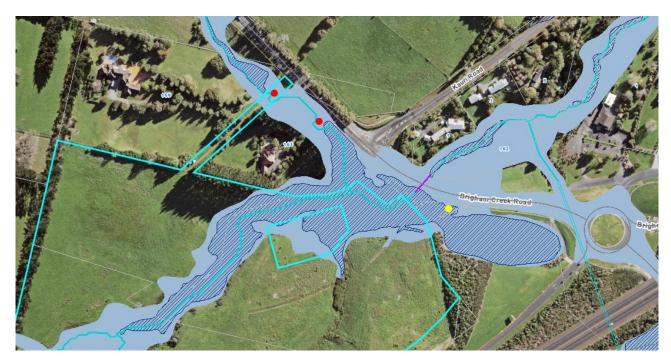


Figure 20. The culverts at 161 and 163 Brigham Creek Road (red dot), the box culvert (purple line), the accessway for the Whenuapai Transmission Pump Station (yellow dot), permanent stream, flood plains and flood prone areas, source Auckland Council GeoMaps, March 2025

5.23 It is noted that the accessway of 161 and 163 Brigham Creek Road is subject to Auckland Transport Notice of Requirement (W3) Brigham Creek Road. Brigham Creek Road is proposed to be widened from a two lane corridor to a four lane and active transport corridor. It is uncertain when implementation will take place. It is understood that currently funding is limited to route protection phase one. The Brigham Creek Road proposed Designation has a lapse date of 15 years.

162 Brigham Creek Road

- 5.24 The flood modelling information from the applicant indicates that in a post development scenario with 50% box culvert blockage, the existing dwelling is not affected as there is a 50mm freeboard (existing floor level RL9.13m and modelled flood level RL9.08m). This is a very small freeboard, the current SWCoP requirement for dwellings in a flood plain is a 500mm freeboard. Auckland Council flood modelling for the Whenuapai Catchment indicates that with full development of the catchment including the PPC 107 area and 3.8 degree climate change, the modelled flood level is RL9.32, this means that there will be habitable floor flooding at 162 Brigham Creek Road. The proposed SMP and FFHRAR state that the increase in flows is from a catchment unaffected by the PPC 107 (see Catchment A in Figure 9). However, Figures 15 and 16 show that flows from PCA1 do contribute to the flow to 162 Brigham Creek Road. The applicant has not addressed the effects of the proposed PPC 107 post development including cumulative effects on 162 Brigham Creek Road.
- 5.25 The FFHRAR includes a statement that during the 27th January 2023 storm event, anecdotal evidence was provided stating that no flooding of the garage occurred, despite the significant rainfall observed. However, Auckland Council's hydrological analysis of this event indicates that for the critical duration of the catchment, the 27th January 2023 storm event was only a 1 in 35 year ARI storm event, a less intense and more frequent event than the 1 in 100 year ARI storm event which is the relevant design event for assessment. This anecdotal evidence therefore is not able to be used to verify the modelled results.

SEC 14 SO 421598, Brigham Creek Road, Watercare Services Limited

5.26 The applicant stated that the increase in flood depth is 'less than minor' at the Whenuapai Transmission Pump Station site. The applicant has not addressed the cumulative effects and climate change effects on wastewater infrastructure. As identified by the applicant the site has existing flood hazards, therefore an increase in flood levels will contribute to the effects of flooding at the Whenuapai Transmission Pump Station. The flood modelling by the applicant did not present a scenario for post development in a 1% AEP storm event with 50% box culvert blockage and climate change. There is an increase in flood levels and the applicant has not demonstrated or attempted to manage the effects to ensure the function of the wastewater infrastructure is protected.

Stream Hydrology and Stream Erosion Assessment

5.27 The Whenuapai Structure Plan outlines that sedimentation of the Upper Waitematā Harbour needs to be carefully managed through subdivision and development processes. If the stream is protected this would aid in the reduction of sedimentation

- and manage water quality into the receiving environment. Water quality treatment is provided to an extent, however stream protection is unclear. This is discussed further below.
- 5.28 A number of mitigations are proposed to manage the increase in stormwater runoff into the streams. The proposed SMP outlines that SMAF1, instream works (existing culvert removal and artificial ponding area removal), 10m riparian planting, and green outfall design with erosion protection will be used to protect the stream. The reasons given for the use of SMAF1 and a 10m riparian planting in the clause 23 response do not demonstrate that the effects of future development of the PPC 107 area on the stream will be appropriately managed.
- 5.29 During the Auckland Unitary Plan (Operative in Part) (AUP(OP) process, future urban areas were excluded from the SMAF management layer, on the basis that during structure plan and plan change processes the most appropriate method of hydrology mitigation would be applied/determined. The applicant has not provided sufficient evidence that SMAF1 is sufficient to manage stream erosion.

Riparian Margins

- 5.30 Auckland Regional Council Technical Publication 148 (TP148) was used by the applicant to justify the proposed 10m riparian margin and planting. TP148 states that "a buffer width of more than 10m (15 m preferred) of a range of riparian vegetation will achieve most of the identified aquatic benefits, such as shade, food supply and habitat. If water quality improvement alone is the main objective, however, especially the reduction of nutrient and sediment runoff to waterways, then a grass buffer zone is an effective option. In light of the above, a 10m minimum buffer width is therefore recommended as a general guideline for the purposes of this Strategy and Guideline, with narrower or wider options being considered appropriate as indicated by site constraints or opportunities." These statements do not consider the role riparian margins play from a stream erosion/fluvial geomorphological and hydrological function perspective. The 10m riparian margin is also described as a minimum, where other widths should be considered as per site specific contexts. No clear information has been provided to support the claim that a 10m riparian margin is suitable for the site-specific context of the streams in the PPC 107 area. The applicant has provided an erosion screening assessment by using the EST, however, we do not agree with the interpretation of the results of the EST. This is discussed further under Stream Erosion, 5.36.
- 5.31 Te Haumanu Taiao Restoring the natural environment in Tāmaki Makaurau (Te Haumanu Taiao) was recommended to the applicant rather than TP148. TP148 was published in 2001 and Te Haumanu Taiao was published in March 2024, it is the current best practice guidance for restoration and recommends generally that 'the wider the better'. Additionally, Te Haumanu Taiao states that to provide effective biodiversity habitat a width of at least 20m riparian margins on either side of a waterway is recommended, and for a self-sustaining riparian buffer it is recommended a minimum buffer width of 15 to 20m on either side of the stream. The applicant noted that this is a guidance document only, however, Te Haumanu Taiao is an Auckland Council document that was developed in partnership with mana whenua and is considered to be relevant and reasonably necessary when assessing the natural environment.

- 5.32 The applicant has stated that a 10m riparian setback is what is in the AUP(OP), and has relied on this, without referring to the specific condition of the stream and what is required to manage the effects of development in the PPC 107 area. It is expected that during the plan change process, the riparian margin can be assessed to determine what is required to manage effects on the stream. Additionally, the riparian setback for existing streams in the urban environment has not been sufficient, Healthy Waters and Flood Resilience have had to carry out a number of in stream works to remedy the effects of erosion on streams in the urban environment. In an urban environment providing a wider riparian margin is often restricted, even though it would be the preferred mitigation to manage the erosion effects for that particular stream.
- 5.33 Furthermore, the same management recommendations are used for all sections of the stream, which is unlikely to address the potential effects on the stream, as different sections of the stream will have different characteristics and vulnerability to erosion, as identified in the EST assessment. The flood plains associated with the streams also vary. Therefore, it is unclear if the effects of the change in impervious areas from the future development of the PPC 107 will be managed and it is recommended that any proposed mitigation is specific to that section of the stream. Proposed strategies should specify the type and scale of instream and stream margin work required to manage ecological and geomorphological impacts and ensure resilience to future flow changes, this will ensure the instream and/or stream margin work on the streams in the PPC 107 area improve degraded channels over time and the receiving environment is protected.
- 5.34 Stream corridors should be designed to support all natural functions necessary for healthy streams and an effective stormwater network. This includes considering factors such as slope, soil content, groundwater levels, and ecological needs to determine appropriate riparian and/or flood plain zones. A variable margin is likely to address site-specific conditions, this has not been discussed by the applicant. The applicant has provided recommendations on different methods to address erosion, however it is unclear how this will be implemented. It is recommended that in the Whenuapai Business Park Precinct under the Special Information Requirement, a stream assessment is carried out, this will ensure that the proposed strategies for instream and stream margin works are implemented, see paragraph 8.7.
- 5.35 A variable margin can be achieved if it is detailed in the SMP and the proposed stream assessment recommended under the Special Information Requirement in the Whenuapai Business Park Precinct. A recommendation has been made to the Riparian Margin and Yards standard in the Whenuapai Business Park Precinct for a 20m minimum riparian planting and 20m minimum riparian setback, instead of a 10m minimum, see Paragraph 8.4. The 20m minimum planting is recommended based on the topography of the site and the extent of the flood plains. A 20m minimum setback will provide some building setback and some space for the stream to adjust. The 20m minimum riparian planting and setback will be more consistent with Te Haumanu Taiao and include more of the flood plains than the proposed 10m, this will ensure the flood plains are protected and buildings are not within the flood plains. Additionally, the PPC 107 relies on the stream and the riparian margins to manage flood effects, the wider planted riparian margin and riparian setback will ensure the flood mitigation that the stream and riparian margins provide will continue to function successfully, protecting the health and values of the

stream and reducing instability and flood hazard risk to people, property, and infrastructure.

Stream Erosion

- 5.36 The Stream Condition Assessment by Viridis, 11 April 2024, concluded that the streams in the PPC 107 area 'was good', other than in one location (photo point W). However, the photo comparison is from 2020 to 2024 and cannot be used to accurately assess stream erosion effects, the effects on the stream banks would not be visible given the vegetation present and the short time lapse. Also, any effects would be based on the current farming and other rural land use and the associated impervious area, however, effects from an urban environment such as the proposed Business Zone land use with high impervious area will mean effects will be intensified. Furthermore, stream erosion in urban environments can take up to 15-20 years to become evident (Padovan, 2022).
- 5.37 The use of excess shear as a measurement of stream erosion is common practice in geomorphic assessment (Hjulstrom (1935)¹ and Shield (1936)²). When there is excess shear stress, the greater the excess shear stress value the greater the likelihood for erosion. The EST is a screening tool, it can be used as a first step in a geomorphic assessment. Figure 11 shows the erosion thresholds utilised in the EST assessment. The applicant has questioned the thresholds used and the emphasis on an excess shear value of 2 or greater. Fluvial erosion is plausible for an excess shear value above 1, because the boundary shear stress (energy) exceeds the resisting shear stress (material strength). Therefore, we consider the use of an excess shear value of 2 or greater to be an acceptable approach. However, we do acknowledge that there is uncertainty in many of the inputs to calculating excess shear, hence why the traffic light thresholds are provided as in Figure 11.
- 5.38 The EST assessment was carried out by Cato Bolam for four locations. The EST results show that there is an increase in excess shear stress in the post development scenario, as well as a higher percentage of exceedance of erosion threshold for the post development scenario and in larger AEP storm events, for all four locations. However, the conclusion made by the applicant from the EST results was that the excess shear remains low with 'small' percentage changes in erodibility potential post development. The variation in the EST results across the four locations was not discussed in detail and the proposed mitigations were not specific to the locations. Locations 1, 2 and 3 are more at risk of erosion and therefore require different mitigation strategies than Location 4.
- 5.39 As outlined by the applicant the difference between pre and post development excess shear value is 'small'. More importantly, the applicant has not assessed that the pre development excess shear value already shows potential for change (excess shear value of 2 or greater). The excess shear value is greater than 2 for both pre and post development scenarios for Locations 1 and 2 for storm events from a 1 in 1 year ARI storm event to more intense and less frequent storm events. Location 3 has an excess

¹ Hjulstrom, F. (1935) Studies of Morphological Activity of Rivers as Illustrated by the River Fyris. Bulletin of the Geological Institute University of Uppsala, 25, 221-527

² Shields, A. (1936) Application of Similarity Principles and Turbulence Research to Bed-Load Movement. California Institute of Technology, Pasadena

shear value of greater than 2 for more frequent events than a 1 in 1 year ARI storm event. Location 4 does not have an excess shear value of more than 2, other than for a 1 in 100 year ARI storm event, this is expected for Location 4 because of the local geometry. This means that for Locations 1, 2 and 3 even with the potential effects of the plan change mitigated to pre development levels the stream is likely experiencing adjustments and there will likely be active erosion in the future. This can mean future developments adjacent to the stream are at risk of stream bank instability affecting people, property and infrastructure that are adjacent to the stream. The applicant has not demonstrated that the proposed mitigation is enough to manage the effects on the streams and risk of stream bank instability.

5.40 It is unclear how the stream assessment and required instreams work will be triggered. The stream works recommended in the EST report, include reshaping the stream bank, rock armouring of banks, installing geotextile cloth to stream banks, and other measures recommended by the geotechnical engineer, however, the EST report does not prioritise any of the methods suggested, the methods suggested should be specific to the effects identified for that section of the stream. It is important that any proposed mitigation strategies priorities nature-based solutions, the use of green infrastructure. The strategies need to be of a design that is resilient and adaptable, addressing the effects of climate change and changes in flow characteristics. The results from the EST assessment need to be better discussed in the proposed SMP. It is recommended that in the Whenuapai Business Park Precinct under the Special Information Requirement, a stream assessment is carried out, this will ensure that the proposed strategies for instream and stream margin works are implemented, see paragraph 8.7.

6.0 Submissions

6.1 There were three submissions (including further submissions) that raised issues related to stormwater and flood effects. They are highlighted and addressed in Table 4.

Table 4. Submissions relating to stormwater and flood effects

Sub. No.	Name of submitter and submission details of stormwater and flood issue	Healthy Waters and Flood Resilience specialist response and recommendations
4	 Watercare Services Ltd - Oppose the plan change unless amendments requested are approved The PPC 107 land is located upstream of the Whenuapai Transmission Pump Station (WWPS). Protection of Watercare's critical wastewater infrastructure from increase flood risk. Disagreement with the Applicant's assessment that any adverse flooding/inundation effects from PPC 	Accept Agree with Watercare Services' request, including the need for mitigation and further assessment. This is reflected in Section 5 of this memorandum.

107 development on the WWPS is "insignificant" or "less than minor". There is potential for significant adverse effects on the WWPS will arise due to an increase in risk of flooding/inundation from PPC 107 development. The Applicant's Flood and Flood Hazard Risk Assessment is inadequate. Flood damage to WWPS affecting function can cause serious environmental and public health consequences, significant delays in repair and cost of repairs. Request Applicant provides mitigation to prevent any increase in flood levels beyond existing conditions. The proposed stormwater management approach does not sufficiently protect critical infrastructure. Does not give effect to Objectives in the Regional Policy Statement relating to avoiding creation of new risks to people, property and infrastructure, taking into account climate change, using a precautionary approach, minimising the risk from natural hazards to new infrastructure. If approved Watercare seeks the amendments to the precinct provisions to recognise the proximity and importance of the WWPS, to avoid adverse flooding/inundation effects on the WWPS, requirements for comprehensive stormwater and flood mitigation measures, changes to precinct plans to give effect to recommended changes to precinct provisions. Further submission; support Auckland Council's submission regarding matters related to wastewater infrastructure provisions and addressing flood risk to properties and infrastructure. Auckland Council - Accept the plan change Accept with amendments requested Agree with Auckland Council's request,

Seeks integration of infrastructure with

land use/urbanisation.

Flood risk to properties and

infrastructure outside of the plan

5

including the need for integration of

infrastructure, including stormwater

infrastructure with urbanisation, proposed mitigation to ensure safe

change area. Access to 161 Brigham
Creek Road and continual function of
the wastewater pump station in a flood
event.
Clarity around implementation of
culvert upgrade at 163 Brigham Creek
Road.

access to properties, and requirement for management of downstream effects. This is reflected in Section 5 of this memorandum and the recommended changes to the proposed Whenuapai Business Park Precinct provision, see Section 8.

- How will avoidance of creating new risks to people, property and infrastructure, including the wastewater pump station be achieved.
- How will Precinct provisions ensure that any necessary mitigation measures outside the plan change area will be implemented.
- Amend the Precinct provisions to address flood risk to properties and infrastructure outside the plan change area and include provisions to require any upgraded infrastructure to provide safe egress and/or mitigate flood risk.
- Further submission; support Watercare Services Ltd submission regarding amendments to the precinct provisions to address stormwater and flooding effects on wastewater infrastructure.

Neutral

New Zealand Defence Force – Accept the plan change with amendments requested

 Stormwater and flood effects are outline under Other matters, see below,

Other matters

15. Stormwater and flood risk hazard: NZDF seeks to ensure that development enabled under PPC 107 does not exacerbate flood risk hazard on RNZAF Base Auckland, and seeks consideration of flooding and stormwater effects on RNZAF Base Auckland.

Support Objective I1.2(8) relating to stormwater devices with an amendment.

(8) Stormwater devices avoid, as far as practicable, or otherwise minimise or mitigate, adverse effects on the receiving environment, and including

The flood risk on the RNZAF Base Auckland has been assessed in Section 5 of this memorandum. There is no increase in flood hazard risk to the RNZAF Base Auckland.

A recommendation has been made to Policy I1.3(7), see Paragraph 8.3 to improve clarity, it is not inconsistent with the recommended changes requested by the NZAF.

the attraction of birds that could become a hazard to aircraft operations at RNZAF Base Auckland.

- Support Standard I1.6.3 Stormwater Management. NZDF supports this provision which requires stormwater management devices to be designed to avoid or minimise the potential for attracting birds.
- Support Assessment Criteria (4)
 - (4) For stormwater detention/retention ponds/wetlands not complying with the standards in I1.6(3), the extent to which the proposal minimises he attraction of birds that could become a hazard to aircraft operating at RNZAF Base Auckland.
- Further submission; support Auckland Council's submission regarding addressing flood risk to properties and infrastructure.
- 6.2 The Upper Harbour Local Board issued a resolution on the PPC 107 during their meeting of 27 March 2025. The Upper Harbour Local Board support Watercare Services Ltd and Auckland Council's submissions and required that they are dealt with appropriately, this is addressed in Table 4. Climate change effects and flooding were also raised this is discussed in Section 5.

7.0 Statutory Considerations

7.1 The applicant's report titled 'Request for Private Plan Change' provided an assessment as required under Schedule 1 and Section 32 of the RMA. Below is an assessment of the applicant's response to PPC 107 against the statutory and policy framework relevant to stormwater and flood matters.

The National Policy Statement on Urban Development

7.2 The National Policy Statement on Urban Development requires that planning decisions must contribute to a well-functioning urban environment. Objective 6 requires development to intergrade with infrastructure and Objective 8 requires the urban environment to be resilient to the effects of climate change. Section 10.4.1 of the applicant's report states that the PPC 107 will provide large lots for industrial activities and a range of new funded infrastructure and upgrades of existing infrastructure via the proposed Whenuapai Business Park Precent. It does not directly address stormwater

management infrastructure, however, the proposed stormwater management plan has outlined the stormwater management related infrastructure and devices required to enable use and development in the PPC 107 area. We have recommended changes to the proposed Whenuapai Business Park Precinct to ensure stormwater management related infrastructure and devices are constructed and operational before subdivision and development of the PPC 107 area. Climate change has been used in the flood modelling by the applicant, however further flood modelling and information is required in the proposed SMP.

The National Policy Statement for Freshwater Management

7.3 The National Policy Statement for Freshwater Management (NPS-F) provides direction on how to manage freshwater by prioritising first the health and well-being of water bodies and freshwater ecosystems. Section 10.4.2 of the applicant's report states that the PPC 107 will not be contrary to the outcomes sought by the NPS-F. It did not discuss how this is achieved. We note that the proposed SMP outlines how water quality and quantity effects on water bodies and freshwater ecosystems will be managed. The Whenuapai Business Park Precinct has identified the stream in the PPC 107 area and there is a requirement for 10m riparian planting. We have recommended changes to the proposed Whenuapai Business Park Precinct for stormwater quality treatment of runoffs from roofs, for wider 20m riparian planting and 20m riparian setback, and for a stream assessment, this will maintain or improve the health and well-being of the waterbodies, and ensure the PPC 107 is not contrary with the requirements of NPS-F.

Future Development Strategy

7.4 The Future Development Strategy (FDS) is a programme for sequencing the development of future urban land over 30 years across Auckland. The FDS sets the timing of the PPC 107 area (Whenuapai Business) to be lived zoned not before 2025+, it has priorities Whenuapai for business-zoned land. Whenuapai has not been identified as an area that needs to be removed due to natural hazards, or a red flagged area where development would increase flood hazard risk. The FDS is addressed in Section 10.8 of the applicant's report with a focus on the timing and provision of road infrastructure.

Te Rautaki Wai ki Tāmaki Makaurau, Auckland Water Strategy

7.5 Te Rautaki Wai ki Tāmaki Makaurau, Auckland Water Strategy seeks to protect and enhance Te Mauri o te Wai, the life-sustaining capacity of water. The Auckland Water Strategy was not addressed in the applicant's report and proposed SMP. However, the proposed SMP includes stormwater quality treatment and riparian planting. We have recommended changes to the proposed Whenuapai Business Park Precinct to be more consistent with the requirements of the Auckland Water Strategy to restore and enhance water ecosystems and provide for integration of stormwater planning and land use.

Regional Policy Statement

7.6 The objectives and policies of Chapter B7 Toitū te whenua, toitū te taiao – Natural Resources, for freshwater systems were not addressed in the applicant's report. However, the proposed SMP includes water quality treatment of stormwater runoff, this will ensure any discharges into the Upper Waitematā Harbour are treated. Riparian planting is provided. We have recommended changes to the proposed Whenuapai

- Business Park Precinct to include water quality treatment of runoff from roofs, wider riparian planting and riparian setback, and requirements for instream and/or stream margin works assessment to ensure stream erosion is managed, this will protect, restore and enhance the freshwater systems.
- 7.7 The objectives and policies of Chapter B10 Nga tupono ki te taiao Environmental risk, were not addressed in the applicant's report. The proposed development in the PPC 107 area has not demonstrated clearly that the risk to people, property, infrastructure and the environment from flood hazard has not increased. The proposed SMP does not recommend any flood hazard risk management based on their flood modelling. We have recommended further assessment and information to be included in the proposed SMP.

Auckland Unitary Plan (Operate in Part)

- 7.8 The objectives and policies of Chapter E1 Water quality and integrated management were addressed in Section 10.11.2.1 of the applicant's report. Stormwater networks are managed to protect public health and safety as adverse effects of contaminants on freshwater are minimised, as all stormwater runoff (other than from roofs) will be treated before discharging to the Upper Waitematā Harbour. Stormwater treatment devices will need to meet GD01 and SWCoP requirements. We have recommended changes to the proposed Whenuapai Business Park Precinct to include treatment of stormwater runoff from roofs.
- 7.9 The objectives and policies of Chapter E3 Lakes, rivers, streams and wetlands were addressed in Section 10.11.1.1 of the applicant's report. Streams and wetlands in the PPC 107 area are generally protect by the proposed Precinct Plan and riparian planting. We have recommended changes to the proposed Whenuapai Business Park Precinct for an increase in riparian planting, a 20m riparian setback, and stream assessment for instream and/or stream margin works. This will restore, maintain and enhance the streams and wetlands in the area.
- 7.10 The objectives and policies of Chapter E36 Natural hazards and flooding were addressed in Section 10.11.2.6 of the applicant's report. We do not agree with the assessment that the development of the proposed PPC 107 area will not create further flood risks or exacerbate the existing flood hazards on neighbouring properties and the downstream environment and that the effects are negligible. There are flooding effects downstream of the PPC 107 area on private properties and infrastructure, Brigham Creek Road and Watercare Whenuapai Transmission Pump Station. Flood mitigation measures were not investigated and/or provided. We have recommended further assessment and information to be included in the proposed SMP.

8.0 Healthy Waters and Flood Resilience Recommended Changes to the Whenuapai Business Park Precinct Provisions

8.1 The proposed Whenuapai Business Park Precinct included some of the recommended amendments that were identified during the clause 23 process. The recommendations are made to ensure stormwater and flood effects are managed for the PPC 107 and are in accordance with the proposed SMP. The following recommendations are based on our

assessment to address submissions and to ensure consistency with the AUP(OP) and other statutory requirements. Added text is <u>underlined</u> and deleted text is <u>strikethrough</u>. Explanation for the recommended changes are *italicised*.

8.2 Objectives

Three Waters Infrastructure

(8) Stormwater devices avoid, as far as practicable, or otherwise minimise or mitigate adverse effects on the receiving environment, and the attraction of birds that could become a hazard to aircraft operations at RNZAF Base Auckland.

There are two different outcomes in this objective I1.2(8). To make it clearer it is recommended to remove the receiving environment from this objective and focus on 'the attraction of birds', the receiving environment is already referred to in I1.2(7).

8.3 Policies

Three Waters Infrastructure

- (7) Require subdivision and development to be in accordance with the <u>approved</u> Precinct Stormwater Management Plan to effectively manage stormwater runoff and to provide for water sensitive design.
- (8) Ensure that stormwater in the Precinct is managed and, where appropriate, treated, to ensure the health and ecological value of streams are maintained and where practicable, enhanced, for all subdivision and development.

'Approved' is added to 11.3(7) to ensure it is clear the SMP that is required to be complied with is the approved SMP under the NDC.

For I1.3(8) the applicant has provided a SMP that outlines how stormwater within the Precinct will be managed and the SMP states that all impervious area is treated, we are also seeking that roof runoff is treated. This will ensure the health and ecological value of the streams are maintained, 'where practicable' makes it unclear, the condition and values of the stream are either maintained or enhanced.

8.4 Standards

I1.6.3 Stormwater Management

- Stormwater quality:
 - (a) All land use development shall be managed in accordance with an approved Network—private Discharge Consent and/or a Stormwater Management Plan approved by the stormwater network utility operator.
 - (b) New buildings, and additions to buildings, must be constructed using inert cladding, roofing and spouting building materials that avoid the use of high contaminant yielding building products which have:

- i. exposed surface(s) or surface coating of metallic zinc or any alloy containing greater than 10% zinc; or
- ii. exposed surface(s) or surface coating of metallic copper or any alloy containing greater than 10% copper; or
- iii. exposed treated timber surface(s); or
- iv. any roof material with a copper containing or zinc-containing algaecide
- (c) Stormwater runoff from all other impervious areas that do not meet (b) above must be treated with a stormwater management device(s) meeting the following standards:
 - (i) the device or system must be sized and designed in accordance with 'Guidance Document 2017/001 Stormwater Management Devices in the Auckland Region (GD01)'; or
 - (ii) where alternative devices are proposed, the device must demonstrate it is designed to achieve an equivalent level of contaminant or sediment removal performance to that of 'Guidance Document 2017/001 Stormwater Management Devices in the Auckland Region (GD01)'.

(X) Roof runoff must be directed to a tank sized for the minimum of 5mm retention volume for internal non-potable reuse within the property

- (e) The following stormwater related infrastructure and devices must be coordinated with each stage and constructed and operational prior to the implementation of any subdivision and/or development.
 - i. two bridges for Road 1,
 - ii. a new culvert by Trig road,
 - iii. stormwater management devices for new and upgraded roads
 - iv. new accessway at 159 Brigham Creek Road
 - v. new road connection from Road 1 to 161 Brigham Creek Road
 - vi. upgrade of culverts under 161 and 163 Brigham Creek Road

Stormwater discharge and diversion can either be through private consent or come under the NDC, adding 'private' makes the standard I1.6.3(a) clearer.

All building materials will produce some contaminants, therefore the phrase 'inert' is inaccurate, and has been deleted from I1.6.3(b). Referencing avoiding high contaminant yielding material is sufficient. Changes have been made to I1.6.3(c) to ensure all runoff from impervious areas including roofs are treated before discharging into the receiving environment.

Details of the proposed stormwater management related infrastructure and devices are included as an additional standard II.6.3(e) to ensure that the proposed stormwater management infrastructure and devices are constructed and operational and coordinated with the different

stages for the plan change to manage the stormwater and flood effects from the proposed PPC 107 plan change.

11.6.6 <u>Yards</u>

Purpose:

- Provide a buffer and screening between industrial activities and neighbouring sites, to mitigate adverse visual and nuisance effects;
- Provide sufficient riparian yard to protect the flood mitigation function of the steam and allow space for the stream to adjust to mitigate erosion effects;
- Increase canopy cover and linkages between green spaces
 - a) A building or parts of a building must be set back from the relevant boundary by the minimum depth listed in Table XX:

Table XX:

Yard	Minimum Depth
Front	3.7m where the front yard faces an internal road identified on the Precinct Plan.
Side	5m where an open space buffer is identified on the Precinct Plan.
Rear	5m where an open space buffer is identified on the Precinct Plan.
<u>Riparian</u>	20m from the edge of all permanent and intermittent streams

It is important to acknowledge the flood mitigation function that the riparian yard provides, 20m will also ensure there is space for streams to adjust if required in the future. It will ensure buildings are not built too close or within a flood plain, reducing instability and flood hazard risk.

I1.6.7 Riparian Margins

a) At the time of subdivision or development, land within 240m of the streams and wetlands identified on the Precinct Plan as 240m Riparian Margin / Ecological Enhancement must be planted with native vegetation from the top of the bank of the stream or the wetland's edge.

A 20m minimum is recommended as no comprehensive site-specific information is provide, and a 20m minimum will be more consistent with the natural topography of the area around the stream and the extent of the flood plains in the area. It is also more in line with recommendations in Te Haumanu Taiao. A wider planted riparian margin will ensure the flood mitigation that the stream and riparian margin provide will continue to function successfully and provide for the protection of the health and values of the stream.

8.5 Matters of discretion

- (f) Whether stormwater and flooding are managed appropriately The requirements of the approved Stormwater Management Plan to manage stormwater and flooding effects;
- x) The provision of stormwater related infrastructure and devices required to manage stormwater and flooding effects
- (g) Whether the ecological outcomes will be appropriate The effects on the health, wellbeing and the mauri of the streams and wetlands;

The recommended changes made to the matters of discretion aim to clarify the matters of discretion and address the standards for stormwater management.

8.6 Assessment Criteria

- (2) For stormwater management not complying with Standard I6XX.3:
 - a) Whether development and/or subdivision is in accordance with any the approved Stormwater Management Plan and Policies XX);
 - b) The design and efficacy of <u>new and upgraded stormwater related</u> infrastructure and devices with consideration given to the likely effectiveness, ease of access, operation and integration with the surrounding environment; and
 - c) Whether there is sufficient infrastructure capacity to provide for flood conveyance and protect land and infrastructure; and
 - d) The extent to which contaminants contribute to the adverse effects on receiving environment, including on the healthy, well-being and mauri of the streams and wetlands.
- (3) For riparian margins not in accordance with standard I1.6(7)(a) whether the <u>health</u>, <u>well-being and mauri of the streams and wetlands</u>, including the flood mitigation function of the <u>stream are ecological outcomes</u> achieved by the proposed riparian planting will be equal to or better than the requirement of I1.6(7)(a).

The recommended changes to the assessment criteria will ensure the appropriate matters are assessed

8.7 Special information requirements

(3) Any application for land modification, development and subdivision which discharge to or adjoins a permanent or intermittent stream must be accompanied by a stream and stabilisation plan assessment to inform the type and scale of instream and/or stream margin work required to ensure the effects from the development and structure in the stream is managed and there is resilience to any effects of future flow. The assessment must address the requirements below;

(a) A stream health and stabilisation assessment by a qualified fluvial geomorphologist and stream ecologist

(b) A stream health and stabilisation plan inform by 3(a) that

- (i) sets out the type and scale of instream and/or stream margin work required to ensure the ecological and geomorphological effects from the development and structures in the stream is managed and there is resilience to any effects of future flow, and,
- (ii) demonstrates that any instream and/or stream margin work is of a standard that will allow the stream channel to progressively improve over time where it is degraded, or maintain high stream values where these values are present, and,
- (iii) <u>prioritises nature based solutions and green infrastructure that</u> demonstrate resiliency and adaptability to changes in climate and flow, <u>instead of relying on permanent hard engineering solutions</u>,
- (iv) <u>details who is responsible for carrying out the stream health and</u> <u>stabilisation plan, timing of the implementation of the plan and ongoing monitoring and maintenance.</u>

The proposed SMP and EST report both outline that if erosion occurs in the stream mitigation strategies can be used, however, it is unclear how this will be implemented. Including a requirement for a stream assessment will ensure that the streams will be assessed and any required mitigation is identified and implemented.

8.8 Table

Table 1: Road Function and Required Design Elements

Road name	Propos ed role and functio n of road in precinc t area	Minimu m road reserv e width ¹		Design speed		Provisi	Pedestri an provisio n	_		Bus provisio n³
Roads 1, 2, 3, and Indicativ e Vehicle, Cycleway & Pedestria n Connecti on	Collecto r	24m	2	50km/ hr	No	Yes-two sides	Yes-two sides	Yes	No	Yes

The Indicative Vehicle, Cycleway & Pedestrian Connection is shown in the Precinct Plan, however it is unclear how it will be implemented. By including this in Table 1 it provides certainty that it will be implemented.

9.0 Conclusions and Recommendations

- 9.1 The applicant has provided an assessment of stormwater and flood effects for the PPC 107, and the proposed SMP has provided the details of the required stormwater infrastructure and services. The applicant has identified downstream flood effects from the PPC 107, however, they consider that the effects are of a scale that does not need to be managed. We do not agree with this conclusion and require that the downstream effect be managed. We have requested further assessment and information to be included in the SMP regarding the issues outlined in Section 5 of this memorandum, and have made recommended amendments to the proposed Whenuapai Business Park Precinct in Section 8. If these issues are addressed this will ensure stormwater is managed to protect the receiving environment, and flood hazard risk to people, property and infrastructure are not increased, if not improved.
- 9.2 The streams in the PPC 107 area are relied on to manage the additional stormwater runoff generated by development in the PPC 107 area. We do not agree with the interpretation of the stream erosion assessment and the proposed mitigation has not been demonstrated to be effective in managing the erosion effects on the streams in the PPC 107 area. We have recommended amendments to the proposed Whenuapai Business Park Precinct in Section 8 of this memorandum to address stream erosion effects. If these recommendations are adopted into the Precinct, this will ensure stream erosion is managed and the health and well-being of the freshwater system are protected, restored, maintained or enhanced.

Memo (technical specialist report to contribute towards Council's section 42A hearing report)

05 May 2025

To: Myles Anderson - Policy Planner, Auckland Council

From: Jason Smith – Consultant Ecologist to Auckland Council (as regulator)

Subject: Private Plan Change 107 Whenuapai Business Park – Ecology Assessment

1.0 Introduction

- I have undertaken a review of the private plan change, on behalf of Auckland Council in relation to ecological effects (both freshwater and terrestrial).
- I hold the qualification of Bachelor of Science (Hons.) Geography (2011) from the University of Auckland.
- I have 12 years' experience as a professional Environmental Scientist, including 8 specialising in ecology. My experience includes undertaking ecological assessments, preparing and peer reviewing ecological impact assessments, and providing technical advice to support district and regional plan changes.
- In my current role I regularly provide advice to Auckland Council, as well as, several other
 district and regional councils, in relation to earthworks, streamworks, and ecology (both
 freshwater and terrestrial).
- Prior to my employment with Morphum Environmental, I was employed by Auckland Council
 as an Earthworks and Streamworks Specialist in a similar role providing technical input
 primarily on resource consent applications.
- I have completed the Ministry for the Environment 'Making Good Decisions Course'.
- I am a member of the New Zealand Freshwater Science Society, International Erosion Control Association and the Environment Institute of Australian and New Zealand Inc.
- In preparing this Review I have read the code of conduct for expert witnesses contained in the Environment Court Practice Note (2023) and agree to comply with it. Except where I state that I am relying on the specified evidence of another person, the content of this Review is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions I express.
- In writing this memo, I have considered the following application material:

Application Material (as lodged)

- 1..1 Appendix A: Whenuapai Business Park Private Plan Change Ecological Impact Assessment, report prepared by Viridis Environmental Consultants, dated 24 November 2023
- 1..2 Appendix O: Whenuapai Business Park Private Plan Change, Whenuapai Auckland, Stormwater Management Plan, report prepared by Cato Bolam, dated 15 December 2023.

Cl.23 Response - May 2024

- 1..3 Clause 23 Further Information Request Response Table WBC PPC
- 1..4 Attachment A: Request for Private Plan Change Proposed Plan Change: Whenuapai Business Park, report prepared by Campbell Brown Planning Limited, dated 14 May 2024.

- 1..5 Attachment C: I618 Whenuapai Business Park Precinct (**Precinct Plan**).
- 1..6 Attachment D: Whenuapai Business Park PPC S92 Ecology Response, report prepared by Viridis, dated 1 March 2024.
- 1..7 Attachment E: Whenuapai Business Park PPC Stream Condition Assessment, report prepared by Viridis, dated 17 April 2024.
- 1..8 Attachment F: *Request for Further Information,* report prepared by Cato Bolam, dated 2 May 2024.
- 1..9 Attachment G: Whenuapai Business Park Plan Change Request for Further Information (RFI Peer Review), memorandum prepared by mps limited, dated 2 May 2024.
- 1..10 Attachment N: Proposed Precinct Plan.

Subsequent CI.23 Responses

1..11 Stream Erosion Risk Assessment, memorandum prepared by Cato Bolam, dated 16 August 2024.

2.0 Key Ecology Issues

- Following the updates made to the application following the Cl.23 process it is considered that there is just one outstanding matter related to ecology.
- The Stormwater Management Plan (SMP) states that the development of the plan change area will not result in significant increases in stream erosion; however, I considered that that assessment was based on incomplete information.
- As such, at the time of writing, it is unconfirmed if the development of the site would lead to an increase in stormwater runoff (in terms of peak flows, volume and/or duration) that would lead to erosion of streams within the plan change area and/or downstream and lead to sedimentation in the receiving environment.
- As the assessment of the potential stream erosion effects is largely dependent on the measures proposed within the SMP, which is reviewed by Auckland Council's Healthy Waters department, the assessment on the controls is deferred to their review.
- Other than where it relates to stream bank stability, I consider that the effort expanded on
 investigations of the site's ecological values is appropriate, consider the methods used in
 those investigations align with best practice and accordingly agree with the applicant's
 assessment of the ecological effects.

3.0 Applicant's Assessment

- The SMP states that the development of the plan change area will not result in significant increases in stream erosion.
- Further information was requested from Auckland Council's Healthy Waters department and myself in regard to stream bank stability.
- To investigate the stream condition the Stream Condition Assessment has replicated photo points from 2020 with photo points from 8 April 2024, with the intent that these photos show that the stream channel was stabilised following the extreme rainfall events experience in the Auckland Region over the intervening period (i.e. "Cyclone Gabrielle").
- The applicant has also used the Auckland Council Erosion Screening Tool (EST).

Assessment

- I cannot concur with the applicant's interpretation of the photo points where the 2024 photos show the significant coverage of fast-growing weed species or leaf litter that would be masking any erosion scarps.
- Likewise, the photo point assessment is focused on large individual events (high magnitude, low duration, low frequency); whereas what could be of concern for the change in land use would be sustained flows above the erosion threshold of the stream.
- Photo point W, the only photo the applicant has assessed as showing sign of bank failure is at the lower reach of the catchment, indicating the potential for cumulative effects from the other, headwater streams/runoff.
- I defer to Auckland Council's Heathy Water department for the review of EST application.
- It is my understanding from an e-mail from Senior Healthy Waters Specialist Lee Te (e-mails sent to Todd Elder at Auckland Council on 28/08/2024 at 7:51 pm) that there are still unresolved details on how the EST has been applied before Healthy Waters will accept the EST application to this site.

4.0 Assessment of Ecological Effects and Management Methods

- The proposed precinct does include matters that relates to the management of ecological effects, including:
 - 4..1 Objectives I1.2 (4)(5)(7)
 - 4..2 Policies I1.3 (6)(7)(8)
 - 4..3 Standards I1.6.7

Assessment

- The measures proposed by the applicant are commensurate with what they have assessed as the potential effects.
- However, I cannot fully concur with the applicant's position until such time as the stream
 erosion issued is addressed, as additional measures may be required to protect the
 ecological values from stream erosion and sedimentation arising from the change in land
 use

5.0 Submissions

- I have been provided with a summary of the submissions received on the Private Plan Change.
- I consider that there are no submission points that relate to the matters within the scope of this assessment.

6.0 Local Board Comments

- I have also been provided with a copy of the comments made by the Upper Harbour Local Board (dated 27 March 2025).
- I have been asked by the processing planner to comment on the items raised in regard to tree canopy cover and tree planting.
- From an ecological perspective, I have no specific response other than to support the general approach to allow for, and include, the retention of existing mature trees and further planting within the plan change area.
- I note that the precinct plan does not specifically envision the loss of any given tree(s), which would still be subject to the usual resource consenting measures of the Auckland Unitary Plan (AUP). The Precinct Plan does include Standard I6(2) which require development and

subdivisions within 10 m of a stream or wetland to plant that 10 m riparian margin with native species, a requirement not found in the region-wide provisions of the AUP.

- The comments from Upper Harbour Local Board also seek that this plan change avoids habitat loss in freshwater and biodiverse ecosystems.
- From an ecological perspective I also support this direction and note that the plan change does not include any measures that would directly lead to the loss of freshwater habitat, nor any regionally notable biodiverse ecosystems.

6.0 Conclusions and recommendations

- With Auckland Council Healthy Waters EST concerns remaining it cannot be concluded that all ecological effects have been appropriately addressed by the applicant, or that the proposal is consistent with the relevant National Policy Statements: Freshwater Management (NPS:FM)
- However, if Auckland Council Healthy Waters concerns relating to the application of the ESC tool were addressed, then, I consider:
 - The applicant adequately assessed the private plan change effects on the environment related to ecological effects.
 - The private plan change would be consistent with the direction and framework of the AUP, including giving effect to the Regional Policy Statement, as well as the relevant NPS:FM and NPS Indigenous Biodiversity.

Consequently, I would be in a position to support the private plan change.



Auckland Council

Technical Specialist Report

Peer Reviewer: Rebecca Skidmore, RA Skidmore Urban Design Ltd.

Area of Expertise: Urban Design

Landscape and Visual Effects

Date: 30th April 2025

PC Details: Private Plan Change 107 – Whenuapai Business

Park

Peer Reviewers Council Ref. PPC 107

Reference: My ref.: 24002

24002-07 • April 2025



1 Introduction and Area of Expertise

- 1.1 I have undertaken a review of PPC 107 Whenuapai Business Park, on behalf of Auckland Council, in relation to urban design and landscape matters.
- 1.2 I am an Urban Designer and Landscape Architect. I am a director of the consultancy RA Skidmore Urban Design Limited and have held this position for approximately twenty one years.
- 1.3 I hold a Bachelor of Science degree from Canterbury University (1987), a Bachelor of Landscape Architecture (Hons) degree from Lincoln University (1990), and a Master of Built Environment (Urban Design) degree from Queensland University of Technology in Brisbane (1995).
- 1.4 I have approximately 29 years' professional experience, practising in both local government and the private sector. In these positions I have assisted with district plan preparation and I have assessed and reviewed a wide range of resource consent applications throughout the country. These assessments relate to a range of rural, residential and commercial proposals. I have also reviewed a broad range of transport related notices of requirement.
- 1.5 I regularly assist councils with policy and district plan development in relation to growth management, urban design, landscape, character and amenity matters.
- 1.6 I am an accredited independent hearing commissioner. I also regularly provide expert evidence in the Environment Court and I have appeared as the Court's witness in the past.
- 1.7 In preparing this review I have read the code of conduct for expert witnesses contained in the Environment Court Practice Note (2023) and agree to comply with it. Except where I state that I am relying on the specified evidence of another person, the content of this Review is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions I express.
- 1.8 In writing this memo, I have reviewed the following documents:



- Urban Design Assessment and Neighbourhood Design Statement (Ian Munro, November 2023 Appendix T to AEE);
- Landscape and Visual Assessment (SOLA Landscape Architects Ltd., updated in response to Clause 23 request, Appendix Q);
- The Clause 23 response (dated 07/05/24) including Attachment P (Urban Design Response); and
- Submissions.
- 1.9 My review has also been informed by reference to:
 - the PC Request Planning report (Campbell Brown Planning Ltd., updated May 2024);
 - designation layout plans (Appendix B to AEE);
 - updated Precinct provisions (Attachment C of Clause 23 response);
 - updated Precinct Plan (Attachment N of Clause 23 response);
 - road upgrade drawings (Attachment K of Clause 23 response);
 - and Designation 4311 Contour maps (Attachment R of Clause 23 response)..
- 1.10 I carried out a site visit to view the PPC area and surrounding context on 31/01/24.I have also visited the general area on a number of occasions more recently.

2 Adequacy of Information

- 2.1 The Plan Change request is accompanied by an Urban Design Assessment and Neighbourhood Design Statement by Ian Munro (November 2023) (the "UDA") and a Landscape and Visual Effects Assessment by Sola Landscape Architects (updated in response to Clause 23 request) (the "LVEA"). Both reports provide a detailed and thorough assessment and an overview is set out in Section 4 below.
- 2.2 A number of queries were raised in the Clause 23 request for further information and these have been fully addressed. In the case of the urban design queries, the response included a series of design concepts that have informed the assessment, together with a copy of the "Industrial and Commercial Building



Guidelines for Developers" (former Waitakere City Council). These are helpful to better understand possible development scenarios for the land and assess potential effects for the surrounding environment.

2.3 The LVEA was updated to address queries raised in the Clause 23 request. This includes amendments to the analysis of landscape effects, taking into account the extent of earthworks both undertaken and consented in the PC area. The assessment of visual effects has also been expanded to address future park users of adjacent land purchased by the Council for open space use. It also includes a commentary/analysis in relation to the photomontages included in Appendix B of the report.

3 Summary Key Issues

- 3.1 From my review of all relevant material, key issues relating to urban design and landscape considerations include:
 - The way future development will interface with Brigham Creek Road and Trig Road;
 - Identification of streets within Precinct on Precinct Plan;
 - Interface with adjacent future parks.

4 PPC Assessment - Overview

Urban Design Matters

4.1 There is no industry standard setting out an agreed methodology for carrying out an urban design assessment. In my opinion, the UDA by Ian Munro, together with the Clause 23 response, sets out a clear and detailed analysis that, in my opinion, follows an appropriate methodology and addresses the key matters relevant to urban design considerations. There is an overlap between the matters assessed under the disciplines of urban design and landscape architecture and I note that



- the UDA report should be read alongside the LVEA. This memo provides a review of both reports.
- 4.2 Section 3 of the UDA clearly sets out the framework used for assessing the PPC, identifying relevant statutory and non-statutory planning documents and summarising the key provisions into 5 topics to organise the assessment. I agree with these as relevant matters to assess.
- 4.3 Section 4 of the report provides a description and analysis of the PPC area and its surrounding context. Additional description is also set out in the planning assessment and LVEA. As noted in the planning report, a number of resource consents have been granted within the PPC area and provide for extensive earthworks within the PPC area. This is indicative of the urban transformation that is occurring in the wider environment as the area transitions from a rural to urban environment.
- 4.4 The description identifies the alignment of Brigham Creek Road and its function as the principal arterial road serving Whenuapai. I note that both Brigham Creek Road and Trig Road are subject to notice of requirements for future upgrades of the corridors. These are detailed in Section 6.5 of the Planning report and the Integrated Transport Assessment ("ITA"). The extent of the proposed designation boundaries and proposed upgraded street designs for these corridors is provided in Attachment K of the Clause 23 response.
- 4.5 Section 5 provides a brief overview of the PPC. The report notes that while the PPC is not accompanied by a formal concept masterplan, the assessment has been informed by a number of architectural site development and layout tests. As noted in Section 2 above, these design concepts were provided in the Clause 23 response. I agree that, together with the indicative road network layout depicted in the Precinct Plan, these concept diagrams are helpful and adequate to identify likely urban design issues and potential effects arising from the proposed zoning and accompanying Precinct provisions.
- 4.6 Section 6 sets out the main body of the report's assessment organised under the topics introduced in Section 3, being:
 - The development should contribute to a quality compact urban form that supports and enhances the local area;



- The development should achieve a well-connected, integrated built form outcome, with industrial areas located so as to be in suitable locations and where adverse effects can be managed;
- The development should maintain or enhance the character of the local area, and provide adequately for infrastructure;
- The proposal should demonstrate how the site's opportunities and constrains have been positively responded to; and
- overall urban design merit.
- 4.7 I generally agree with the assessment provided. I agree that the PPC land is well located to accommodate a Business: Light Industry zone to support the wider urbanisation of the area. A number of matters of detail pertaining to the Precinct provisions were raised in the Clause 23 request. These matters are discussed further in Section 5 below.

Landscape Matters

- 4.8 The LVEA was updated to address queries raised in the Clause 23 request. In my opinion, the updated report sets out a suitably detailed assessment. The methodology used is generally consistent with the guidance set out in "Te Tangi a te Manu: Aotearoa New Zealand Landscape Assessment Guidelines (Tuia Pito Ora New Zealand Institute of Landscape Architects, July 2022).
- 4.9 Section 2 provides a brief overview of the planning context for assessing the PPC. I note that more detail around this framework is provided in the Planning report. I also confirm that the PPC area and surrounding environs is not subject to any landscape related overlays. A brief description of the proposed rezoning is set out in Section 3 but, other than identification of the Precinct Plan, there is no detail of the Precinct provisions provided. Further comment regarding the assessment and Precinct provisions is set out in Section 5 below.
- 4.10 I agree with the description of the PPC area and its surrounding context. In addition to the features identified, I note the NoRs for Brigham Creek Road and Trig Road that are proposed to enable upgrading of these routes, signalling a further change in character in the area.



- 4.11 Sections 6 8 of the report provides the body of the assessment. The way the sections have been grouped seems a little illogical. However, the relevant assessment of key landscape considerations is provided. These include:
 - Natural character effects;
 - Landscape character effects; and
 - Visual effects¹.
- 4.12 I generally agree with the assessment provided. Further comment on a limited number of issues of detail is set out in Section 5 following.
- 4.13 Section 9 of the report sets out an assessment against relevant statutory and non-statutory planning documents. Paragraph 9.20 notes that the large size of the Site enables greater co-ordination and ability achieve a comprehensive masterplan. However, I note the PPC area is held in multiple titles which does not necessarily mean a comprehensive approach to development will be achieved. The identification of key spatial features, such as stream corridors and street connections will assist a co-ordinated approach to development.
- 4.14 I generally agree with the conclusions drawn in Section 10 of the report. When considered in the context of the urbanisation signalled by the Whenuapai Structure Plan and reflected in the operative Future Urban zoning and apparent in the wider environment, I consider the change in landscape character enabled by the B:LI zone will generally be suitable. Additional comment regarding a number of issues of detail and how the Precinct provisions address these is discussed in the following section.

¹ I note that under the TTATM guidance, all these assessment categories are sub-sets of landscape assessment.



5 Assessment of Effects and Management Methods

Urban Design

5.1 As noted above, I generally agree with the findings of the UDA. A limited number of queries were raised in the Clause 23 process in relation to urban design issues. Comments relating to the responses follows.

Interface with Brigham Creek Road and Trig Road

- 5.2 With direct access limitations to the Brigham Creek Road and Trig Road corridors, there is a high likelihood that future development will be oriented to front local roads internal to the Precinct.
- New buildings that comply with relevant standards are a Permitted activity in the B:LI zone. Given the nature of activities accommodated, this could result in a relatively poor built interface with the Brigham Creek Road and Trig Road corridors with the backs or sides of large buildings (up to 20m high) of a relatively utilitarian nature facing these streets. I note that the location of the stream corridor and wetland adjacent to the eastern end of Brigham Creek Road will provide some break and separation from the street corridor for future development. The Designation 4311 height contours also limit the height of buildings (and vegetation) in the north western area of the Precinct. These constraints will go some way to ensuring the scale and location of buildings will not be overly dominant in relation to the street corridors.
- 5.4 The 5m side and rear yard standards, together with the associated planting requirements do not apply to the street interfaces. The only yard control is a front yard of 2m that applies in the B:LI zone.
- 5.5 In response to the Clause 23 query regarding this issue, Mr Munro sets out his opinion that the E38 subdivision policies and matters of discretion are adequate to ensure high quality, well-addressed street frontages are achieved.² However,

² Para. 7, Clause 23 response by I. Munro (Attachment P)



he goes on to note that, if considered necessary, an additional subdivision matter of discretion could be added in the Precinct provisions such as:

For subdivisions that involve allotments fronting Trig and/or Brigham Creek Road, measures to ensure future development positively contributes to the visual interest and enlivenment of the street, and provides for pedestrian (public) access.

5.6 Given the importance of these street corridors in accommodating both pedestrian and cycle movements, I consider this additional matter of discretion would provide additional clarity about the outcomes sought along these street interfaces, contributing positively to the amenity, safety and character of the street corridors.

Identification of Streets Within Precinct Plan

- 5.7 The Precinct Plan identifies the location of key streets within the Precinct using a high degree of specificity of their alignment and dimension. In my experience it is more common to identify street alignments in a more schematic way in Precinct Plans to provide greater flexibility at the time of subdivision and development.
- 5.8 Mr Munro addresses this matter in his Clause 23 response³ While his general preference is for road connections that are required to be identified on the Precinct Plan, while their exact alignment should be generally flexible. However, he goes on to note that the location of the roads as depicted in the Precinct Plan has been tested by the Requestor and their Architect. He notes that they are satisfied that the alignments shown will be compatible with development objectives.
- 5.9 In my opinion, the street network shown does not result in any key urban design issues to achieve a suitable development pattern. However, there is some risk regarding additional consent processing requirements if there is a change in strategy for development in the PPC area and additional changes are sought.

³ Paras 11 – 15, Clause 23 response by Ian Munro (Attachment P)



Landscape

5.10 As set out in Section 4 above, I generally agree with the findings of the LVEA. Following are additional comments relating to two issues of detail.

Interface with Brigham Creek Road and Trig Road

In a number of places the LVEA notes the role of the green network along the watercourses in maintaining a sense of spaciousness and assisting development to visually integrate with the surrounding landscape⁴. While I agree that the revegetated stream corridors and wetland areas identified within the Precinct will contribute to creating natural structuring elements within the Precinct, I think the way these features will break up the development pattern and create a sense of spaciousness in the Precinct has been somewhat overstated. I partially agree with the assessment at Para. 8.45 of the LVEA report that the green network, street tree plantings and planting associated with future development will assist in integrating the built development into the landscape. As set out in response to the UDA above, I do think additional guidance to the outcomes sought for the primary street corridors of Brigham Creek Road and Trig Road would be helpful.

Future Park Interface

- 5.12 To address the interface with the future parks (owned by Auckland Council) adjacent to the Precinct boundary, but currently zoned FUZ, the Precinct Provisions include the same height in relation to boundary control that applies to the interface with Open Space zones (6m +35 degrees) in the B:LI zone. This would apply in combination with a 5m rear and side yard that is required to be planted in a mix of native vegetation comprising a mix of trees, shrubs or ground cover plans (including grass) along the full length of the yard for a minimum depth of 3m, also included in the Precinct provisions.
- 5.13 The LVEA notes that "it is anticipated that the specifics of planting within the landscape buffer, and the scale of mature planting will be resolved at Resource

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⁴ For example, Para.s 8.25, 8.27 and 8.45, Landscape and Visual Effects Assessment, Sola (Attachment Q to Clause 23 response)



Consent" stage.⁵ I note that the requirements for planting are a development standard rather than a matter for assessment at the resource consent stage. While planting required by the standard may be effective in screening service areas and blank walls, if the planting requirement is achieved just by using ground cover planting, adverse effects may not be suitably mitigated. In my opinion, it would be helpful to include some policy guidance for the outcome sought by the 'Open Space Buffer' identified in the Precinct Plan and include a matter for discretion for subdivision to address how planting will achieve a suitable interface.

6 Matters Raised in Submissions

- 6.1 I have reviewed the submissions received in relation to the PPC. Few submissions raise any matters related to urban design or landscape considerations.
- 6.2 I note the submissions by Maraetai Land Development Ltd. (#2) and Cabra Development Ltd. (#3) both support the proposed rezoning to B:LI noting the value of establishing employment land to support existing and planned residential areas in Whenuapai, and encouraging the use of alternative transport modes to the motor vehicle and reducing travel distances. This opinion is aligned with the UDA provided to support the PPC and my review.
- 6.3 I also note the submission by the NZ Defence Force that notes the development constraints on the properties at 96 and 96A Trig Road and the requirement for Defence Force approval for development of these Sites.

⁵ Para. 8.48, Landscape and Visual Effects Assessment, Sola (Attachment Q to Clause 23 response)



7 Conclusions and Recommendations

- 7.1 The PPC is supported by a detailed UDA and LVEA (updated in response to Clause 23 request). From my review of these assessments, together with other documentation lodged with the PPC request, site visit and review of relevant statutory and non-statutory planning documents, I am in agreement that the proposed B:LI zone is suitable for the PPA and the Precinct provision are generally suitable to address potential adverse amenity, character and landscape effects.
- 7.2 While there are no submissions that specifically raise urban design or landscape issues, my review has identified a limited number of detailed matters that it would be helpful to further address through the Precinct provisions. These primarily relate to the interface created with Brigham Creek Road and Trig Road and the interface created with the future parks within the adjacent existing FUZ.

Recommendations

 Insert an additional matter of discretion for Restricted Discretionary Activities:

Effects of the Proposal on the amenity and character of Brigham Creek Road and Trig Road corridors.

Together with an associated assessment criterion for subdivision:

For subdivisions that involve allotments fronting Trig and/or Brigham Creek Road, measures to ensure future development positively contributes to the visual interest and enlivenment of the street, and provides for pedestrian (public) access.

2. Include policy guidance for the outcomes sought for the open space buffer depicted on the Precinct plan such as:

Ensure design measures are included to reduce adverse amenity effects on adjacent public open spaces (Brigham Creek Reserve and Spedding/Trig Reserve).

With an associated additional assessment matter for Restricted Discretionary Activities, such as:

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Measures associated with the Open Space Buffer identified on the Precinct Plan to ensure adverse amenity and safety effects on adjacent public open spaces are minimised.

And assessment criterion for subdivision:

For subdivisions that include the Open Space Buffer identified on the Precinct Plan, measures to ensure the placement and design of buildings is co-ordinated with planting to avoid adverse amenity and amenity effects and incorporate CPTED principles in relation to adjacent public open space.

Rebecca Skidmore

Urban Designer/Landscape Architect

April 2025

Memo (technical specialist report to contribute towards Council's section 42A hearing report) – Pre-Submissions

21 March 2025

To: Myles Anderson – Policy Planner, Auckland Council

From: Louise Thomas – Senior Parks Planner, Auckland Council

Subject: Private Plan Change 107 Whenuapai Business Park - Parks Planning

Assessment

1.0 Introduction

1.1 I have undertaken a review of the above private plan change (**PPC**), on behalf of Auckland Council in relation to the planning of open space for future residents, business park users and parks, sports and recreation effects.

- 1.2 My name is Louise Thomas, I am a senior parks planner in the Parks Planning team within the Department of Parks and Community Facilities. I am responsible for the assessment associated with effects on open spaces relevant to this Private Plan Change (PPC 107) from a Parks Planning perspective. I will not be assessing other matters, including anything relating to the provision of open spaces or the process for re-zoning already acquired open space.
- 1.3 I hold an LLB (Hons) Law degree from the University of Wales (Pryfisgol Abartawe), which I obtained in 2011. I have also completed a MSc in Urban and Rural Planning from Leeds Beckett University in 2023.
- 1.4 I have over 5 years of experience working in planning including 4 years of planning and resource management experience at Auckland Council in the Central Resource Consents team and another 1.5 years' experience in the Parks Planning Team.
- 1.5 In preparing this Report, I acknowledge that I have read the Code of Conduct for expert witnesses contained in the Environment Court Practice Note 2023 and agree to comply with it. Except where I state that I am relying on the specified evidence of another person, the content of this Report is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions I express.
- 1.6 In writing this memo, I have reviewed the following documents:
 - Request for Private Plan Change Proposed Plan Change: Whenuapai Business Park
 - Appendix F Proposed Zoning Plan
 - Appendix G Proposed Whenuapai Business Park Precinct Provision
 - Appendix H Proposed Precinct Plan
 - Appendix I Proposed Staging Plan
 - Appendix L Flood Hazard Risk Report
 - Appendix O Stormwater Management Plan
 - Appendix T Urban Design Report
 - Appendix U Landscape and Visual Assessment
- 1.7 Auckland Council Documents referred to include:
 - Auckland Unitary Plan Operative in Part 2016 (Unitary Plan)
 - Open Space Provision Policy 2016 (OSPP)
 - Parks and Open Space Acquisition Policy 2013
 - Whenuapai Structure Plan 2016
 - Future Development Strategy 2023
 - Auckland Plan 2050 Direction 4 of the Homes and Places Outcome "Provide sufficient public places that are inclusive, accessible and contribute to urban living".
 - Upper Harbour Local Board Plan 2023

1.8 I am familiar with the area surrounding the site and have been informed by the application including the 'Landscape and Visual Assessment'. I undertook a site visit on 20 November 2024. I have also relied on aerial images, my general knowledge of the area and application material to understand the environment at present.

2.0 Background and context

- 2.1 As outlined in the "Request for Private Plan Change" Report by Campbell Brown dated 20 December 2023, a previous proposed plan change (PC5) was lodged and was publicly notified on 21 September 2017. This sought to rezone 351ha of land in the southern and eastern parts of Whenuapai (and encompassed the land the subject of this plan change). This was withdrawn on 16 June 2022.
- 2.2 Resource consent for the Whenuapai Business Park was also sought under the Covid-19 Recovery (Fast-Track Consenting) Act 2020. An application to the Ministry for the Environment for referral to use the process was made in October 2021. The request for referral was subsequently approved by the Minister for the Environment and a resource consent application was then lodged in November 2022 to the Environmental Protection Agency ('EPA'). This application was subsequently declined by the Whenuapai Business Park Expert Consenting Panel. This was due to the proposal being inconsistent with the objectives and policies of H18 Future Urban Zone (FUZ) and not appropriate to occur without the rezoning of the land occurring first.

3.0 Key Parks and Community Facilities Issues

- 3.1 In this section, I provide my assessment from a Parks Planning perspective with a focus on the outcome envisaged for the community from an open space perspective, resulting from this PPC by considering the context of the site within its surrounding environment.
- 3.2 The PPC 107 plan change area proposed the rezoning of FUZ to Business Light Industry Zone (LIZ):
 - 3.2.1 PPC 107 does not include any open space provision within the plan change area.
 - 3.2.2 Two areas of land either side of the PPC area have been acquired by Auckland Council but have not yet been re-zoned to reflect their proposed purpose as public open space (see Figure 1 below). Future references to these open spaces will be 'Brigham Creek Reserve and Spedding/Trig Reserve.

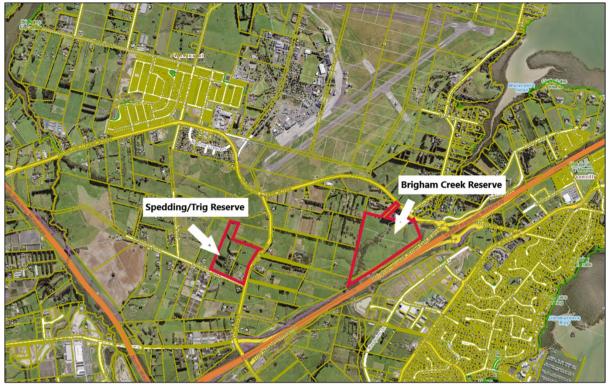


Figure 1: location of two pieces of land acquired by Auckland Council for the purposes of Open Space.

Source: Author's own red line atop Auckland Council GIS

- 3.3 The proposed Whenuapai Business Park plan change anticipates the transition from semi-rural land uses to the development of a light industrial business area.
- 3.4 The regulatory framework for parks, sport and recreation assessment is set out within the below regulatory mechanisms, with key points noted:
 - 3.4.1 The National Policy Statement Urban Development (NPSUD) 2020 which at Policy 2.2, requires urban environments have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport. This policy statement requires at 3.5 that Local Authorities must be satisfied that the additional infrastructure (including public open space) to service the proposed development capacity will be available.
 - 3.4.2 The Auckland Regional Policy Statement **(RPS)** which at B2.7.1 and B2.7.2 requires that recreational needs of people and communities are met through the provision of a range of quality, connected, accessible open spaces and recreation facilities. At B7.3 and B7.4, the RPS requires the maintenance and enhancement of freshwater through integrated management.
- 3.5 The Auckland Unitary Plan framework, in particular:
 - 3.5.1 Open Space Zone Objective H7.2.(1) Recreational needs are met through the provision of a range of quality open space areas that provide for both passive and active activities and (2) The adverse effects of use and development of open space areas on residents, communities and the environment are avoided, remedied or mitigated.
 - 3.5.2 Subdivision Urban Objective E38.2.3 Land is vested to provide for esplanades reserves, roads, stormwater, infrastructure and other purposes.
 - 3.5.3 Subdivision Urban Policy E38.3(18) which requires that subdivision provides for the recreation and amenity needs of residents by providing for open spaces that are prominent, and appropriately sized to cater for future residents and enable pedestrian and/or cycle linkages.

Neighbourhood Park provision

- 3.6 The description of suburb parks in the 'Open Space Provision Policy 2016' is that they offer 'a variety of informal recreation and social experiences for residents from across a suburb'. Provision targets for suburb parks identified in this policy are that they are available within a 1000m walk (a walkable catchment) to residents in low density residential areas i.e., Single House Zone, and a 1,500m walk to residents in medium density residential areas i.e., Mixed Housing Suburban Zone. As noted in the 'Open Space Provision Policy' new suburb parks are typically between 3 to 5 hectares and up to 10 hectares or larger if also accommodating organised sports uses. Network principles are embedded in this policy, and directives include to 'Create a connected network of parks, open spaces and streets that delivers a variety of recreation, ecological, transport, stormwater, landscape and health benefits', and that open spaces are linked together so that 'Open space is core infrastructure that people use to get around their community'.
- 3.7 There is no indicative local neighbourhood or suburb park shown in the applicant's proposed precinct plan. However, as noted above there are two areas land that have been acquired by Auckland Council and are proposed to be re-zoned as public open space in the future. Both of these are larger parcels of land (with 161 Brigham Creek Road being 16.12 hectares and the combination of 4 and 6 Spedding Road and 92 Trig Road being 15.17 hectares) which would be categorised as suburb parks. As such there is no requirement for any park provision within the plan change area, which is even more the case noting its proposed zoning.

Interface with Future Council Reserves

- 3.8 The plan change area shares a 420m boundary with Brigham Creek Reserve to the south and the east of the plan change area. The reserve is 16.12 hectares. The reserves are undeveloped with no public amenities or infrastructure and currently provides only open grassed paddocks with some trees and a stream for informal recreation opportunities. The only current pedestrian access to the reserve is via a metalled driveway from Brigham Creek Road. The Parks and Community Facilities Department has no current plans for the development of the reserve.
- 3.9 The plan change area also shares a 455m boundary with Spedding/Trig Reserve to the south and west of the plan change area. This reserve is 15.17ha of Council owned land. This reserve is also undeveloped with no public amenities or infrastructure. The landform is currently open grassed paddock with some overland flow paths and some belts of non-native vegetation.
- 3.10 A clause 23 information request to the applicant from Parks Planning requested consideration of the inclusion of height in relation to boundary and yard controls along the abovementioned boundaries with the Council owned land as if it were zoned Open Space. This is important as the timeframe for the re-zoning of the two parcels of Council owned land is currently uncertain and any development that is approved following the private plan change should be limited via development controls in order to manage shading, bulk and dominance effects on the two reserves.
- 3.11 The applicant's Urban Design Assessment mentions 'landscaped buffers along the perimeter boundary of the PPC' (Section 10.4) and refers to a beneficial effect of the PPC would be the introduction of Open Space buffers to the future Council Parks. The precinct plan provisions lack detail on this within the precinct description and the objectives and policies of the precinct. However, it is acknowledged that the standards proposed provide clear rules on the treatment of the boundaries with the two reserves.
- 3.12 The precinct provisions introduce a yard standard along the two boundaries of 5m which includes planting of native vegetation as a densely visual buffer. There is also the inclusion of a height in relation to boundary control along the open space buffers, stipulating that no buildings or parts of buildings must project beyond a 35-degree recession plane measured from a point 6m vertically above ground at the site boundary. These inclusions will ensure development is stepped back from the shared boundary with the reserves and will ensure a reduction of bulk, dominance and shading effects.

Accessways and connectivity between reserves

3.13 The Upper Harbour's Local Board Greenways Plan includes a focus area (Focus Area 5) around Whenuapai and Herald Island, which indicates that there should be a key route along Brigham

- Creek Road, to the north of the private plan change area. There is no route or connection indicated within the private plan change area in the Greenways Plans.
- 3.14 However, the acquisition of the two reserves took place after the Greenways Plan was drafted. As such, it is recommended that connectivity is provided between the two reserves. The Proposed Precinct Plan provided by the applicant includes proposed roads within the PPC area which are proposed to be adjoined by pedestrian and cycleway linkages.
- 3.15 There is also a proposed cycling and pedestrian accessway between the easternmost road in the precinct plan area and Brigham Creek Reserve. A Clause 23 was raised requesting that the applicant includes a provision requirement in the precinct plan to require for safe public pedestrian/cycle access within the precinct which would link to the objective which had been proposed by the applicant for safe and efficient walking and cycling connections.
- 3.16 Decisions on whether connection spaces are vested with the council cannot be made at plan change stage, but their proper function and provision should be clearly indicated in the precinct plans to ensure they are appropriately designed and delivered in future stages of the land development process. In terms of mechanisms, this could involve public right of way easements over private land if it is not acquired.
- 3.17 In terms of potential esplanade reserves along the stream contained within the PPC area, it is noted that a stream survey was undertaken when the applicant applied for fast-track consent. This survey confirmed that the stream was not 3m. Whilst an updated survey may be required to verify this again at the point of subdivision, this is not something that I will consider in the assessment of this PPC application.
- 3.18 The proposed precinct plan provisions also require the 10m planted riparian margin to be planted with native vegetation. Whilst this is positive, it is noted that a 10m margin does not leave adequate space for public access along the riparian edge. However, I also consider the proposed use of the plan change area as an industrial area will reduce the usage as a destination for outdoor amenity. The provision of direct public access between the two reserves is already being provided along the road corridor, so it is not deemed necessary to impose a wider riparian margin for additional walking routes.

4.0 Applicant's assessment

- 4.1 In the Section 32 evaluation, the applicant has confirmed that the proposed precinct objectives will provide an appropriate level of development with good urban design outcomes. In the context of Parks Planning's interests, these outcomes include:
 - The provision of transportation connections within and through the precinct, including walking and cycling pathways running in an east to west direction.
 - Subdivision and development that will incorporate and integrate with the intermittent streams on site.
- 4.2 In section 9.2 of the Section 32 Evaluation, it is noted that the objectives seek that the PPC land be served with appropriate and integrated transport infrastructure. This will facilitate active modes and public transport. This is supported, noting particularly that it is further strengthened by Policy I618.3(4) and Table I168.4.1: Road Function and Design Elements, which requires all roads to include cycle and pedestrian provisions on both sides.
- 4.3 Section 9.2 further notes that the objectives seek protected and enhanced streams, wetlands, and the downstream catchment, with benefits arising in terms of improved water quality, enhanced biodiversity, and mitigation of natural hazards. These outcomes contribute to sustaining natural resources, safeguarding the life-supporting capacity of water and ecosystems, providing for cultural wellbeing, and mitigating adverse effects on the environment. This is supported.
- 4.4 Section 10.10 notes that the PPC will give effect to the Auckland Unitary Plan Regional Policy Statement via specific precinct provisions which manage the interface between the PPC and the adjoining future open space to ensure any reverse sensitivity effects are appropriately remedied and mitigated. This is supported, the yards standard proposed ensures the length of both shared boundaries with future open spaces will have a 5m setback where buildings must not be

constructed and which must be planted with native vegetation to provide a 'densely planted visual buffer'. Further, the height in relation to boundary standard requires all buildings or parts of buildings must not project measured from a point 6m vertically above ground at the site boundary where those site boundaries adjoin an open space buffer as identified on Precinct Plan. The imposition of both of these standards ensures that the interface with the future open space is managed.

Review summary

3.8 It is my assessment that the plan change largely provides assurance that the outcomes anticipated by the RPS, the National Policy Statement on Urban Development or Auckland Council's policies and plans to provide for a connected and integrated open space network as indicated in the background documents supporting the plan change will be achieved in the implementation stage of the resource consent process. Clarity is particularly achieved by the confirmation of an indicative roading layout that integrates the east-west pedestrian/cycle route into the roading layout.

5.0 Proposed amendments to Plan Change

5.1 The proposed Whenuapai Business Park, Plan Change 107 text is considered in Table 1 below, and recommended additions to the text are suggested.

Table 1: Proposed Plan Change Text relevant to parks planning in italics and blue

Reference	Existing Text	Comment/Addition
	1 Precinct Description	1
	The precinct description includes: Infrastructure upgrades include new internal roading connections, new and upgraded intersections, and an upgrade to Brigham Creek Road and Trig Road.	The wording in the precinct description does not address walking and cycling connections. I would therefore recommend the following addition Walking and cycling connections are provided
	Greek Road and Trig Road.	within the Precinct to connect the reserves to the east and west of the plan change area. These connections are to ensure good cycling and walking connectivity between these two reserves.
	The precinct description does not refer to the	I would recommend the following addition
	interface with the Council owned reserves	The Whenuapai Business Park Precinct seeks to provide a well-designed interface with Brigham Creek Reserve and Spedding/Trig Reserve to provide for convenient public access, effective passive surveillance, and to avoid bulk and dominance effects from light industrial development on the reserve.
Objectives	<u> 11.2</u>	<u> </u>
	Whenuapai Business Park Precinct is developed in a staged, comprehensive, and integrated manner to facilitate the development of a business area for predominantly light industrial land use activities.	There are no objectives in the proposed precinct plan unique to the interface of the development with Brigham Creek Reserve and Spedding/Trig Hill Reserve. It is recommended that an objective providing for this outcome is added:
	donvinos.	(x) Ensure the importance of the interface of subdivision and development with Brigham Creek Reserve and Spedding/Trig Reserve are addressed by providing an open space buffer that avoids bulk, dominance and shading effects from industrial development on the

	reserves whilst also adhering to CPTED	
	principles.	
Policies I1.3		
Require the development of a transport network that implements the elements and connections identified in the Precinct Plan and is in accordance with Table I6XX: Road Function and Design Elements.	Policy 4 ensures that a pedestrian/cycle link is included within the precinct between Brigham Creek Reserve and Spedding/Trig Hill Reserve. Policy 6 refers to health and wellbeing of indigenous biodiversity, streams and wetlands however there is no policy that directly addresses the interface with Brigham Creek Reserve and Spedding/Trig Hill Reserve. It is recommended that a policy providing for this outcome is added:	
	Interface	
	Provide an open space buffer along the boundary with Brigham Creek Reserve and Spedding/Trig Reserve to create a positive frontage with the reserves that does not contain buildings or parts of buildings.	
I1.7 – Assessment – restricted discretionary activities		
I1.7.1 Matters of Discretion	The following amendments should be made to the existing matters of discretion	
	The Council will reserve its discretion to all of the following matters when assessing a restricted discretionary activity resource consent application, in addition to the matters specified for the relevant restricted discretionary activities in the overlays, Auckland- wide or zones provisions:	
	(1) Matters for all restricted discretionary activities (including otherwise permitted activities that infringe a permitted standard)	
	(a)-(g)	
	(2) Matters where development that is adjacent to the Open Space Buffer infringes the Yard standard or the Height in Relation to Boundary standard	
	(a) Any policy which is relevant to the standard;	
	(b) the purpose of the standard;	

		(c) the effects on the amenity of the neighbouring reserve;
		(d) How the development addresses passive surveillance on the boundary with a reserve.
11 7 2 Accord	ment Criteria	
		The following amendments should be made to the existing matters of discretion
		(6) For development not in accordance with the Yards standard and Height In Relation to Boundary Standard for the Open Space Buffer the extent to which the proposed

6.0 Submissions

6.1 Matters raised within the submissions to the PC107 plan change relevant to Parks and Community Facilities, are summarised and considered in Table 2. No further submissions to the PC107 were relevant for Parks and Community Facilities to comment on.

Table 2: Comment on submissions received relevant to parks planning

Sub#	Submitter	Summary	Response
1	David George Allen	Accept the plan change subject to amendments to provide for a cycling/walking path along Kauri Road	Neutral but note that the area referred to in the submission (the intersection of Kauri Road/Brigham Creek Road) sits outside the plan change area and therefore the submission is not relevant to my assessment.
4	Watercare	Recommends that the plan change be declined, but if approved this should be with amendments. The amendments recommend updating the precinct description to refer to the proximity of the Whenuapai Transmission pump station (WWPS), amend the policies and objectives to avoid adverse flooding effects on the WWPS that could compromise its operation and amend the rules and standards to include on site	Support – noting that flooding effects or operational effects in relation to the WWPS will result in flooding effects on the adjacent Brigham Creek Reserve. I defer to Healthy Waters in terms of the technical assessment in relation to any potential flooding effects, and I refer to Healthy Waters' 42A report dated March 2025, which sets out the potential effects of flooding that would arise should the WWPS be unable to operate and conclude that the changes proposed by Watercare

		mitigation that accounts for climate change impacts Protects critical infrastructure Prevents any increase in flood risk to the WWPS.	and Healthy Waters should be adopted.
5	Auckland Council	Opposes the plan change in part and seeks that if approved, matters relating to the provision of the strategic integration of transport, water and wastewater infrastructure. Further, ACS seeks amendments to address flood risk to properties and infrastructure.	Support in relation to points about flooding and defer to Healthy Waters' 42A report as specialist evidence in terms of potential flooding effects that would affect Brigham Creek Reserve.
6	New Zealand Defence Force	NZDF seeks to protect RNZAF Base from the adverse effects of reverse sensitivity. NZDF supports the inclusion of no complaints covenants on each new title but seeks additional limitations on development in relation to height limitations and the seeking of NZDF approval within certain portions of 96 and 96A Trig Road. They also seek additional limitations in terms of traffic effects and flooding effects on the RNZAF Base Auckland.	Support in relation to points about flooding. Neutral in relation to height limitations, the only area of land adjacent to the acquired reserve is 96A and future potential bulk and dominance, and shading effects are being managed via the proposed boundary treatment with the reserves.

7.0 Conclusions and recommendations

- 7.1 It is my conclusion that the assessment provided by the applicant goes some way to address the outcomes anticipated by the RPS, AUP and associated Auckland Council policies and plans through the provision of a pedestrian / cycle link between the easternmost road in the precinct plan area and Brigham Creek Reserve. The proposal is not required to provide additional public open space in the form of a neighbourhood park due to the proximity of Brigham Creek Reserve and Spedding/Trig Reserve. Therefore, the proposal is considered to be consistent with the Regional Policy Statement and the AUP which require that open spaces are provided for the recreation and amenity needs of residents, (RPS Objective B2.7.1, B2.7.2, AUP Subdivision Policy E38.3).
- 7.2 It is recommended that any opportunities for managing effects of the development on the adjacent reserves be strengthened, especially in relation to dominance effects and creating the potential for passive surveillance onto the reserve, to ensure development is in line with principles of crime prevention through environmental design.
- 7.3 Comment is provided above in relation to submissions and further submissions to the proposed plan change. I support Watercare's submission relating to potential effects on the pump station located in the centre of Brigham Creek Reserve and therefore potential flood effects on the reserve itself. I refer to Healthy Water's 42A assessment which includes specialist feedback on potential flood effects on the reserve and defer to them in terms of the technical matters associated with the assessment of flooding. I support Watercare's proposed amendments to address flooding matters as noted above.
- 7.4 The private plan change is therefore supported in part. It provides good connectivity between the two reserves with the inclusion of walking and cycling connections. However, an addition to the precinct description it is recommended to strengthen the reference to walking and cycling.
- 7.5 In terms of the interfaces with Brigham Creek Reserve and Spedding/Trig Reserve, the applicant has included a yard standard and a height in relation to boundary standard. This is supported, but additional wording is recommended in Section 5 in relation to the interface with the reserves and passive surveillance to ensure that crime prevention and bulk, dominance and shading are

appropriately managed. The size of the two reserves ensures that, should my recommendations be incorporated into the provisions, bulk and dominance effects of new development, if managed in line with the provisions recommended above, will be comfortably absorbed within the context of the wider reserves.

- 7.6 In terms of the potential additional flooding and issues with the operation of the WWPS, I have read the submission by Watercare and the specialist 42A report which addresses the associated flooding effects which will be realised should the WWPS be unable to operate. I therefore support Watercare's submission and recommend that their proposed amendments and Healthy Waters suggested amendments in their 42A report dated March 2025 be incorporated into the plan change.
- 7.7 My overall view is that I support the private plan change, subject to the amendments recommend above.

PROPERTY **ECONOMICS**



WHENUAPAI BUSINESS PARK

ECONOMIC ASSESSMENT

PEER REVIEW

Project No: 52362

Date: February 2025

Client: Auckland City Council



SCHEDULE

Code	Date	Information / Comments	Project Leader
52362.3	February 2025	Report	Tim Heath / Phil Osborne

DISCLAIMER

This document has been completed, and services rendered at the request of, and for the purposes of the Auckland City Council only.

Property Economics has taken every care to ensure the correctness and reliability of all the information, forecasts and opinions contained in this report. All data utilised in this report has been obtained by what Property Economics consider to be credible sources, and Property Economics has no reason to doubt its accuracy.

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1. INTRODUCTION

Property Economics has been engaged by Auckland City Council (ACC) to undertake a peer review of the live zoning of Future Urban Zone Land in Whenuapai.

The land is part of the Whenuapai Business Land which has been identified in the Auckland Future Development Strategy. This application essentially seeks to expedite the process and bring the applicant's land onto the market ahead of schedule. Therefore, it is predominately an issue of timing, as opposed to the location, that is the key economic consideration.

This review assesses the economic assessment of the proposed development by Insight Economics (IE) dated 10 November 2023 provided as part of the resource consent application of Neil Construction Limited.

In particular, this review focuses on the appropriateness of the approach, methodology and interpretations of the IE assessment and outlines whether net economic benefits are likely to be generated by the proposed development. Ultimately, Property Economics forms a view on whether the proposed development can be supported from an economic perspective under the RMA.

OBJECTIVE

The main objective of this review is to:

Review the IE economic assessment report - its assumptions, methodology, the validity of economic benefits identified and determine whether the conclusions reached in the IE report are agreed with and can be supported from an economics perspective.

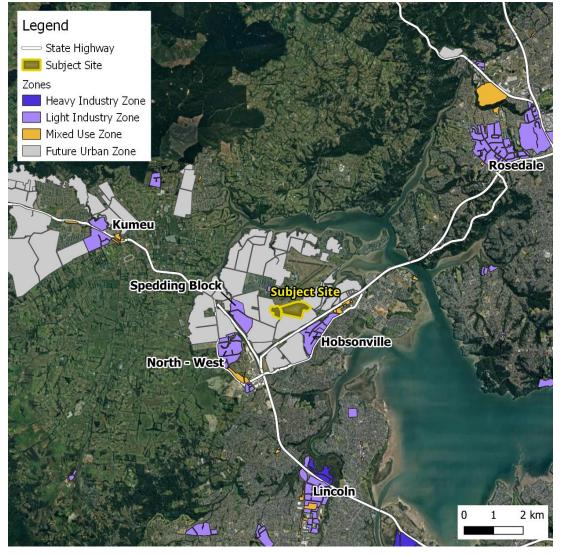


PROPOSED DEVELOPMENT AND CONTEXT

The landowners have applied to rezone a 47-hectare site which is relatively flat and located just south of the Whenuapai Air Force Base. According to the IE report, the proposed rezoning will result in a developable area of approximately 36 hectares. Large-scale earthworks have reportedly already been undertaken on the site.

Figure 1 shows the subject site in the context of the receiving environment including the relevant industrial zones. Immediately surrounding the site is a mix of rural lifestyle and rural activities within Future Urban Zoned land. The subject site forms a part of the wider Whenuapai Structure Plan which is an identified growth node within Auckland's Future Development Strategy.

FIGURE 1: SUBJECT SITE IN CONTEXT OF SURROUNDING INDUSTRIAL ZONES



Source: Property Economics, Google Maps, Auckland Council



Highlighted in Figure 1 is the location of Spedding Block, a 52-hectare site between Brigham Creek Road and Spedding Road that was rezoned to Light Industrial Zone last year.

As outlined in the Planning History section of the IE report, Proposed Plan Change 5 was notified in 2017 and included the subject land but was withdrawn in June 2022 with the lack of infrastructure funding a primary issue.

The subject site lies within the Whenuapai Business area identified by the Auckland Future Development Strategy (FDS). The IE report notes that this land is "anticipated for live zoning in 2025+ which aligns with the private plan change timeline". It should be noted Appendix 6 of the FDS contains a list of infrastructure projects that are required to bring the land 'online' (see Figure 2 below).

FIGURE 2: FUTURE DEVELOPMENT STRATEGY: (APPENDIX PG 38)

Whenuapai	Whenuapai	Live zoned	
	Whenuapai South	Not before 2035+	Trig Road upgrade SH16 to SH18 Connections Hobsonville Road Upgrade Northwest Rapid Transit Whenuapai Wastewater Package 2 Trig Road Water Reservoir, North Harbour No.2 Watermain Project
	Whenuapai Business	* some business can take advantage of existing capacity, these are the projects required to support full build out.	Spedding Road/ Northside Drive connection over SH16 SH16 to SH18 Connections Spedding Road Upgrade and Extension Mamari Road Upgrade and Extension Trig Road Upgrade North Western Bus Improvements (not rapid transit) Northwest Rapid Transit Whenuapai Wastewater Package 1 Whenuapai Wastewater Package 2 Trig Road Water Reservoir, North Harbour No.2 Watermain Project

Source: Auckland Council

IE's report notes that the following infrastructure projects were underway at the time of their report:

- The Northern Interceptor wastewater pipeline;
- The North Harbour 2 Watermain;
- The acquisition of land for Council parks; and
- The Trig Road corridor upgrade (consent application underway).



ECONOMIC REVIEW

This section reviews the main sections of the IE report from an economic perspective.

CURRENT STATE OF INDUSTRIAL LAND MARKET

Demand

In section 5.1 of the report, IE provides a brief overview of the regional context. Auckland Council's Housing and Business Capacity Assessment (HBA) released in September 2023 identifies sufficient capacity within the region's light industrial land supply to meet projected demand. However, IE suggests based on a report by JLL that the market is struggling to find suitable land for industrial use, particularly in regard to larger sites required for data centres and online retail warehouses. Consequently, they argue that new opportunities can only be provided in greenfield locations where land is relatively cheaper per square metre.

To support this proposition, IE explains that industrial rents within the Northwest have risen by 30%-40% over the past 18 months and the vacancy rate is less than 1%. They suggest that a vacancy rate of 5% is considered desirable to allow business movements.

It is important to note that this high appreciation in rents and low vacancy rate is not solely an issue within the Northwest catchment, but a regional one. According to a JLL report¹, the vacancy rates and rental prices of the Manukau and North Shore precincts are similar to that of the Northwest. Furthermore, the JLL report indicates that the current trends in industrial rent have stabilised.

Although there may be a low vacancy on available floor space, there is not necessarily an immediate shortfall in land. This distinction is important as there has been a considerable level of industrial land rezoned in places like Spedding Block. If the proposed Whenuapai Business Park is to go ahead, it is important that it delivers additional business land and does not affect the infrastructure capacity of existing zoned sites such that it would undermine its development.

Supply

Section 5.2.2 of the IE report provides an overview of the supply within the Northwest area. Specifically, the report looks at the availability of land within the Westgate and Hobsonville industrial areas. Based on the attached JLL report²., IE concludes that there is 33ha of Vacant Land of which less than 20ha is deemed available for development. Comparing this to the recent take-up rate of 10ha per annum, they conclude that less than two years of vacant developable land supply remains.

W: www.propertyeconomics.co.nz 28

¹ <u>4Q23-research-snapshots-industrial-v2.pdf (jll.nz)</u> (pg 11)

² JLL-Light-industry-land-anaylsis-in-NW-Auckland.pdf (epa.govt.nz)



Property Economics identifies two issues relating to this position. Firstly, this supply does not take into account the 52ha of recently rezoned land known as Spedding Block. It may be that IE does not consider this land to be "Developable Now", however according to the Spedding Block website³, earthworks are already underway, and at least ten lots have already been sold. Additionally, if the Spedding Block is not deemed 'Developable Now', then nor is the applicant's site given the civil works required to bring this land to market.

Property Economics also considers this reliance on "Developable Now" to be misleading, as most of the supposedly undevelopable vacant land refers to land that is under construction or land with clear development plans. This ongoing development is part of the supply that will satisfy demand within the short term.

If we include the Spedding Block and the full 38ha of Vacant Land, then based on IE's demand calculation of approximately 10ha per annum we would estimate that there were almost nine years of Vacant Land Supply left in the catchment at the time of the economic assessment rather than two. This would place the additional land requirement back to about 2032 which aligns with Property Economics' previous assessments of industrial land for both the Spedding Block Plan Change and more recently the Whenuapai Structure Plan.

This is not to say that the Council should wait till 2032 to zone more land, as it is important land be made available before it is strictly required so that opportunities can be planned and developed and there are often considerable lead times that need to be taken into account. Furthermore, it may be advantageous for additional land to be rezoned earlier to ensure a competitive land market. Nevertheless, it should be recognised that the supply and demand situation is not as severe as the IE report would suggest.

Economic Rationale for Rezoning

IE suggests that the 36 ha of developable land this plan change delivers represents a significant and needed improvement to industrial land supply. According to the applicant, infrastructure support is in place to enable prompt development once consented. IE also suggest that based on the applicant's track record, the proposal will translate to enabled capacity within a timely manner.

Property Economics recognises the applicant's investment in delivering capacity on this land. They have already undertaken some earthworks, presumably in response to the withdrawn Plan Change 5 that would have live-zoned this site.

Most of this section deals with the appropriateness of the land as Industrial Land in giving effect to the established planning vision. It meets the locational criteria necessary for suitable industrial land and synergies with other land uses.

As already mentioned, Property Economics has no issue with this site being utilised for industrial activities. Perhaps more importantly, we do not foresee any issues with this land

³ Home - Spedding Road



being 'next in line' other than it is marginally less efficient than developing the land closer to the State Highway.

Wider Economic Impacts

Section 7 of the IE report assesses the wider economic impacts of the proposal.

Improved Supply Responsiveness – Property Economics agrees with IE's analysis that additional supply will improve industrial land affordability and improve the competitiveness of Auckland's industrial land market. We do note however that this depends on the extent of any market undersupply which is potentially overstated in the previous section.

Economic Stimulus (One off and Ongoing) – IE's analysis indicates that the plan change will inject a one-time economic boost into the economy, encompassing subdivision, infrastructure, and land development costs, which is projected to "create nearly 2,400 FTE-years of employment, generate \$168 million in household wages/salaries, and contribute over \$310 million to the national GDP." Additionally, IE suggests that once the development is complete, the onsite industrial activity could provide full-time employment for over 1,100 people, generate an annual GDP of more than \$140 million, and increase household wages/salaries by \$77.5 million.

Property Economics has confirmed that these estimates of economic stimulus are reasonable given the scale of the proposed development. However, our concern is that these economic benefits can only be considered net additional benefits if they would not have otherwise occurred compared to the opportunity cost of directing industrial growth to other vacant industrial sites around Auckland.

If this plan change undermines the development of a more efficiently located industrial plan that would have delivered similar economic benefits, then the one-time economic stimulus cannot be considered unique to this project. This is particularly true if rezoning this land delays the ability for the Council to rezone other industrial land in the area due to infrastructure constraints.

Reduced Commute Times / Emissions – IE uses StatsNZ's "Commuter Waka" app to show that 59% of workers residing in the Whenuapai SA2 commute to various locations around the city. Property Economics points out a data limitation since these commuting patterns are based on the 2018 Census, with results from the 2023 Census yet to be released. In many cases, this time lag would not be a significant issue. However, employment in the Westgate / Hobsonville areas has grown by over 50% in the past five years, from just under 7,000 jobs in 2018 to almost 10,800 jobs in 2023, while the population has only increased by 13% during the same period. As such, the internalisation of employment has likely improved considerably since 2018.

Although Whenuapai is a major growth node for the future, most of the greenfield capacity has not yet been released. As the primary issue is timing, rather than location, it is important to consider whether the addition of industrial zone land within the identified PPC site will



contribute to a reduction in commuter times / emissions relative to the alternative of delaying the live zoning.

In Property Economics opinion, the premature supply of additional land on the PPC has the potential to capture demand from arguably more efficient alternative locations over the short-medium term, thereby failing to positively contribute to commuting efficiency.

Highest and Best Use of Land – Property Economics believes that this "economic benefit" is not an appropriate basis for a rezoning. Although the subject land will indeed experience a significant uplift in value, this comes at the cost of devaluing the existing zoned land.

Furthermore, "the proposal finally resolves the prolonged process delays that have hitherto prevented it from being put to its intended urban uses." is not an economic consideration that makes the land appropriate for rezoning.



4. SUMMARY

This review has evaluated IE economic assessment of a PPC to rezone 47ha of Future Urban Zone land to Light Industrial Zone. The land has been identified within the Whenuapai Structure Plan as an appropriate location for industrial activities. For this reason, Property Economics have no issue with the proposed rezoning in regard to the proposed land use.

We do however find the following issues with the IE assessment

- No consideration has been given to the additional supply made available by PC69
 which has rezoned 52ha of Future Urban Zone land to Light Industrial. Reportedly, this
 land already has earthworks underway with land titles expected to be available by Q1
 2025, and some tenant occupation in Q42026.
- The report highlights the low vacancy rate in the Northwest catchment and the high rental inflation but does not consider its relativity to the region. Property Economics found that the localised inflation in rental prices matches growth elsewhere in the region. With an estimated four years' worth of growth in the construction pipeline the regional rental inflation has slowed over the past year. Consequently, the market data does not support an immediate localised shortfall.
- The anticipated, quantified, economic benefits largely depend on the assumption that
 the PPC will provide additional supply and stimulate growth that would not have
 happened otherwise. Property Economics challenges this assumption, suggesting the
 recently rezoned Spedding Block delays the need for additional land in the Northwest
 catchment.

Although these issues represent gaps in the economic assessment, Property Economics does not believe the proposed rezoning is likely to have an adverse economic outcome provided that any potential infrastructure issues can be solved.

Ultimately, additional industrial land is expected to be required within the medium term and bringing additional land on stream before it is strictly required will, in this case, help support a competitive land market and support growth.

As it is identified in the FDS as part of the area to be rezoned sometime from 2025 onwards, Property Economics does not believe there are any significant economic costs to the rezoning ahead of the Council-initiated plan change.

APPENDIX FOUR LOCAL BOARD VIEWS



For Action

MEMO TO: Myles Anderson - Policy Planner

COPY TO:

FROM: Max Wilde - Democracy Advisor (Upper Harbour Local Board)

DATE: 31 March 2025

MEETING: Upper Harbour Local Board Meeting of 27/03/2025

Please note for your action / information the following decision arising from the meeting named above:

UH/2025/29 Local board views on Private Plan Change 107 for Whenuapai

Business Park

FILE REF CP2025/02739

AGENDA ITEM NO. 17

17 Local board views on Private Plan Change 107 for Whenuapai Business Park

The Senior Policy Planner, Jo Hart, was in attendance (Via Microsoft Teams) to support the item.

Resolution number UH/2025/29

MOVED by Chairperson A Atkinson, seconded by Member C Blair:

That the Upper Harbour Local Board:

- a) tuku / provide local board views on private plan change 107 Whenuapai Business Park by Neil Construction Limited for 69-73 & 94-96A Trig Road and 141, 145, 151, 153, 155-157, 159 & 163 Brigham Creek Road as follows:
 - i) support this plan change subject to matters raised in submissions by Watercare and Auckland Council are dealt with appropriately, otherwise we do not support this plan change
 - ii) note that the local board understands the importance of local employment in the Northwest and in Whenuapai, there is a need to deliver a variety of local employment opportunities close to residential neighbourhoods and where good transport connections exist
 - iii) support the view of Watercare to seek to amend the precinct provisions to address stormwater and flooding effects so that there is no increase in flood levels at the Whenuapai Wastewater Pumping station
 - iv) support the view of Auckland Council that the plan needs to integrate transport, wastewater and water infrastructure and address funding of this infrastructure



- v) considers that as the air base is of nationally strategic importance the use of the Air Base must not be compromised by development enabled by Plan change 107
- vi) note that the local board does not have visibility to discussions between Auckland Council Parks Department and the applicant and would like to ensure that the open space in this plan change meets the Auckland Council provision guidelines
- vii) requests that as part of the plan change the applicant provide a vehicular connection from the new road in the business park to the Auckland Council Park at 161-167 Brigham Creek Road
- viii) consider that in planning for this area there is greater need to account for climate change impacts, to protect critical infrastructure and to prevent any increase in flood risk
- ix) note that infrastructure is not in place yet and does not support construction prior to commissioning of the required infrastructure
- x) seeks to encourage industrial and commercial development to include water and energy efficient measures
- xi) note that the local board aims to increase tree canopy cover to 30% while Whenuapai is currently at less than 10% and express concern about the removal of any mature trees through this development
- xii) request that this development include a significant number of trees to be planted and that any roads created have large street trees in place with deep tree pits to enable the trees to grow to maturity
- xiii) request that that any development in Whenuapai avoids habitat loss in freshwater and biodiverse ecosystems
- xiv) considers travel by active and public transport modes is vital for any development
- b) kopou /appoint Chairperson A Atkinson to speak to the local board views at a hearing on private plan change 107
- c) tāpae / delegate authority to the chairperson of Upper Harbour Local Board to make a replacement appointment in the event the local board member appointed in resolution b) is unable to attend the private plan change hearing.

CARRIED

SPECIFIC ACTIONS REQUIRED:

APPENDIX FIVE STATUTORY FRAMEWORK

Attachment 5 - Statutory Framework

14. STATUTORY MATTERS

1. Private plan change requests can be made to the council under Clause 21 of Schedule 1 of the RMA. The provisions of a private plan change request must comply with the same mandatory requirements as council-initiated plan changes, and the private plan change request must contain an evaluation report in accordance with section 32 and clause 22(1) in Schedule 1 of the RMA⁴³.

Resource Management Act 1991

2. Sections of the RMA relevant to private plan change decision making are recorded in the following table.

RMA Section	Matters
Part 2	Purpose and intent of the Act
Section 31	Outlines the functions of territorial authorities in giving effect to the RMA
Section 32	Requirements preparing and publishing evaluation reports. This section requires councils to consider the alternatives, costs and benefits of the proposal.
Section 67	Contents of regional plans- sets out the requirements for regional plan provisions, including what the regional plan must give effect to, and what it must not be inconsistent with
Section 72	Sets out that the purpose of district plans is to assist territorial authorities to carry out their functions in order to achieve the purpose of this Act.
Section 73	Sets out schedule 1 of the RMA as the process to prepare or change a district plan
Section 74	Matters to be considered by a territorial authority when preparing a change to its district plan. This includes its functions under section 1, Part 2 of the RMA, national policy statement, other regulations and other matters.
Section 75	Contents of district plans- sets out the requirements for district plan provisions, including what the district plan must give effect to, and what it must not be inconsistent with
Section 76	Provides that a territorial authority may include rules in a district plan for the purpose of (a) carrying out its functions under the RMA; and (b) achieving objectives and policies set out in the district plan
Schedule 1	Sets out the process for preparation and change of policy statements and plans by local authorities. It also sets out the process for private plan change applications.

3. The mandatory requirements for plan preparation are comprehensively summarised by the Environment Court in *Long Bay-Okura Great Park Society Incorporated and Others v North Shore City Council (Decision A078/2008)*, 16 July 2018 at [34] and updated I subsequent cases

⁴³ Clause 29(1) Schedule 1 of the RMA provides 'except as provided in subclauses (1A) to (9), Part 1 with all necessary modifications, shall apply to any plan or change requested under this Part and accepted under clause 25(2)(b)'

[Te reo headline here]

including Colonial Vineyard v Marlborough District Council [2014] NZEnvC 55 at [17]. When considering changes to district plans, the RMA sets out a wide range of issues to be addressed. The relevant sections of the RMA are set out above and the statutory tests that must be considered for PC74 are set out in 1 below.

A. General requirements

- 1. A district plan (change) should be designed to accord with and assist the territorial authority to carry out its functions so as to achieve, the purpose of the Act.
- 2. When preparing its district plan (change) the territorial authority must give effect to any national policy statement or New Zealand Coastal Policy Statement.
- 3. When preparing its district plan (change) the territorial authority shall:
 - (a) Have regard to any proposed regional policy statement;
 - (b) Not be consistent with any operative regional policy statement.
- 4. In relation to regional plans:
 - (a) The district plan (change) must not be inconsistent with an operative regional plan for any matter specified in section 30(1) [or a water conservation order]; and
 - (b) Must have regard to any proposed regional plan on any matter of regional significance etc.
- 5. When preparing its district plan (change) the territorial authority must also:
 - Have regard to any relevant management plans and strategies under other Acts, and to any relevant entry in the Historic Places Register and to various fisheries regulations, and to consistency with plans and proposed plans of adjacent territorial authorities.
 - Take into account any relevant planning document recognised by an iwi authority; and
 - Not have regard to trade competition.
- 6. The district plan (change) must be prepared in accordance with any regulation (there are none at present);
- 7. The formal requirement that a district plan (change) must also state its objectives, policies and the rules

B. Objectives [the section 32 test for objectives]

8. Each proposed objective in a district plan (change) is to be evaluated by the extent to which it is the most appropriate way to achieve the purpose of the Act.

C. Policies and methods (including rules) [the section 32 test for policies and rules]

[Te reo headline here]

- 9. The policies are to be implement the objectives, and the rules (if any) are to implement the policies;
- 10. Each proposed policy or method (including each rule) is to be examined, having regard to its efficiency and effectiveness, as to whether it is the most appropriate method for achieving the objectives of the district plan taking into account:
 - (a) The benefits and costs of the proposed policies and methods (including rules); and
 - (b) The risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules, or other methods.

D. Rules

11. In making a rule the territorial authority must have regard to the actual and potential effect of activities on the environment.

E. Other statutes

12. Finally territorial authorities may be required to comply with other statutes. This includes, within the Auckland Region, the Local Government (Auckland) Amendment Act 2004.

APPENDIX SIX SUBMISSIONS AND FURTHER SUBMISSIONS

Submission on a notified proposal for policy **statement or plan change or variation**Clause 6 of Schedule 1, Resource Management Act 1991



					r.		
Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :					For office use only Submission No:		
Attn: Planning Tech Auckland Council				Receipt Date:			
Level 16, 135 Alber Private Bag 92300	rt Street				·		
Auckland 1142							
Submitter deta	ils						
Full Name or Nam	e of Agent (if applic	able)					
Mr/Mrs/Miss/Ms(Fu Name)	(Full Mr David George A LIEN						
Organisation Nam	ne (if submission is	made on beh	alf of O	rganisation)			
Address for service of Submitter							
23 Waimarie Road, When	nuapai, Auckland 0618						
Telephone:	272888371	Email: dave.allen@c		dave.allen@d	outlook.co.nz		
Contact Person: (N	lame and designation	, if applicable)					
Scope of subm	nission						
This is a submiss	ion on the following	proposed pla	an chan	ge / variation to	an existing plan:		
Plan Change/Variation Number		PC					
Plan Chang	e/Variation Name						
	isions that my subm e specific parts of the p						
Plan provision(s)	Transport						
Or							
Property Address	Whenuapai Business Park - Kauri Road,						
Or Man							
Map	,						
Or Other (specify)							

Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I support the specific provisions identified above ☐						
I oppose the specific provisions identified above						
I wish to have the provisions identified above amended Yes No						
The reasons for my views are:						
Insufficient consideration of walking/cycling access on Kauri road, and to the Kauri Road/Brigham Creek Road	Intersection	-				
(continue on a separa	ate sheet if necessary)	- 5				
		-				
I seek the following decision by Council:						
Accept the proposed plan change / variation						
Accept the proposed plan change / variation with amendments as outlined below	×	1.1				
Decline the proposed plan change / variation						
If the proposed plan change / variation is not declined, then amend it as outlined below.						
Provide walking/cycling access on Kauri road, and further analysis of the Kauri Road/Brigham Creek Road int	lersection					
I wish to be heard in support of my submission		=0 =0 =0				
I do not wish to be heard in support of my submission	×					
If others make a similar submission, I will consider presenting a joint case with them at a hearing	⊠					
Dave Allen 11/13/2024						
Signature of Submitter (or person authorised to sign on behalf of submitter) Date	11.					
Notes to person making submission:	Ψ.					
If you are making a submission to the Environmental Protection Authority, you should use Form 16	3B.					
Please note that your address is required to be made publicly available under the Resource Management 1991, as any further submission supporting or opposing this submission is required to be forwarded as the Council.						

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

I could ☐ /could not ☒ gain an advantage in trade competition through this submission.

If you could gain an advantage in trade competition through this submission please complete the following:

I am 🗷 / am not 🗌 directly affected by an effect of the subject matter of the submission that:

- adversely affects the environment; and (a)
- (b) does not relate to trade competition or the effects of trade competition.

Submission on PC107 from D G ALLEN.

- 1) An enormous amount of work has gone into the application which seems at variance with the conclusion in Appendix D, section 5, that:-
 - "the proposed road cross sections and network allows the WBPPC to be accessible by all transport modes: walking, cycling, bus and private vehicles"

For decades the local population have sought a cycling/walking path along Kauri Road, and the lack of one is at variance with the above statement.

This apparent conflict would appear to need resolution

2) While it is understood that the development area under PC 107, does not quite extend to the Kauri Road/ Brigham Creek Road intersection, extensive study on that intersection is reported in App.D based on SIDRA etc modelling, and Auckland Council have issued RFI #3 & #14 accordingly.(pages 86 & 91 of 95)

The data in Figures 17 & 18 (pages 24 & 25) is supported by data (page 87/95 of submission App D), but the values seem of high significance, even when the Austroad rules are applied with reduced distancing.

Should work be conducted to improve this intersection?

3) It is noted that the green/red colours created by the "Waka App" in the diagram on page 10 of Appendix D, have e.g. the area including Waimarie Road Whenuapai and Herald Island "red" meaning work destinations, when they are clearly residential areas, which casts doubt on related transport studies referenced above.

Is this "Waka App' data realistic?, - as if not it would seem to affect many transport issues.

FORM 5

SUBMISSION ON PRIVATE PLAN CHANGE 107 – WHENUAPAI BUSINESS PARK

To: Auckland Council

Private Bag 92300 Auckland 1142

Name of Submitter: Maraetai Land Development Limited

Maraetai Land Development Limited ('the Submitter') provides this submission on Private Plan Change 107: Whenuapai Business Park.

Auckland Council has accepted a private plan change request to the Auckland Unitary Plan (Operative in Part) from Neil Construction Limited under Schedule 1 to the Resource Management Act 1991 (RMA). The purpose of the private plan change is described in the public notice as the following:

- This private plan change seeks to rezone the land from Future Urban Zone to Business Light Industry Zone.
- The private plan change seeks to apply a new Whenuapai Business Park Precinct over the land to manage effects of future development on the land and to apply the Stormwater Management Area Flow control.

The Submitter owns or has interest in land within the Whenuapai area.

The Submitter could not gain an advantage in trade competition through this submission and the submission does not raise matters that relate to trade competition or the effects of trade competition.

The Submitter supports the Private Plan Change 107: Whenuapai Business Park in its entirety.

The reasons for the Submitter's support are:

- 1. The private plan change would generally promote the sustainable management of natural and physical resources, in accordance with Part 2 of the Resource Management Act 1991;
- 2. The private plan change is consistent with the objectives and policies of the Auckland Unitary Plan and other provisions in relevant statutory planning instruments;
- The private plan change ensures that appropriate infrastructure upgrades and new infrastructure are provided to enable the planned growth and intensification of this part of Auckland; and

4. The private plan change would establish employment land to support the existing and planned residential areas in Whenuapai, promoting the use of public transport and active modes, such as cycling, and reducing the dependency on private vehicles.

Relief sought:

The Submitter seeks that the Council **approve** the private plan change.

2.2

The Submitter wishes to be heard in support of this submission. If other parties make a similar submission, the submitter would consider presenting a joint case with them at any hearing.

Maraetai Land Development Limited

5th December 2024

Address for service of submitter:

C/- Campbell Brown Planning Limited PO Box 147001 Ponsonby

AUCKLAND 1144

Attention: Campbell Brown Planning Limited

Telephone: (09) 378 4936

Email: info@campbellbrown.co.nz

SUBMISSION ON A NOTIFIED PROPOSAL FOR POLICY STATEMENT OR PLAN, CHANGE OR VARIATION

CLAUSE 6 OF SCHEDULE 1, RESOURCE MANAGEMENT ACT 1991

To: Auckland Council

Private Bag 92300 Victoria Street West

Auckland 1142

unitaryplan@aucklandcouncil.govt.nz

Name of submitter: Cabra Development Limited ("Cabra")

Introduction

- This is a submission on an application for a Private Plan Change 102 ("PC107") to the Auckland Unitary Plan (Operative in Part) ("AUP") by Neil Construction Limited ("Applicant").
- 2. The Applicant proposes to rezone approximately 47.5ha of land within Whenuapai from Future Urban zone to Business Light Industry zone, as well as to introduce a Precinct and to apply the Stormwater Management Area Flow 1 control to the plan change area.
- 3. Cabra is a land development company established in 1987. Cabra specialises in greenfield subdivision within the western and northern parts of the Auckland region. Cabra owns various properties in Whenuapai including the site at 90 Trig Road, which is located to the south of the plan change area, and 15 Clarks Lane, and 10, 14 and 16 Sinton Road, to the east of the plan change area.
- 4. Cabra is a potential trade competitor for the purposes of the Resource Management Act 1991 ("RMA") as it has landholdings that are located within the same transport network, and may be directly affected by transportation effects arising from the proposal as set out in the following submission.

Scope and Reasons for Submission

- 5. Cabra **supports** the Application, subject to matters raised in this submission, on the basis that, if the matters in this submission are addressed, the Application:
 - a) will promote the sustainable management of resources and therefore will achieve the purpose and principles of the RMA;
 - b) is generally consistent with Part 2 and other provisions of the RMA;

- c) will meet the reasonably foreseeable needs of the future generations;
- d) will enable social, economic and cultural wellbeing;
- e) is generally consistent with the purposes and provisions of the relevant statutory planning instruments, including the Unitary Plan and the anticipated outcomes of the Whenuapai Structure Plan and Future Development Strategy;
- f) will avoid, remedy or mitigate adverse environmental effects, including on the surrounding road network.
- 6. The following comments are made in particular without derogating from the generality of the above.

Submission

- 7. Cabra supports the proposed plan change application as it is generally aligned with the outcomes anticipated by the Whenuapai Structure Plan 2016, will unlock greenfield development in a manner that is integrated with the delivery of upgrades to transport and three waters infrastructure, and it will deliver the efficient use of land for light industrial activities which provides employment opportunities for existing and future residential development in Whenuapai, reducing travel distances (and 'vehicle kilometers travelled') within the surrounding road environment and beyond.
- 8. The following specific comments are made in respect of infrastructure and servicing, transport and planning matters, in support of the application.

Infrastructure and servicing

- Cabra supports the proposed approach to stormwater management as set out in the Stormwater Management Plan, acknowledging the stormwater catchment is different from the catchments that are relevant to Cabra's landholdings at Trig Road, Clarks Lane and Sinton Road.
- 10. Cabra supports the proposed water and wastewater solution on the basis that subdivision and construction of new buildings cannot proceed until the required infrastructure upgrades and network within the catchment are completed and operational.
- 11. Further, we note that the plan change area is not reliant on Watercare's wastewater packages 1 and 2 (Massey Connector & Northern Interceptor project), which are not expected to be completed until late 2028.

Transportation

- 12. Cabra supports the Applicant's proposed upgrades to Brigham Creek Road, Trig Road, and the identified intersections, to the design intended by the Supporting Growth Alliance's Notices of Requirement.
- 13. Cabra supports the staged approach to the delivery of upgrades via the infrastructure staging plan (Drawing C-4800 revision E). These upgrades will not only mitigate the adverse effects of the plan change but also positively contribute to and enable wider urbanisation in Whenuapai, particularly the proposed upgrade of the Trig Road and Brigham Creek Road intersection.

Precinct Provisions

14. The following observations are provided in respect of the proposed precinct provisions to assist with the interpretation and implementation of the precinct.

Activity Table

15. In respect of Activity Table I6X.4.1(A4), there appears to be a drafting error whereby the non-complying activity status appears to apply to development within engine testing noise boundaries, <u>and</u> development that does not comply with any other standard. The relevant text is underlined below for assistance. We anticipate the rule was not intended to capture standard infringements as blanket non-complying activities. There may be an assumption that Rule C1.9(2) applies, however we suggest this is not explicit enough and requires further clarification. Moreover, consequential amendments may be required accordingly.

Activities that do not comply with:

 Standard XX Development within the aircraft engine testing noise boundaries; but do not comply with any one or more of the other standards contained in Standards X.

- 16. The Activity Table is clear that consent is required as a restricted discretionary activity to infringe Standard IX.6.2 Trip generation. Perhaps a new row in the Activity Table to confirm the activity status for infringements to standards would assist, directing readers to the assessment criteria at I1.7.2 accordingly.
- 17. We query whether an infringement arises in the event that subdivision, use or development is <u>not</u> in accordance with the proposed Precinct Plan this is not mentioned in the Activity Table. In other examples within Whenuapai, activity in accordance with the Precinct Plan (and/or Staging Plan in this case) would be

3.2

3.3

restricted discretionary, and activity not in accordance with the Precinct Plan would be non-complying. It is possible the Plan Change proponent considers a permitted activity status for activity in accordance with the Precinct Plan is appropriate, as opposed to introducing a further consent matter, especially given the underlying Light Industry zoning.

18. It is unclear whether the staging of development and infrastructure is required to be carried out in a particular order, and if so, what planning framework applies should an infringement arise in this regard. For example, if the area shown in blue is delivered first, what effects arise if Intersection A is not in place at the time of use and development (given Intersection A is not required to be delivered until the area shown in red is developed), and so on.

Standard I1.6.2 Trip generation

- 19. The Integrated Transport Assessment ("ITA") identifies at section 3.4 that the Precinct can accommodate up to 151,200m² GFA of industrial activity. However, the ITA explains that modelling identifies that 'sensitivities' arise in the road network from the volume of trips (950 trips at peak hour) that would be generated from this GFA. The ITA identifies that reducing the volume of trips to 725 trips at peak hour would retain spare capacity in the traffic network, including when the proposed intersection and road upgrades are included in the model. On this basis, Standard I1.6.2 Trip generation proposes to cap gross floor area at 115,000m² unless a traffic monitoring report demonstrates that 'peak hour trip generation from all existing or consented development in the Precinct does not exceed 725 vehicles per hour'.
- 20. While acknowledging that at this early stage and without the intersection upgrades being place, a high degree of assumption is required to foreshadow traffic rates and distributions. We also acknowledge that this business plan change will create job opportunities for the existing and emerging local community, and traffic will be travelling to/from the plan change area from nearby locations, supporting the reduction of traffic demand on the networks otherwise travelling to the Metropolitan Centre, SH16 and SH18. However, there appears to be 'gap' in traffic generation in the immediate local network that does not appear to be mitigated by the proposed transport upgrades, being the difference in traffic of 725 and 950 vehicles per hour (peak). We query whether the precinct standards could or should require additional mitigation in order to reach the maximum build out of 150,000m² GFA, and/or whether additional assessment criteria may be required to consider the need for other mitigation measures should the 725 vph be exceeded.

3.5

Relief Sought

- 21. On the basis that the above queries are resolved, it is considered that the plan change application generally reflects the anticipated outcomes of the Whenuapai Structure Plan and Future Development Strategy, and will deliver a well-functioning urban environment that provides opportunities for local employment coincidentally with residential growth in Whenuapai.
- 22. Cabra seeks that the Plan Change is approved, subject to resolution of the matters outlined in this submission.

23. Cabra does not wish to be heard in support of its submission.

20. Casta account with to so meata in capport of its casti

DATED at Auckland this

6th

day of **December 2024**

Signature:

Duncan Unsworth General Manager

Cabra Developments Limited

Address for Service:

PO Box 197 Orewa Auckland

duncan@cabra.co.nz

From: <u>UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz</u>

To: <u>Unitary Plan</u>

Subject: Unitary Plan Publicly Notified Submission - Plan Change 107 - Watercare

Date: Friday, 6 December 2024 3:16:12 pm

Attachments: Watercare Submission to PPC 107 - Whenuapai.pdf

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Watercare

Organisation name: Watercare

Agent's full name:

Email address: markbishop@water.co.nz

Contact phone number: 022 010 6301

Postal address: Remurewa Auckland 1050 Remurewa Auckland 1050

Submission details

This is a submission to:

Plan change number: Plan Change 107

Plan change name: PC 107 (Private): Whenuapai Business Park

My submission relates to

Rule or rules: Plan Change 107

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

Please see attached submission.

I or we seek the following decision by council: Decline the plan change, but if approved, make the amendments I requested

Details of amendments: Please see our attached submission

Submission date: 6 December 2024

Supporting documents

Watercare Submission to PPC 107 - Whenuapai.pdf

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission? Yes

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- · Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.



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Watercare Services Limited

73 Remuera Road, Remuera, Auckland 1050, New Zealand Private Bag 92521, Victoria Street West, Auckland 1142, New Zealand

Telephone +64 9 442 2222

www.watercare.co.nz

Auckland Council
Unitary Plan Private Bag 92300
Auckland 1142

Attention: Planning Technician

unitaryplan@aucklandcouncil.govt.nz

TO: Auckland Council

SUBMISSION ON: Private Plan Change 107: Whenuapai Business Park

FROM: Watercare Services Limited

ADDRESS FOR SERVICE: planchanges@water.co.nz

DATE: 6 December 2024

Watercare could not gain an advantage in trade competition through this submission.

1. WATERCARE'S PURPOSE AND MISSION

- 1.1. Watercare Services Limited (Watercare) is New Zealand's largest provider of water and wastewater services. Watercare is a council-controlled organisation under the Local Government Act 2002 (LGA) and is wholly owned by the Auckland Council (Council).
- 1.2. As Auckland's water and wastewater services provider, Watercare has a significant role in helping Council achieve its vision for the city. Watercare's mission is to provide reliable, safe, and efficient water and wastewater services to Auckland's communities.
- 1.3. Watercare provides integrated water and wastewater services to approximately 1.7 million people in the Auckland region. Over the next 30 years, from 2023-2053,

this is expected to increase by another 520,800 people¹. The rate and speed of Auckland's population growth puts pressure on our communities, our environment, and our housing and infrastructure networks. It also means increasing demand for space, infrastructure, and services necessary to support this level of growth.

- 1.4. Watercare has certain obligations under both the LGA and the Local Government (Auckland Council) Act 2009. For example, Watercare must achieve its shareholder's objectives as specified in its statement of intent, be a good employer, and exhibit a sense of social and environmental responsibility.²
- 1.5. Watercare must also give effect to relevant aspects of the Council's Long-Term Plan, and act consistently with other plans and strategies of the Council, including the Auckland Plan 2050 and the Auckland Future Development Strategy 2023-2053.
- 1.6. Watercare is required to manage its operations efficiently with a view to keeping overall costs of water supply and wastewater services to its customers (collectively) at minimum levels, consistent with effective conduct of the undertakings and maintenance of long-term integrity of its assets.

2. SUBMISSION

Background

- 2.1. This is a submission on Private Plan Change 107 (**PPC 107**) by Neil Construction Limited (**Applicant**) to rezone approximately 47.5 hectares of land from Future Urban Zone to Light Industry Zone and establish the Whenuapai Business Park Precinct.
- 2.2. The PPC 107 land is located upstream of the Whenuapai Transmission Pump Station (WWPS), which is critical infrastructure built in 2013 with an expected asset life of 100 years. The WWPS is essential for collecting and conveying wastewater from the wider Whenuapai area to the Hobsonville Peninsula pumping station and from there to either M\u00e4ngere or Rosedale wastewater treatment plants.
- 2.3. The location of the WWPS in relation to the plan change area is shown in **Schedule 1**.

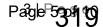
General Reasons for Submission

- 2.4. PPC 107 and the proposed Whenuapai Business Park Precinct provisions:
 - a) will not promote the sustainable management of resources, will not achieve the purpose of the Resource Management Act 1991 (RMA), and are contrary to Part 2;
 - are inadequate to protect Watercare's critical wastewater infrastructure from increased flood risk;

- will not meet the reasonably foreseeable needs of future generations and will not enable the social and economic wellbeing of the community in the Auckland region;
- d) do not represent the most appropriate means of exercising the Council's functions or achieving the purpose of the RMA as required by section 32; and
- e) do not give effect to relevant Auckland Unitary Plan (**AUP**) provisions, including higher order provisions, regarding risks to infrastructure.

Specific Reasons for Submission

- 2.5. Council's Healthy Waters department undertook detailed modelling in 2020, which demonstrates that the WWPS is vulnerable to flooding effects under current (pre-development) conditions.
- 2.6. Council (Healthy Waters) modelling shows potential flood depths up to 1.2m at the WWPS under Maximum Probable Development with climate change.
- 2.7. Watercare does not agree with the Applicant's current assessment that any adverse flooding / inundation effects from PPC 107 development on the WWPS will be "insignificant" or "less than minor".
- 2.8. Watercare considers that potentially **significant** adverse effects on the WWPS will arise due to an increased risk of flooding / inundation from PPC 107 development.
- 2.9. The Applicant's Flood and Flood Hazard Risk Assessment Report (**Flood Report**) is inadequate because:
 - a) It fails to properly account for climate change impacts;
 - b) It understates potential flood level increases, with flood level increases at the WWPS predicted to be only either:
 - i. 10mm with an unblocked culvert; or
 - ii. 30mm when the culvert is 50% blocked;
 - The claimed 10mm increase in flood levels is highly doubtful given the significant increase in impervious surfaces and the lack of climate change consideration in the modelling;
 - d) The Flood Report does not adequately assess risks from the 30mm increase scenario with culvert blockage;
 - e) There are fundamental inconsistencies between the Flood Report and the Applicant's draft Stormwater Management Plan, including regarding:



- i. Whether the predicted 30mm flood level increase results from culvert blockage or climate change;
- ii. Which scenarios were actually modelled and analysed;
- iii. The treatment of climate change effects.

This creates significant uncertainty about the actual flood risks to the WWPS.

- 2.10. Recent events, particularly the January 2023 floods which damaged the Wairau Valley pump station, have demonstrated that allowing development to increase flood risk and inundation risk to pump station buildings is unacceptable because:
 - a) Pump station electronics are highly vulnerable to flood damage;
 - b) Once water enters electrical systems, the pump station becomes inoperable;
 - c) Pump failure can lead to wastewater overflow, with serious environmental and public health consequences;
 - d) Recovery from flood damage can take days, during which time raw sewage may flow to waterways;
 - e) The costs of repair and environmental cleanup are substantial;
 - f) Even modest flooding can prevent effective operation. For example:
 - i. Staff may not be able to safely access the pump station for operation and maintenance; and
 - ii. Emergency response becomes difficult when access routes are submerged.
- 2.11. The Applicant must mitigate flood flows from the plan change area to prevent any increase in flood levels beyond existing conditions. The Applicant has not proposed any mitigation measures to prevent flooding of the WWPS, which is inadequate given:
 - a) The matters traversed above, including the concerns at paragraph 2.9 as to the inadequacy of the Applicant's assessment and lack of proper consideration of climate change impacts; and
 - b) The large impervious areas proposed under the Light Industry zoning will result in large increases in surface runoff, likely exacerbating flood risks in an area where the WWPS is already vulnerable to flooding under current conditions.
- 2.12. The proposed stormwater management approach does not sufficiently protect critical infrastructure.



- 2.13. PPC 107 fails to give effect to key higher order provisions of the AUP including (for example and without limitation):
 - a) Objective B10.2.1(3): "New subdivision, use and development avoid the creation of new risks to people, property and infrastructure."

Comment: PPC 107 will potentially create new flood risks to critical infrastructure – the WWPS – contrary to this objective.

PPC 107 would have potentially significant adverse effects on critical wastewater infrastructure through increased flood risks. The proposed development may constrain the operation of the WWPS by increasing flood risks, and potentially compromising the WWPS's ability to function during flood events and hindering access for maintenance and emergency response.

b) Policy B10.2.2(3): "Ensure the potential effects of climate change are taken into account when undertaking natural hazard risk assessments."

Comment: The Applicant's flood assessment fails to properly account for climate change, contrary to this policy.

c) Policy B10.2.2(6): "Adopt a precautionary approach to natural hazard risk assessment and management in circumstances where: (a) the effects of natural hazards and the extent to which climate change will exacerbate such effects are uncertain but may be significant..."

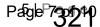
Comment: Given the uncertainties and inconsistencies identified above in relation to the flood assessment work, a precautionary approach is required by this policy.

- d) Policy B10.2.2(12): "Minimise the risks from natural hazards to new infrastructure which functions as a lifeline utility by:
 - (a) assessing the risks from a range of natural hazard events including low probability but high potential impact events ..."

Comment: While this policy concerns new infrastructure, it demonstrates the importance the AUP places on protecting lifeline utilities from natural hazards. The same rationale applies to protecting existing critical infrastructure like the WWPS.

3. SPECIFIC PARTS OF PPC 107 THAT THIS SUBMISSION RELATES TO

- 3.1. Watercare's submission relates to PPC 107 in its entirety.
- 3.2. Without limiting the generality of paragraph 3.1 above, Watercare has a particular interest in:
 - a) The proposed stormwater management approach;



- b) Assessment of flooding effects;
- c) Proposed mitigation measures;
- d) Protection of critical infrastructure.

4. DECISIONS SOUGHT

- 4.1. For the reasons stated in this submission, Watercare seeks:
 - a) Primary relief: That PPC 107 be declined in its entirety; or
 - b) **Secondary relief**: In the alternative, if PPC 107 is approved, amendments to the precinct provisions (including to the precinct description, objectives, policies, rules, matters of discretion / assessment criteria, special information requirements, precinct plans and other provisions) to address the concerns raised in this submission, and to require that there be no increase in flood levels at the WWPS.
- 4.2. Without limiting the generality of paragraph 4.1(b) above, if PPC 107 is approved, Watercare seeks amendments to the precinct provisions as follows (or to like effect):
 - a) Amendments to the **precinct description** to recognise the proximity and importance of the WWPS and to refer to the need to avoid adverse flooding / inundation effects on the WWPS;
 - Amendments to the **objectives and policies** to address the issues raised in this submission, including to avoid adverse flooding / inundation effects on the WWPS that could compromise its operation; and
 - c) Amendments to the **rules** / **standards** to include requirements for comprehensive stormwater and flood mitigation measures (including, without limitation, on-site attenuation / water storage designed to achieve hydraulic neutrality) within the plan change area that:
 - i. Account for climate change impacts
 - ii. Protect critical infrastructure
 - iii. Prevent any increase in flood risk to the WWPS.
 - d) Amendments to the matters of discretion and assessment criteria, to ensure appropriate assessment of the matters raised in this submission, including (but not limited to) to ensure that climate change impacts are taken into account through the resource consent process.

4.1

- e) Any necessary amendments to the **precinct plan(s)** to give effect to the amended rules / standards including, without limitation, to show indicative stormwater attenuation devices / areas that will serve the Precinct.
- f) Amendments to the special information requirements to include a requirement to provide with any application for resource consent for subdivision and / or development within the precinct detailed mitigation measures to achieve hydraulic neutrality and prevent any increase in flood levels at the WWPS.
- 4.3. In all cases where amendments are proposed, Watercare would consider alternative wording which addresses the reason(s) for Watercare's submission.
- 4.4. Watercare also seeks any consequential amendments required to give effect to the decisions requested.

5. APPEARANCE AT HEARING

5.1. Watercare wishes to be heard in support of its submission.

Mark Bourne
Chief Operations Officer

Address for Service:

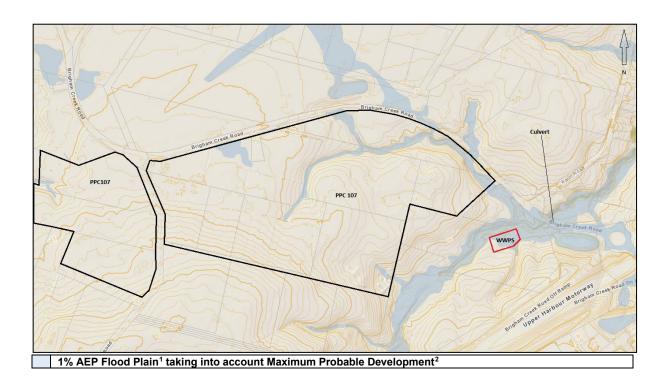
Mark Bishop Regulatory & Policy Manager Watercare Services Limited Private Bag 92521 Victoria Street West Auckland 1142

Phone: 022 010 6301

Email: planchanges@water.co.nz

SCHEDULE 1

Map showing location of Whenuapai WWPS in relation to plan change area



¹ Sourced from Auckland Council <u>Geomaps</u>

² Refer to the Auckland Unitary Plan for the definitions of Flood Plain and Maximum Probable Development

IN THE MATTER of the Resource

Management Act 1991

(RMA)

AND

IN THE MATTER of a submission under

clause 6 of the First Schedule to the RMA on Private Plan Change 107: Whenuapai Business

Park

SUBMISSION ON NOTIFIED PROPOSAL FOR PRIVATE PLAN CHANGE 107 TO THE AUCKLAND UNITARY PLAN (OPERATIVE IN PART)

To: Auckland Council

Name of submitter: Auckland Council

(contact: Celia Davison)

Address for service: 35 Albert Street

Private Bag 92300 Auckland 1142

INTRODUCTION

- 1. This is a submission on Private Plan Change 107: Whenuapai Business Park (**the plan change**) to the Auckland Unitary Plan (Operative in Part) (**AUP**) by Neil Construction Limited (the **Applicant**).
- 2. This submission by Auckland Council is in its capacity as submitter (ACS).
- 3. ACS could not gain an advantage in trade competition through this submission.

THE SPECIFIC PROVISIONS OF THE PROPOSAL THE SUBMISSION RELATES TO

- 4. The specific provisions of the plan change that this submission relates to are:
 - a. Whenuapai Business Park Precinct (the **Precinct**) provisions in their entirety
 - b. I1.2 Objectives
 - c. I1.3 Policies
 - d. I6XX4.1 Activity table
 - e. I1.6 Standards
 - f. Table 1: Road Function and Required Design Elements
 - g. Precinct Plan (Infrastructure Staging)
 - h. Precinct Plan

SUBMISSION

5. ACS opposes the plan change in part and seeks that if approved, the matters raised in this submission are addressed. The key issues are providing for the strategic integration of transport, water and wastewater infrastructure, and the planning / funding of such infrastructure, with the land use proposed in the plan change. In addition, ACS seeks amendments to address flood risk to properties and infrastructure, and the safe functioning of Trig Road as an arterial road in the future.

5.1

Infrastructure prerequisites

- 6. The National Policy Statement on Urban Development (NPS-UD) and Auckland Regional Policy Statement (RPS) Chapters B2 and B3 of the AUP contain objectives and policies that place strong emphasis on the importance of ensuring the integration of infrastructure, including transport infrastructure, with land use / urbanisation. Section 75(3) of the RMA requires the plan change to "give effect to" these higher order provisions. This is a strong directive requiring the relevant objectives and policies to be implemented.¹ Examples of these provisions include:
 - a) Objective 6 of the NPS-UD which requires local authority decisions on urban development that affect urban environments to be "Integrated with infrastructure planning and funding decisions".

¹ Environmental Defence Society Inc v New Zealand King Salmon Company Ltd [2014] NZSC 38 at [77].

- b) The range of RPS provisions in chapters B2 and B3 that address the need for the integration of infrastructure provisions, planning and funding with land use, and the timely, efficient, and adequate provision of infrastructure, including B2.2.1(1); B2.2.2(2)(c) and (d); B2.2.2(4) and (7); B3.3.1(1)(b); B3.3.2(5).
- 7. Policy B2.2.2(7) is directly relevant to the plan change as it applies to Future Urban Zoned land.
 - B2.2.2(7) Enable rezoning of land within the Rural Urban Boundary or other land zoned future urban to accommodate urban growth in ways that do all of the following
 - (a) support a quality compact urban form;
 - (b) provide for a range of housing types and employment choices for the area;
 - (c) integrate with the provision of infrastructure; and
 - (d) follow the structure plan guidelines as set out in Appendix 1.
- 8. Plan Change 80 amended Policy B2.2.2(7) to integrate the concepts of "well-functioning urban environment" and added the following additional clause: "(caa) provide good accessibility, including by way of efficient and effective public or active transport". The decision on this plan change was notified on 14 September 2023.
- 9. B2.9 Explanation and Principal Reasons for Adoption of the objectives and policies, states:

In addressing the effects of growth, a key factor is enabling sufficient development capacity in the urban area and sufficient land for new housing and businesses over the next 30 years. The objectives and policies guide the location of urban growth areas. They identify how greenfield land which is suitable for urbanisation will be managed until it is re-zoned for urban development. They encourage provision for Mana Whenua to develop and use their resources. They also set out the process to be followed to ensure that urban development is supported by infrastructure on a timely and efficient basis.

They should be considered in conjunction with the Council's other principal strategic plans such as the Auckland Plan, the Long-term plan and the Regional Land Transport Plan. The strategies and asset management plans of infrastructure providers will also be highly relevant.

- 10. The explanatory text at B3.5 of the RPS confirms the intention that "development, especially that associated with growth in greenfield areas, must be integrated and co-ordinated with the provision of infrastructure and the extension of networks".
- Auckland Council adopted the Auckland Future Development Strategy 2023-2053 (FDS) in November 2023. This replaces the Future Urban Land Supply Strategy (2023-2027). The FDS meets the intent behind the NPS-UD and focuses on the long-term future of Tamaki Makaurau. A key component of the FDS is to integrate long-term land use and infrastructure planning while meeting future climate, environmental, population, housing and employment needs.
- 12. The FDS introduces infrastructure prerequisites, linked to the development readiness of areas. This is to ensure that bulk infrastructure for development is well-coordinated and is able to provide a safe, sustainable environment on which communities can be based. The FDS identifies the timing for the plan change area is not before 2025+. It includes a statement that "some business can take advantage of existing capacity", noting that the infrastructure prerequisites listed are the projects to support full build out. The infrastructure prerequisites² identified for the Whenuapai Business land are as follows:
 - a. Spedding Road/ Northside Drive connection over SH16
 - b. SH16 to SH18 Connections
 - c. Spedding Road Upgrade and Extension
 - d. Mamari Road Upgrade and Extension
 - e. Trig Road Upgrade
 - f. North Western Bus Improvements (not rapid transit)
 - g. Northwest Rapid Transit
 - h. Whenuapai Wastewater Package 1
 - i. Whenuapai Wastewater Package 2
 - j. Trig Road Water Reservoir
 - k. North Harbour No.2 Watermain Project
- 13. Matters concerning the provision, timing and funding of infrastructure are directly relevant to decisions on zoning. It is not sound resource management practice and contrary to the purpose of the RMA to zone land for an activity when the

² Auckland Future Development Strategy 2023-2053, Appendix 6 Future urban infrastructure prerequisites, at p38

infrastructure necessary to allow that activity to occur without adverse effects on the environment does not exist, or there is a high degree of uncertainty as to whether that infrastructure will be provided in a timely and efficient way.³

- 14. Where infrastructure needed to support a plan change is not planned for in the Long Term Plan and Regional Land Transport Plan⁴, it is incumbent on the Applicant to show how the infrastructure needed to service the development would be provided.
- 15. A key concern for ACS is therefore that the plan change must adequately provide for the strategic integration of transport, wastewater and water infrastructure, and the planning / funding of such infrastructure, with land use, otherwise it would be contrary to the principles of the FDS. ACS acknowledges that the Applicant has gone some way to address issues relating to infrastructure prerequisites.
- 16. Watercare Services Limited (**Watercare**) confirmed its notice of requirement for the designation of the Whenuapai Wastewater Servicing Scheme Package 1 on 28 November 2024. The appeal period closes on 19 December 2024. ACS understands the anticipated completion date for the Package 1 and 2 works is late 2028 and that this is likely to align with the build out of the plan change area, if the plan change is approved. ACS acknowledges that the Precinct provisions include standard I1.6.4 for wastewater and water supply infrastructure. However, ACS is concerned that the note within this standard provides for buildings to be constructed, but not occupied in advance of there being sufficient infrastructure capacity. Moreover, compliance with this standard only applies to subdivision and not use and development. This would enable buildings to be constructed prior to the commissioning of the required infrastructure. ACS does not support this.
- 17. ACS seeks the inclusion of a new policy to ensure bulk water supply and wastewater infrastructure with sufficient capacity is available prior to subdivision and development proceeding. Amendments to the standards and rules to prevent the construction of buildings prior to the required water and wastewater infrastructure being in place are also sought.
- 18. The Auckland Transport notices of requirement for designations to upgrade Trig Road and Brigham Creek Road are under appeal. The upgrade of Trig Road and Brigham Creek Road form part of the North West Local Arterials Network under the Te Tupu Ngātahi Supporting Growth Programme. The objectives of these projects include improving connectivity through Whenuapai and to the strategic transport network, supporting planned urban growth, contributing to mode shift, a safe transport corridor for all users and improving network resilience.

5.2

³ See, for instance, *Foreworld Developments Ltd v Napier City Council* EnvC Wellington W8/2005, 2 February 2005.

⁴ Documents to which regard must be had under section 74(2)(b)(i) of the RMA.

- 19. Land within the plan change area has frontage to Trig Road and Brigham Creek Road. Table 1 of the Precinct identifies Trig Road as a 'future arterial' and the Precinct Plan (Infrastructure Staging) identifies the proposed transport infrastructure upgrades to be delivered as part of the development of the plan change land.
- 20. The Precinct provisions include a standard that identifies required transport infrastructure upgrades within the precinct in standard I1.6.1. ACS supports this standard and the non-complying activity status of subdivision, use and development where compliance is not achieved. However, ACS is concerned that if the plan change is approved, the subsequent development has the potential to undermine the functioning of Trig Road as an arterial road. A proliferation of vehicle crossings on this section of Trig Road, close to the intersection with Brigham Creek Road has the potential to compromise the function and safety of Trig Road. As a future arterial, Trig Road is important to the wider transport network and future urban development of the wider area. ACS therefore seeks amendments to the plan change provisions to require a restricted discretionary activity consent for the construction of vehicle crossings on Trig Road, with matters of discretion corresponding with E27.8.1(12). Additionally, ACS considers that provision should be made on the Precinct Plan and Precinct Plan (Infrastructure Staging) to provide for a fourth leg on intersection 'A' to provide access to the orange shaded area on the western side of Trig Road. This would enable the number of vehicle crossings to be limited to ensure the intended functioning and safety of Trig Road as an arterial road.

Flood risk to properties and infrastructure outside the plan change area

21. Chapter B10 of the RPS addresses natural hazards and climate change. Objective (3) is directly relevant to this plan change, and states:

New subdivision, use and development avoid the creation of new risks to people, property and infrastructure.

- 22. The Stormwater Management Plan at Appendix N to the plan change documents assesses the change of land use on land and structures outside the plan change area. The modelled scenarios identify that no habitable floors are affected outside the plan change area by the 2, 10 and 100 year rainfall events, however access to properties will be affected, including the Watercare wastewater pump station at 161 Brigham Creek Road.
- 23. The wastewater pump station is a lifeline utility under the Civil Defence Emergency Management Act 2002. As such, there is a duty to ensure that the pump station is able to function to the fullest possible extent during and after an emergency. ACS is concerned that access is maintained to this lifeline utility to ensure continuity of service during a flood event.

- 24. The Clause 23 response material indicates that works are required outside the plan change area to address flood risk. For example, a culvert upgrade is proposed at the Applicant's cost for the property at 163 Brigham Creek Road. There are no provisions within the Precinct to give effect to this undertaking.
- 25. ACS wishes to understand how the development enabled within the plan change area will avoid creating new risks to people, property and infrastructure, including the wastewater pump station. And further, how the Precinct provisions will ensure that any necessary mitigation measures outside the plan change area will be implemented.

5.6

DECISION SOUGHT

plan change is approved:

- 26. ACS seeks the plan change is declined in its entirety, unless the matters raised in this submission are addressed.
- 27. In the alternative to the primary relief, ACS seeks the following decisions if the
 - 5.7 Retain I1.2 Objectives (1) - (10).
 - b. Retain I1.3 Policies (1) (14).
 - c. Amend I1.3 Policies to include a new policy as follows:
 - (X) Avoid subdivision and development occurring that does not align with the provision of sufficient capacity in the water and wastewater network to service the Precinct.

5.9

- d. Amend (A2) in Table I6.XX.4.1 Activity table to also classify any use and development not complying with standard IX.6.4 as a non-complying activity.
- e. Amend standard IX.6.4 Wastewater and Water Supply Infrastructure as follows:

Purpose: To ensure that bulk water supply and wastewater infrastructure with sufficient capacity is available to support development within the Precinct.

a) The Any subdivision and the construction of any new buildings within the Precinct can only proceed following the completion and commissioning of the must be able to be connected to publicly available functioning bulk wastewater and water <u>network that is completed and commissioned with</u> sufficient capacity to service the subdivision or development. supply infrastructure as is required within its catchment.

- b) Note: Standard I1.6.4(a) will be considered to be complied with if the identified upgrades are constructed and operational:

 i. prior to the lodgement of a resource consent application; OR

 ii. form part of the same resource consent, or a separate resource consent, which is given effect to prior to release of the certificate under section 224(c) of the Resource Management Act 1991 for any subdivision; OR

 iii. prior to occupation of any new building(s) for a land use only.
- f. Amend the Precinct provisions, including Table 1, to impose vehicle access restrictions on Trig Road and to require consent as a restricted discretionary activity for the construction of vehicle crossings, with corresponding matters of discretion and assessment criteria based on E27.8.1(12) and E27.8.2(11).

g. Amend the Precinct Plan and Precinct Plan (Infrastructure Staging) to show a fourth leg on intersection 'A' to provide access to the orange shaded area on the western side of Trig Road.

5.13

h. Amend the Precinct provisions to address flood risk to properties and infrastructure outside the plan change area and include provisions to require any upgraded infrastructure to provide safe egress and/or mitigate flood risk.

5.14

28. ACS seeks any other alternative or consequential relief to address the matters outlined in this submission.

5.15

APPEARANCES AT THE HEARING

- 29. ACS wishes to be heard in support of its submission.
- 30. If others make a similar submission, ACS will consider presenting a joint case with them at the hearing.

DATED 6 December 2024

On behalf of Auckland Council as submitter:

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Submission on Auckland Unitary Plan (Operative in Part) Proposed Plan Change 107 (Private): Whenuapai Business Park

Clause 6 of First Schedule, Resource Management Act 1991

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Preliminary Matters

- This is a submission by the New Zealand Defence (NZDF) on Auckland Unitary Plan Plan – Operative in Part (AUP) Proposed Plan Change 107 (Private): Whenuapai Business Park (PPC 107). PPC 107 seeks to rezone land from Future Urban Zone to Business – Light Industry Zone and apply a new Whenuapai Business Park Precinct over the land.
- 2. NZDF operates the Royal New Zealand Air Force (RNZAF) Base Auckland at Whenuapai, located immediately to the north of the PPC 107 area. RNZAF Base Auckland is a significant Defence facility, of strategic importance regionally, nationally and internationally. Ensuring that this facility can continue to operate to meet statutory Defence purposes under section 5 of the Defence Act 1990 is critical. Defence purposes include the defence of New Zealand, the provision of assistance to the civil power either in New Zealand or elsewhere in times of emergency, and the provision of public service when required. RNZAF Base Auckland is essential to achieving those purposes.
- 3. NZDF seeks to protect RNZAF Base Auckland from the adverse effects of reverse sensitivity. Development must be appropriately located and designed in relation to this established nationally and regionally significant infrastructure. Given the location

of the PPC 107 land in relation to the approach/departure path for the main runway and runway lighting, it is critical that potential risks to NZDF aircraft and RNZAF Base Auckland operations are avoided.

- 4. Protection is required by the AUP policy framework, specifically Objective B3.2.1(6) and Policies B3.2.2(4) and (5) of the Regional Policy Statement (RPS) which aim to protect significant infrastructure, including Defence facilities, from reverse sensitivity effects. PPC 107 is required to give effect to this strong policy direction.
- 5. NZDF generally supports the approach taken in PPC 107 with the inclusion of specific Precinct provisions to address reverse sensitivity effects on RNZAF Base Auckland, including a requirement for no-complaints covenants to be included on each new title issued within the Precinct. However, NZDF requests amendments to some specific proposed Precinct provisions (as set out in Appendix 1), as well as additional amendments to incorporate any points raised below that are not currently addressed in proposed Precinct provisions. The points raised below include NZDF's request for specific consideration to be given to parts of the PPC 107 land (including parts of 96 and 96A Trig Road) that are within an area in which land use and subdivision is subject to NZDF approval.

6.1

Development restrictions associated with RNZAF Base Auckland

- 6. The following AUP overlays and designations relevant to RNZAF Base Auckland apply to the PPC 107 land:
 - a. The PPC 107 land is within Minister of Defence Designation 4311 "Whenuapai Airfield Approach and Departure Path Protection" (Designation 4311) which applies to airspace in the vicinity of RNZAF Base Auckland. Parts of the PPC 107 land (including 96 and 96A Trig Road) are within the areas of the designation requiring NZDF approval for any land use or subdivision (discussed further below);
 - b. Most of the PPC 107 land is covered by the Aircraft Noise Overlay; and.
 - c. The northern part of the PPC 107 land is also within the 57dB engine testing noise contour (identified in the Proposed Precinct Plan).
- 7. Conditions 1 and 2 of Designation 4311 require that:
 - (1) NZDF approval be obtained for land use and subdivision within the areas identified as 'land use and subdivision subject to NZDF approval' (shown "hatched" in drawing 9B-2-6 in Designation 4311). Those areas are protection areas for aircraft approach/departure paths generally within 1,000m of runway ends, and are subject to development restrictions for safety reasons in the event of an aircraft accident on approach or departure; and
 - (2) No obstacle shall penetrate the approach and departure path obstacle limitation surfaces (OLS) (as shown on the planning maps and described in the designation) without the prior approval in writing of NZDF. Buildings with a height of not more than 9 metres above natural ground level are excluded from that requirement, however, that allowance does not apply to the area referred to in condition (1).

- 8. As identified in the Designation 4311 Contours plan in Appendix W to the PPC 107 documentation, there are parts of the PPC 107 land where existing ground level is very close to the OLS. This impacts developable height.
- 9. NZDF will not approve infringement of the OLS above the 9 metre allowance in Designation 4311. To ensure expectations regarding feasible development are clear, NZDF seeks that the PPC 107 Precinct provisions (and associated maps) reflect that restriction, possibly though a height overlay or similar.

Additional development constraints: 96 and 96A Trig Road

- 10. In addition to the restrictions identified above, parts of the PPC 107 land (including parts of 96 and 96A Trig Road) are subject to development constraints because they lie within the 1000 metre protection area off the 03/21 runway. NZDF approval is therefore required for land use and subdivision within those areas. The 9 metre height allowance provided in Designation 4311 does not apply in this area; NZDF will not approve any structure with a height that penetrates the OLS within that area.
- 11. Development on 96 and 96A Trig Road is constrained by the following:
 - a. Approach lights for the main RNZAF Base Auckland runway are located on 96 and 96A Trig Road; and
 - b. Both properties are subject to various registered encumbrances in favour of NZDF relating to reverse sensitivity and development constraints.
- 12. For background, NZDF gave written approval for the establishment of a storage yard at 96A Trig Road (resource consent BUN60422322). The activity incorporates various restrictions necessary to protect aircraft operations.
- 13. The parts of the PPC 107 land subject to the development constraints above may not be suitable for industrial zoning. Regardless, NZDF requests that constraints applying to land within the area in which land use and subdivision is subject to NZDF approval (including parts of 96 and 96A Trig Road) are incorporated into PPC 107 and that the Precinct provisions specifically include a requirement to obtain NZDF approval. A separate "conditional" or "NZDF approval" (or similar) overlay could apply to those areas.

6.3

Other matters

14. <u>Traffic:</u> NZDF seeks to ensure that safe and efficient access to RNZAF Base Auckland (including by emergency services vehicles) is not compromised by development enabled under PPC 107, and seeks consideration of traffic impacts on RNZAF Base Auckland.

6.4

15. <u>Stormwater and flood risk hazard:</u> NZDF seeks to ensure that development enabled under PPC 107 does not exacerbate flood risk hazard on RNZAF Base Auckland, and seeks consideration of flooding and stormwater effects on RNZAF Base Auckland.

NZDF could not gain an advantage in trade competition through this submission.

NZDF wishes to be heard in support of this submission.

If others make a similar submission, **NZDF will consider** presenting a joint case with them at the hearing.

Marcs 6 December 2024

Person authorised to sign on behalf of New Zealand Defence Force

Appendix 1 – Amendments requested by NZDF

Point	Provision	Support/ Oppose	Reasons	Relief Sought	
1.	I1.1 Precinct Description	escription RNZAF Base Auckland, its significance, and engine testing activities. NZDF has identified some minor amendments to improve the wording. "RNZAF Base Auckland is a <u>strategic</u> defined facility of national and regional strategic important."This approach is consistent with Regional		"RNZAF Base Auckland is a <u>strategic</u> defence facility of national and regional strategic importance". "This approach is consistent with Regional Policy Statement provisions that recognise the function <u>al</u>	6.6
2.	Objective I1.2(8)	Support in part	NZDF supports Objective I1.2(8) relating to stormwater devices. NZDF has identified a minor amendment to improve the wording of the objective.	Amend as follows: "Stormwater devices avoid, as far as practicable, or otherwise minimise or mitigate, adverse effects on the receiving environment, and including the attraction of birds that could become a hazard to aircraft operations at RNZAF Base Auckland."	6.7
3.	Objective I1.2(9)	Support	NZDF supports Objective I1.2(9) relating to effects on RNZAF Base Auckland.	Retain as notified.	6.8
4.	Objective I1.2(10)	Oppose	Objective I1.2(10) suggests that the effects from aircraft engine testing shall be avoided, rather than managing reverse sensitivity effects on RNZAF and Objective I1.2(10) should be deleted. NZDF considers the title above Objective I1.2(9) should be amended to refer to effects on RNZAF Base Auckland.	Amend as follows: Effects of on RNZAF Base Auckland (9) (10) The adverse effects of aircraft engine testing noise on activities sensitive to aircraft noise are avoided, remedied, or mitigated at the receiving environment.	6.9
5.	Policy I1.3(10)	Support in part	NZDF supports Policy I1.3(10) relating to stormwater management and mitigating bird strike potential. NZDF has	Amend as follows: (10) Require tThe stormwater management	6.10

Point	Provision	Support/ Oppose	Reasons	Relief Sought	
			identified a minor amendment to improve the wording of the policy.	outcomes and devices for the site shall to be planned, designed, and implemented to avoid attracting birds and therefore mitigate the potential for bird strike to impact safety and flight operations at RNZAF Base Auckland.	6.1
6.	Policy I1.3(13)	Support in part	NZDF supports the intent of Policy I1.3(13) to manage reverse sensitivity effects <u>and</u> safety risks on the operation and activities of RNZAF Base Auckland. However, the wording should be clarified to make it clear that it addresses reverse sensitivity effects in addition to safety risks relating to bird strike, lighting, glare and reflection. This could be achieved through the addition of a comma after reverse sensitivity effects.	Amend as follows: (13) Require subdivision, use and development within the Precinct to avoid, remedy or mitigate any adverse effects, including reverse sensitivity effects, and safety risks relating to bird strike, lighting, glare and reflection, on the operation and activities of RNZAF Base Auckland.	6.1 ⁻
7.	Policy I1.3(14)	Support	NZDF supports Policy I1.3(14) relating to activities sensitive to noise within the engine testing noise boundaries.	Retain as notified.	6.12
8.	I1.4 Activity table: Introductory text above I6XX.4.1 Activity Table	Support in part	NZDF supports the text above the Activity Table referring readers to the existence of Designations 4310 and 4311, however, NZDF seeks an amendment to draw specific attention to constraints applying to parts of the PPC 107 land that is subject to the requirement to obtain NZDF approval for land use and subdivision.	Amend as follows: In addition to the provisions of the Precinct, reference should also be had to the planning maps (GIS Viewer) which show the extent of all designations, overlays and controls applying to land within the Whenuapai Business Park Precinct. Development in the Precinct is subject to height restrictions under Designation 4311 and land use and subdivision in specified areas requires the written approval of the New Zealand Defence Force. Reference should also be made to Whenuapai Airbase Designation 4310 including the Aircraft Noise provisions of Condition 1 and associated Airbase Noise maps. This Precinct introduces additional 57 dB Ldn and 65 dB Ldn noise contour boundaries for aircraft engine testing noise and restrictions for activities sensitive to noise within this area.	6.13

Point	Point Provision Support/ Oppose		Reasons	Relief Sought	
9.	Rule I6XX.4.1(A3)	A3) Support NZDF supports a discretionary activity status for new activities sensitive to noise and alterations and additions to existing buildings accommodating activities sensitive to noise within the aircraft engine testing noise boundaries.		Retain as notified.	
10.	Rule I6XX.4.1(A4)	Support in part	NZDF supports a non-complying activity status for activities that do not comply with Standard I1.6.11 development within the aircraft engine testing noise boundaries. However, the provision as currently drafted is not clear. The rule refers to "Standard XX" (which appears to be Standard I1.6.11) and "Standards X", and it is unclear which standard/s this is referring to. In addition, the clauses are joined by "but", making it unclear whether the activity must be non-compliant with both Standard I1.6.11 and another standard in order to be a non-complying activity. NZDF requests that the rule be clarified and the activity status of activities that do not comply with Standards I1.6.5 to I1.6.10 made clear. It appears that the intention is that non-compliance with these standards is a restricted discretionary activity pursuant to Clause C1.9(2). This is supported by the inclusion of matters for discretion in I1.7.1. However, this is not explicit, and the wording of Rule (A4) and the inclusion of Rule (A5) making non compliance with Standard IX.6.2 a restricted discretionary activity creates uncertainty.	 Clarify the wording of I6XX.4.1(A4) to: Retain a non-complying activity status for activities that do not comply with Standard I1.6.11 development within the aircraft engine testing noise boundaries. Separate out and make clear the activity status of non-compliance with Standards I1.6.5 to I1.6.10. 	
11.	chapter. The Activity table states that status column means that the activity overlay, Auckland-wide or zone applied inconsistency is created as it suggest overrides the provisions of the Precipal lighting standards in I1.6.9). As the Lift apply regardless as stated in the first I1.4 Activity table ("All relevant overlation activity tables apply unless the activity tables."		Lighting is included in Rule (A7), which refers to the Lighting chapter. The Activity table states that "a blank in the activity status column means that the activity status in the relevant overlay, Auckland-wide or zone applies". Potential inconsistency is created as it suggests the Lighting chapter overrides the provisions of the Precinct (which includes lighting standards in I1.6.9). As the Lighting chapter would apply regardless as stated in the first sentence of section I1.4 Activity table ("All relevant overlay, Auckland-wide and zone activity tables apply unless the activity is listed in Activity Table I6XX.4.1 below") NZDF requests that Rule A7	Delete Rule I6XX.4.1(A7): Activities listed as permitted or restricted discretionary activities in Table E24.4.1 Activity Table (Lighting)	

Point	Provision	Support/ Oppose	Reasons	Relief Sought
			is deleted.	
12.	I1.5 Notification	Support in part	NZDF requests that clause (2) be amended to include specific reference to NZDF being considered an affected party for the purpose of limited notification. This is consistent with Whenuapai 3 Precinct.	Amend as follows: 11.5. Notification
				(2) When deciding who is an affected person in relation to any activity for the purpose of section 95E of the Resource Management Act 1991 the Council will give specific consideration to:
				 (a) those persons listed in Rule C1.13(4)-: and (b) The New Zealand Defence Force in relation to any proposal that does not comply with: (i) I1.6.3(d) Stormwater management (dry detention basins or stormwater ponds); (ii) I1.6.5 Bird strike; (iii) I1.6.9 Lighting; (iv) I1.6.10 Noise; (v) I1.6.11 Development within the aircraft engine testing noise boundaries
13.	Insert new standard I1.6.12 Land use and subdivision within the "conditional"		NZDF requests that constraints applying to land within the area in which land use and subdivision is subject to NZDF approval (including parts of 96 and 96A Trig Road) are incorporated into PPC 107 and that the Precinct provisions specifically include a requirement to obtain NZDF approval. A separate "conditional" or "NZDF approval" (or similar) overlay could apply to those areas.	Insert new standard as follows: <u>Standard I1.6.12 Land use and subdivision within</u> <u>"conditional" [or "NZDF approval"] overlay (</u> or similar): <u>a) The approval in writing of the New Zealand</u>

Point	Provision	Support/ Oppose	Reasons	Relief Sought	
	or "NZDF approval" overlay (or similar)			Defence Force is required prior to the erection of any building, change in use of any land or building, or any subdivision of land, and prior to any building or resource consent application for such works/activities, within the "conditional" [or "NZDF approval"] overlay.	6.18
14.	Standard I1.6.3 Stormwater Management	Support	Bird strike risk is a significant concern for NZDF. Stormwater management devices should not include open water or new habitats for birds, in order to avoid attracting birds to areas in close proximity to the end of the main runway. NZDF supports this provision which requires stormwater management devices to be designed to avoid or minimise the potential for attracting birds.	Retain as notified.	6.19
15.	Standard I1.6.5 Bird strike	Support	As noted above, bird strike risk is a significant concern for NZDF. NZDF supports this standard requiring measures to discourage bird roosting if roof gradients are less than 15 degrees.	Retain as notified.	6.20
16.	Standard I1.6.6 Yards	Oppose	Vegetation that is attractive to large and/or flocking bird species increases bird strike risk. NZDF requests that any planted vegetation is of species unlikely to be attractive to large and/or flocking bird species.	Amend as follows: I1.6.6 Yards b) Front yards (excluding access points or the location of infrastructure) must be planted with a	6.21
				mixture of native trees, shrubs, or ground cover plants (including grass) within and along the full extent of the yard.	
				c) Side and rear yards must be planted with native vegetation comprising a mixture of trees, shrubs or	

Point	Provision	Support/ Oppose	Reasons	Relief Sought
				ground cover plants (including grass)
				within and along the full extent of the yard to provide a densely planted visual buffer of at least 3m in depth and must be appropriately
				maintained thereafter.
				d) Vegetation planting must be of species unlikely to be attractive to large and/or flocking bird species.
17.	Standard I1.6.9 Lighting	Support in part	Lighting and glare is a concern for NZDF as it can distract pilots and cause confusion by replicating runway lighting.	Amend as follows:
			There is the potential for reflection from roofing and cladding materials to create a sunstrike effect on pilots approaching or taking off from the Base Auckland runway and this should be avoided. External cladding of buildings and roofs needs to be of low reflectivity materials (less than 20% specular reflectance) to avoid this sunstrike effect. NZDF supports a standard avoiding or minimising these effects. However, NZDF requests that the standard be	I1.6.9 Lighting, glare, and reflection
				Purpose:
				To manage reverse sensitivity effects on RNZAF Base Auckland
				 To avoid or minimise the effects of lighting on aircraft descending to land at RNZAF Base Auckland.
			 amended to: Better reflect the scope of the standard in the title by including reference to glare and reflection 	a) Any subdivision and development must avoid effects of lighting on the safe and efficient operation of RNZAF Base Auckland, to the extent that lighting:
			 Delete reference to reverse sensitivity as it is not the purpose of this standard 	i. Avoids simulating approach and departure path runway lighting
			- Include reference to 'flight safety' or aircraft operations	ii. Ensures that clear visibility of approach and
			- Clarify the wording of clause (b)	departure path runway lighting is maintained; and
			- Require a maximum reflectivity of 20% rather than 30% consistent with the Whenuapai 3 Precinct Standard	iii. Avoids glare or light spill that could affect <u>flight</u> <u>safety or</u> aircraft operations.
			I617.6.3(2)	b) External building materials must be constructed
			- Include restrictions on outdoor lighting consistent with the Whenuapai 3 Precinct Standard I617.6.3(3).	with the following: i. Roof surfaces and eExternal building surfaces (excluding vertical surfaces) greater than 10m above

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Point	Provision	Support/ Oppose	Reasons	Relief Sought
				ground level must not exceed a reflectivity (specular reflectance) of 2030% white light where located 10m above ground level; and all roof surfaces.
				c) No person may illuminate or display the following outdoor lighting between 11:00pm and 6:30am:
				i. searchlights; or
				ii. outside illumination of any structure or feature by floodlight that shines above the horizontal plane.
18.	Standard I1.6.10 Noise	Support in part	NZDF supports the inclusion of a standard requiring no-	11.6.10 Noise
	11.6.10 Noise		 complaints covenants, and considers covenants to be necessary in order to appropriately protect RNZAF Base Auckland from reverse sensitivity effects. NZDF requests that the standard be amended to: Clarify the purpose of the standard which is to avoid or mitigate reverse sensitivity effects on RNZAF Base Auckland (not to manage effects from Base Auckland and not to 'provide for' reverse sensitivity effects). Refer to New Zealand Defence Force as the entity rather 	Purpose:
				 To ensure that potential reverse sensitivity effect of noise from on the adjacent RNZAF Base Auck
				are appropriately <u>avoided</u> , <u>remedied</u> , <u>or mitigated</u>
				addressed and provided for within the Precinct.
				a) A no-complaints covenant or consent notice shall be included on each title issued within the precinct.
				This covenant or consent notice shall be registered with the deposit of the survey plan, in a form
			than RNZAF Base Auckland (the facility/location).	acceptable to RNZAF Base Auckland the New Zealand Defence Force under which the registered
			- Delete reference to 'consent notice'.	proprietor will covenant to waive all rights of complaint, submission, appeal or objection it may have under the Resource Management Act 1991 and successive legislation or otherwise in respect of any noise associated with the RNZAF Base Auckland.
19.	Standard I1.6.11 Development within the aircraft engine testing noise	Support	NZDF considers that this standard is appropriate to manage reverse sensitivity effects on RNZAF Base Auckland in relation to noise from engine testing.	Retain as notified.

6.23

Point	Provision	Support/ Oppose	Reasons	Relief Sought	
	boundaries				
20.	. New standard	Although NZDF's prior written approval would be required for any buildings or structures that penetrate the OLS, there is potential for the requirements of the OLS to be overlooked particularly where a structure is compliant with maximum height standards but infringes the OLS.	Add new standard as follows: I1.6.X. Temporary activities and construction		
			Due to the close proximity of ground level to the OLS in some parts of the PPC 107 area, it is important for parties to be aware of this constraint on both permanent and temporary obstacle heights. This includes obstacles penetrating the OLS that do not require building or resource	Purpose: • to avoid safety and operation risk effects on the RNZAF Base Auckland.	6.2
			consent, such as construction cranes and trees. Such obstacles are a frequent problem for RNZAF Base Auckland, and create a significant safety risk for aircraft operating from RNZAF Base Auckland. For example, there have been incidents where NZDF has not been notified prior to the operation of cranes within the OLS, which has forced the closure of the main runway.	(1) Any application for subdivision and development that requires the use of a temporary structure or construction equipment that infringes the Obstacle Limitation Surface must seek written approval from the RNZAF Base Auckland.	
			NZDF requests a standard be included to address this, similar to Standard I617.6.4 in Whenuapai 3 Precinct.		
21.	I1.7.1(1) Matters of	Support	NZDF supports effects on operation of RNZAF Base Auckland, including reverse sensitivity effects, being	Amend as follows:	
	discretion	included as a matter for discretion but requests the wording be amended to clarify that the matter relates to effects on the operation of RNZAF Base Auckland.		f) Effects of on the operation of RNZAF Base Auckland including reverse sensitivity effects_and any measures to avoid, remedy or mitigate these effects;	6.26
22.	I1.7.2 Assessment	Support	NZDF supports the assessment criteria relating to RNZAF Base Auckland but requests some minor wording amendments for consistency of terms within the chapter.	Amend as follows:	6.2
	Criteria (4) and (5)		amendments for consistency of terms within the chapter.	(4) For stormwater detention/retention ponds/wetlands not complying with the standards in I1.6(3), the extent to which the proposal minimises	0.2

Point	Provision	Support/ Oppose	Reasons	Relief Sought
				the attraction of birds that could become a hazard to aircraft operating at RNZAF Base Auckland.
				(5) The effects on the operation of the RNZAF Base Auckland, including potential reverse sensitivity effects and effects on aircraft safety, in relation to:
				a) Lighting, and glare, and reflection;
				b) Temporary structures and construction; and
				c) Noise

FURTHER SUBMISSION ON PRIVATE PLAN CHANGE 107: WHENUAPAI BUSINESS PARK

Го:	Auckland Counc
10:	Auckland Coun

Name of submitter: Auckland Council

(contact: Celia Davison)

Address for service: 35 Albert Street

Private Bag 92300 Auckland 1142

- 1. This is a further submission in support of a submission on Private Plan Change 107: Whenuapai Business Park (**the plan change**) to the Auckland Unity Plan (Operative in Part) (**AUP**).
- 2. Auckland Council as submitter (**ACS**), has an interest in the proposal that is greater than the interest of the general public due to its statutory duties under the Local Government (Auckland Council) Act 2009 and Local Government Act 2002.
- 3. The submissions, particular parts of the submissions, reasons and details of the relief sought by ACS are set out in the Table 1 (attached).
- 4. ACS wish to be heard in support of its submission.
- 5. If others make a similar submission, ACS will consider presenting a joint case with them at a hearing.

DATED 4 February 2025

Celia Davison, Manager Planning – Central South

Address for service:

Celia Davison

Manager Planning - Central South

Planning and Resource Consents Department Email: celia.davison@aucklandcouncil.govt.nz

Telephone: 09 301 0101

Postal address: Auckland Council 135 Albert Street Private Bag 92300 Auckland 1142

No. Submitter (name and address of original submitter)	Sub point	Support or Oppose	Particular part of submission	Reasons for support or opposition	Auckland Council as Submitter (ACS) seeks
1. Watercare Services Limited Private Bag 92521 Victoria Street West Auckland 1142 Phone: 022 010 6301 Email: planchanges@water.co.nz Attention: Mark Bishop Regulatory & Policy Manager	4.1	Support	Decline PPC107 in its entirety	In its original submission ACS raised concerns that enabling development within the plan change area may result in flood risk to property and infrastructure, including Watercare's wastewater pump station at 161 Brigham Creek Road. Enabling the rezoning of land that may impact on a lifeline utility such as the pumpstation will result in significant risks to the environment and public during a flood event.	Allow submission point
2. Watercare Services Limited	4.2	Support	Amendments to the precinct provisions, including the precinct description. objectives and policies, rules/standards, matters of discretion, precinct plans, and special information requirements to address stormwater and flooding effects so that there is no increase in flood levels at the Whenuapai Wastewater Pump Station or that could compromise its operation.	Support for the reasons given in Watercare Service's submission; namely there are potentially significant adverse effects on the wastewater pump station at 161 Brigham Creek Road associated with increased flood risk and inundation risk.	Allow submission point

Auckland Council Level 24, 135 Albert Street Private Bag 92300 Auckland 1142

Attn: Planning Technician

By email to: Unitaryplan@aucklandcouncil.govt.nz

To: Auckland Council

Further Submission On: Private Plan Change 107: Whenuapai Business Park

From: Watercare Services Limited

Address for service: Mark.Bishop@water.co.nz / katja.huls@stantec.com

Date: 5th February 2025

Watercare Services Limited ("Watercare") wishes to make further submissions on Proposed Private Plan Change 107: Whenuapai Business Park (PPC 107) to the Auckland Unitary Plan. Watercare's further submissions are included in the attached table.

Watercare represents a relevant aspect of the public interest and also has an interest in the proposal that is greater than the interest that the general public has. In this regard, Watercare:

- is a council-controlled organisation under the Local Government Act 2002 and is wholly owned by the Auckland Council ("Council");
- 2. provides water and wastewater services in Auckland; and
- 3. made an original submission on PPC 107 (submission number four).

Watercare could not gain an advantage in trade competition through this further submission.

Watercare seeks that the submission points detailed in the table attached, or alternative relief that achieves the same outcome, be allowed where supported by Watercare, and disallowed where opposed by Watercare.

Watercare wishes to be heard in support of both its submission and further submissions.

Mark Bishop

Regulatory & Policy Manager

Watercare Services Ltd

Address for Service:

Katja Huls Stantec Level 3, 105 Carlton Gore Road Newmarket Auckland 1023

Phone: 021 830 119

Email: katja.huls@stantec.com

Further submissions from Watercare Services Limited on PPC 107

Submitter ID#	Submission Point #	Submitter Name	Submission Point	Support /oppose	Watercare further submission commentary/relief sought
05	#5.2 (paragraph 15)	Auckland Council	A key concern for ACS is therefore that the plan change must adequately provide for the strategic integration of transport, wastewater and water infrastructure, and the planning / funding of such infrastructure, with land use, otherwise it would be contrary to the principles of the FDS. ACS acknowledges that the Applicant has gone some way to address issues relating to infrastructure prerequisites.	Support	Watercare supports the strategic integration of wastewater and water infrastructure, and the planning / funding of such infrastructure, with land use, and supports the relevant principles of the FDS.
05	Paragraph 16 of submission. Not allocated a submission point number in summary of submissions	Auckland Council	Watercare Services Limited (Watercare) confirmed its notice of requirement for the designation of the Whenuapai Wastewater Servicing Scheme Package 1 on 28 November 2024. The appeal period closes on 19 December 2024. ACS understands the anticipated completion date for the Package 1 and 2 works is late 2028 and that this is likely to align with the build out of the plan change area, if the plan change is approved. ACS acknowledges that the Precinct provisions include standard I1.6.4 for wastewater and water supply infrastructure. However, ACS is concerned that the note within this standard provides for buildings to be constructed, but not occupied in advance of there being sufficient infrastructure capacity. Moreover,	Support	Watercare supports the consideration of bulk infrastructure capacity when plan changes are assessed, and does not support construction of buildings in advance of sufficient bulk infrastructure capacity being available.

Submitter ID#	Submission Point #	Submitter Name	Submission Point	Support /oppose	Watercare further submission commentary/relief sought
			compliance with this standard only applies to subdivision and not use and development. This would enable buildings to be constructed prior to the commissioning of the required infrastructure. ACS does not support this.		
05	#5.3 (paragraph 17)	Auckland Council	ACS seeks the inclusion of a new policy to ensure bulk water supply and wastewater infrastructure with sufficient capacity is available prior to subdivision and development proceeding. Amendments to the standards and rules to prevent the construction of buildings prior to the required water and wastewater infrastructure being in place are also sought.	Support	Watercare supports this approach which is consistent with Watercare submissions on and evidence for other private plan changes to the AUP. It is noted that, in this case, there is sufficient capacity within the existing bulk water supply and wastewater networks to support development of the plan change area.
05	Paragraph 22 of submission Not allocated a submission point number in summary of submissions	Auckland Council	The Stormwater Management Plan at Appendix N to the plan change documents assesses the change of land use on land and structures outside the plan change area. The modelled scenarios identify that no habitable floors are affected outside the plan change area by the 2, 10 and 100 year rainfall events, however access to properties will be affected, including the Watercare wastewater pump station at 161 Brigham Creek Road.	Support	The submission point supports Watercare's concern with PPC 107, which is related to flooding effects. It is noted that effects may extend beyond impediments to access and may include inundation of the pump station building including the switch room, transformer and wet and dry wells, damaging equipment and risking pump station failure.
05	Paragraph 23 of submission	Auckland Council	The wastewater pump station is a lifeline utility under the Civil Defence Emergency Management Act 2002. As such, there is	Support	As above.

Submitter ID#	Submission Point #	Submitter Name	Submission Point	Support /oppose	Watercare further submission commentary/relief sought
	Not allocated a submission point number in summary of submissions		a duty to ensure that the pump station is able to function to the fullest possible extent during and after an emergency. ACS is concerned that access is maintained to this lifeline utility to ensure continuity of service during a flood event.		
05	Paragraph 24 of submission. Not allocated a submission point number in summary of submissions	Auckland Council	The Clause 23 response material indicates that works are required outside the plan change area to address flood risk. For example, a culvert upgrade is proposed at the Applicant's cost for the property at 163 Brigham Creek Road. There are no provisions within the Precinct to give effect to this undertaking.	Support	Watercare supports the inclusion of provisions to manage flooding effects.
05	#5.5 (paragraph 25)	Auckland Council	ACS wishes to understand how the development enabled within the plan change area will avoid creating new risks to people, property and infrastructure, including the wastewater pump station. And further, how the Precinct provisions will ensure that any necessary mitigation measures outside the plan change area will be implemented.	Support	The submission point supports Watercare's concern related to PPC 107, and its flooding effects on the Whenuapai WWPS.
05	#5.7 (paragraph 27a)	Auckland Council	In the alternative to the primary relief, ACS seeks the following decisions if the plan change is approved: a. Retain I1.2 Objectives (1) – (10).	Support in part	Objectives 6 – 8 address matters related to water and wastewater infrastructure.

Submitter ID #	Submission Point #	Submitter Name	Submission Point	Support /oppose	Watercare further submission commentary/relief sought
05	#5.8 (paragraph 27b)	Auckland Council	b. Retain I1.3 Policies (1) – (14).	Support in part	Policies 2 and 7 – 12 address three waters infrastructure. Policy 10 is not relevant.
05	#5.9 (paragraph 27c)	Auckland Council	c. Amend I1.3 Policies to include a new policy as follows: (X) Avoid subdivision and development occurring that does not align with the provision of sufficient capacity in the water and wastewater network to service the Precinct.	Support	While capacity in the bulk water supply and wastewater networks for this development is available, Watercare supports strong provisions in precincts to ensure the alignment of subdivision and development with water and wastewater infrastructure provision.
05	#5.10 (paragraph 27d)	Auckland Council	d. Amend (A2) in Table I6.XX.4.1 Activity table to also classify any use and development not complying with standard IX.6.4 as a non-complying activity.	Support	This is consistent with the approach taken in (A6) "Subdivision that does not comply with Standard IX.6.1, IX.6.3 and IX.6.4.". IX.6.4 being the wastewater and water supply infrastructure standard.
05	#5.11 (paragraph 27e)	Auckland Council	e. Amend standard IX.6.4 Wastewater and Water Supply Infrastructure as follows: Purpose: To ensure that bulk water supply and wastewater infrastructure with sufficient capacity is available to support development within the Precinct.	Support	While capacity in the bulk water supply and wastewater networks for this development is available, Watercare supports strong provisions in precincts to ensure the alignment of subdivision and development with water and wastewater infrastructure provision.

Submitter ID#	Submission Point #	Submitter Name	Submission Point	Support /oppose	Watercare further submission commentary/relief sought
			a) The Any subdivision and the construction of any new buildings within the Precinct can only proceed following the completion and commissioning of the must be able to be connected to publicly available functioning bulk wastewater and water network that is completed and commissioned with sufficient capacity to service the subdivision or development. supply infrastructure as is required within its catchment. b) Note: Standard H.6.4(a) will be considered to be complied with if the identified upgrades are constructed and operational: i. prior to the lodgement of a resource consent application; OR ii. form part of the same resource consent, which is given effect to prior to release of the certificate under section 224(c) of the Resource Management Act 1991 for any subdivision; OR iii. prior to occupation of any new building(s) for a land use only.		
05	#5.14 (paragraph 27h)	Auckland Council	h. Amend the Precinct provisions to address flood risk to properties and infrastructure outside the plan change area and include provisions to require	Support	The submission point supports Watercare's concern with PPC 107, which is related to flooding effects on the Whenuapai WWPS,

Submitter ID#	Submission Point #	Submitter Name	Submission Point	Support /oppose	Watercare further submission commentary/relief sought	
			any upgraded infrastructure to provide safe egress and/or mitigate flood risk.		while noting that flood effects extend beyond access and egress.	



New Zealand Defence Force Defence Estate and Infrastructure NZDF Headquarters Private Bag 39997 Wellington 6045

Further Submission on Proposed Plan Change 107 (Private): Whenuapai Business Park

Clauses 8 and 8A of First Schedule, Resource Management Act 1991

To: Auckland Council

Address: Attn: Planning Technician

Level 16, 135 Albert Street

Private Bag 92300 Auckland 1142

Email: unitaryplan@aucklandcouncil.govt.nz

Submitter: New Zealand Defence Force

Contact Person: Rebecca Davies, Principal Statutory Planner

Address for Service: New Zealand Defence Force

C/- Tonkin + Taylor

PO Box 5271

Victoria Street West Auckland 1142

Attention: Karen Baverstock

Phone: +64 21 445 482

Email: rebecca.davies@nzdf.mil.nz / kbaverstock@tonkintaylor.co.nz

This is a further submission by the New Zealand Defence Force (NZDF) on Auckland Council Proposed Plan Change 107 (Private): Whenuapai Business Park. A detailed further submission is attached.

NZDF represents a relevant aspect of the public interest¹, and also has an interest in the Proposed Plan Change that is greater than the interest the general public has.

NZDF **does** wish to be heard in support of its further submission.

If others make a similar further submission, NZDF will consider presenting a joint case with them at the hearing.

A copy of this further submission has been sent to each person who made the original submission.

Person authorised to sign on behalf of NZ Defence Force

_

Date: 07/02/205

¹ Defence purposes are set out in section 5 of the Defence Act 1990.

Original Submitter's Name and Address	Number	Support or Oppose	Section Reference and Summary of Submission	Reason	Decision Sought
Auckland Council Celia.davison@auckl andcouncil.govt.nz	5.14	Support	Amend the Precinct provisions to address flood risk to properties and infrastructure outside the plan change area and include provisions to require any upgraded infrastructure to provide safe egress and/or mitigate flood risk.	RNZAF Base Auckland is located adjacent to the proposed plan change area. NZDF seeks to ensure that any development enabled by the plan change does not exacerbate flood risk hazard on RNZAF Base Auckland and that flooding and stormwater effects on RNZAF Base Auckland are appropriately avoided or mitigated.	Allow

FURTHER SUBMISSION ON PRIVATE PLAN CHANGE 107 TO THE AUCKLAND UNITARY PLAN: WHENUAPAI BUSINESS PARK

TO:	Auckland Council

NAME: Ronald and Marlene Patten

FURTHER SUBMISSION ON: Plan Change 107 (Private) to the Auckland

Unitary Plan: Whenuapai Business Park

("PPC 107")

Introduction

- 1. Ronald and Marlene Patten (the "**Pattens**") are the owners of the property at 96 Trig Road, Whenuapai.
- 2. PPC 107 seeks to rezone land from Future Urban Zone to Business Light Industry Zone and seeks to apply a new Precinct for the Whenuapai Business Park. The Pattens support the rezoning of their land. The Pattens' interest in PPC 107 is plainly greater than that of the general public as their Site is included within the PPC 107 area and they support the proposed rezoning.
- 3. The Pattens could not gain an advantage in trade competition through this further submission.

Further submission

4. The Pattens wish to make a further submission on PPC 107. This further submission is set out in **Attachment 1**. The Pattens seek the submission points detailed in **Attachment 1** be disallowed.

RONALD AND MARLENE PATTEN, by their solicitors and authorised agents, Russell McVeagh:

Signature: S H Pilkinton | C A Carter

Date: 7 February 2025

3472-3023-3908 361

Address for Service: C/- Charlotte Carter

Russell McVeagh

Barristers and Solicitors

Level 30 Vero Centre

48 Shortland Street PO Box 8/DX CX10085 AUCKLAND 1140

Telephone: 9 367 8003

Email: charlotte.carter@russellmcveagh.com

3472-3023-3908

ATTACHMENT 1 – FURTHER SUBMISSION

SUBMISSION	SUBMISSION POINT #	SUBMITTER	SUBMISSION	SUPPORT OR OPPOSE	GROUNDS
6	13	New Zealand Defence Force ("NZDF")	Insert new standard as follows: Standard I1.6.12 Land use and subdivision within "conditional" [or "NZDF approval"] overlay (or similar): a) The approval in writing of the New Zealand Defence Force is required prior to the erection of any building, change in use of any land or building, or any subdivision of land, and prior to any building or resource consent application for such works/activities, within the "conditional" [or "NZDF approval"] overlay.	Oppose	The amendment sought is unnecessary. The underlying zoning of the land does not change the conditions of Designation 4311 nor does it restrict the NZDF's ability to give or withhold its approval under s 176 of the Resource Management Act 1991.

3472-3023-3908

APPENDIX SEVEN

TABLE OF RECOMMENDATIONS ON SUBMISSIONS

Attachment 7 - Table of Recommendations on Submissions

Issue 1 Planning

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planners Recommendations
1.1	David George Allen	Accept the proposed plan change with amendments as outlined		Accept in part
2.1	Maraetai Land Development Limited	Supports PPC 107		Accept in part
2.2	Maraetai Land Development Limited	Seeks that the Council approve PPC 107		Accept in part
3.1	Cabra Development Limited	Supports PPC 107		Accept in part
3.3	Cabra Development Limited	Seeks clarification about whether an infringement arises if subdivision, use or development is not in accordance with the precinct plan		Accept in part
3.5	Cabra Development Limited	Seeks for the plan change to be approved, subject to amendments as sought.		Accept in part
4.1	Watercare Services Limited	Decline the plan change, but if approved, make the requested amendments	Support – [FS1] Auckland Council	Accept in part

5.1	Auckland Council	Opposes the plan change in part, and if approved, PPC 107 is amended to reflect the decisions sought in the submission.		Accept in part
5.2	Auckland Council	Seeks for the plan change to adequately provide for the strategic integration of transport, wastewater and water infrastructure and address funding of this infrastructure.	Support – [FS2] Watercare Services Limited	Accept in part
5.3	Auckland Council	Seeks for the inclusion of a new policy to ensure bulk water supply and wastewater infrastructure is provided prior to subdivision and development	Support – [FS2] Watercare Services Limited	Reject
5.6	Auckland Council	Seeks the plan change is declined in its entirety, unless the matters raised in this submission are addressed.		Accept in part, to the extent that matters raised in the submission are addressed
5.7	Auckland Council	Seeks for Objectives I1.2(1) - (10) be retained	Support – [FS2] Watercare Services Limited	Accept in part

5.8	Auckland Council	Seeks for Policies I1.2(1) - (14) be retained	Support – [FS2] Watercare Services Limited	Accept in part
5.9	Auckland Council	"Seeks the inclusion of a new policy as follows: (X) Avoid subdivision and development occurring that does not align with the provision of sufficient capacity in the water and wastewater network to service the Precinct."	Support – [FS2] Watercare Services Limited	Reject
5.10	Auckland Council	Seeks amendments to precinct Activity (A2) to include any use and development not complying with Standard IX.6.4 as a non-complying activity	Support – [FS2] Watercare Services Limited	Accept
5.11	Auckland Council	Seeks amendments to Standard IX.6.4 Wastewater and Water Supply Infrastructure as follows: a) The Any subdivision and the construction of any new buildings within the Precinct can only proceed following the completion and	Support – [FS2] Watercare Services Limited	Accept

	commissioning of the
	must be able to be
	connected to
	publicly available
	<u>functioning bulk</u>
	wastewater and
	water <u>network that is</u>
	completed and
	commissioned with
	sufficient capacity to
	service the
	subdivision or
	<u>development</u> . supply
	infrastructure as is
	required within its
	catchment.
	b)Note: Standard
	11.6.4(a) will be
	considered to be
	complied with if the
	identified upgrades
	are constructed and
	operational: i.prior to
	the lodgement of a
	resource consent
	application; OR
	ii.form part of the
	same resource
	consent, or a
	separate resource
	consent, which is
	given effect to prior
	to release of the
	certificate under
	section 224(c) of the
	Resource
	Management Act
	1991 for any
	subdivision; OR
	iii.prior to
	occupation of any
	new building(s) for a
	land use only.

5.15	Auckland Council	Seeks any other alternative or consequential relief to address the matters outlined in this submission.	Accept in part
6.1	New Zealand Defence Force	Supports PPC 107, but seeks amendments to the proposed precinct provisions and additional amendments to cover any points raised that are not currently addressed in the proposed precinct provisions	Accept in part

Issue 2 Whenuapai Airbase

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planners Recommendations
3.2	Cabra Development Limited	Seeks for the activity table 16X.4.1 to be amended to resolve a potential error in Activity (A4)		Accept in part
6.2	New Zealand Defence Force	Seeks that the PPC 107 Precinct provisions (and associated maps) reflect the Obstacle Limitation Surface restriction, possibly though a height overlay or similar.		Accept in part
6.3	New Zealand Defence Force	Seeks for development that		Reject

		the constraints contained in designation 4311 of the AUP, are incorporated into PPC 107 Precinct Provisions including a requirement to obtain NZDF approval.	
6.6	New Zealand Defence Force	Seeks amendment to the precinct description as follows: RNZAF Base Auckland is a strategic defence facility of national and regional strategie importance. This approach is consistent with Regional Policy Statement provisions that recognise the functional and operational needs of infrastructure	Accept
6.7	New Zealand Defence Force	Seeks amendments to Precinct Objective I1.2(8) as follows: Stormwater devices avoid, as far as practicable, or otherwise minimise or mitigate, adverse effects on the receiving	Accept in part

		environment, and including the attraction of birds that could become a hazard to aircraft operations at RNZAF Base Auckland."	
6.9	New Zealand Defence Force	Seeks amendments to Precinct Objective (9) heading and to delete objective (10), as follows: Effects of on RNZAF Base Auckland (9) (10) The adverse effects of aircraft engine testing noise on activities consitive to aircraft noise are avoided, remedied, or mitigated at the receiving environment.	Accept
6.10	New Zealand Defence Force	"Seeks amendments to Precinct Policy I1.3(10) as follows: (10) Require t+the stormwater management outcomes and devices for the site chall to be planned, designed, and implemented to avoid attracting birds and therefore mitigate the	Accept

		potential for bird strike to impact safety and flight operations at RNZAF Base Auckland."		
6.11	New Zealand Defence Force	Seeks amendments to Precinct Policy I1.3(13) as follows: (13) Require subdivision, use and development within the Precinct to avoid, remedy or mitigate any adverse effects, including reverse sensitivity effects, and safety risks relating to bird strike, lighting, glare and reflection, on the operation and activities of RNZAF Base Auckland.		Accept
6.12	New Zealand Defence Force	Seeks for Precinct Policy I1.3(14) be retained as notified		Accept
6.13	New Zealand Defence Force	Seeks the following amendment to the wording above the Activity table: In addition to the provisions of the Precinct, reference should also be had to the planning maps (GIS Viewer) which show the extent of all designations, overlays and controls applying to	Oppose – [FS4] the Pattens	Accept

		land within the Whenuapai Business Park Precinct. Development in the Precinct is subject to height restrictions under Designation 4311 and land use and subdivision in specified areas requires the written approval of the New Zealand Defence Force. Reference should also be made to Whenuapai Airbase Designation 4310 including the Aircraft Noise provisions of Condition 1 and associated Airbase Noise maps. This Precinct introduces additional 57 dB Ldn and 65 dB Ldn noise contour boundaries for aircraft engine testing noise and restrictions for activities sensitive to noise within this area.	
6.14	New Zealand Defence Force	Seeks for Precinct Activity (A3) to be retained as notified	Accept
6.15	New Zealand Defence Force	Seeks clarity of the wording of I6XX.4.1(A4) to: - Retain a noncomplying activity status for activities that do not comply	Accept in part

		with Standard I1.6.11 development within the aircraft engine testing noise boundaries Separate out and make clear the activity status of non-compliance with Standards I1.6.5 to I1.6.10.		
6.16	New Zealand Defence Force	Seeks the deletion of Precinct Activity (A7)	Support in part-[FS2] Watercare Services Limited	Reject
6.17	New Zealand Defence Force	Seeks amendments to I1.5 Notification as follows: (2) When deciding who is an affected person in relation to any activity for the purpose of section 95E of the Resource Management Act 1991 the Council will give specific consideration to: (a) those persons listed in Rule C1.13(4)-; and (b) The New Zealand Defence Force in relation to any proposal that does not comply with: (i) I1.6.3(d) Stormwater management (dry detention basins or	Support in part-[FS2] Watercare Services Limited	Reject

		stormwater ponds); (ii) I1.6.5 Bird strike; (iii) I1.6.9 Lighting; (iv) I1.6.10 Noise; (v) I1.6.11 Development within the aircraft engine testing noise boundaries		
6.18	New Zealand Defence Force	Seeks a new standard to be included in PPC 107 Precinct provisions, which is as follows: Standard I1.6.12 Land use and subdivision within "conditional" [or "NZDF approval"] overlay (or similar): a) The approval in writing of the New Zealand Defence Force is required prior to the erection of any building, change in use of any land or building, or any subdivision of land, and prior to any building or resource consent application for such works/activities, within the "conditional" [or "NZDF approval"] overlay.	Support – [FS2] Watercare Services Limited	Reject
6.20	New Zealand Defence Force	Seeks Standard I1.6.5 Bird strike to be retained as notified		Accept

6.21	New Zealand Defence Force	Seeks amendments to Standard IX.6.6 Yards, to include the following: d) Vegetation planting must be of species unlikely to be attractive to large and/or flocking bird species.	Accept
6.22	New Zealand Defence Force	Seeks amendments to Standard I1.6.9 as follows: I1.6.9 Lighting, glare, and reflection Purpose: • To manage reverse sensitivity effects on RNZAF Base Auckland • To avoid or minimise the effects of lighting on aircraft descending to land at RNZAF Base Auckland. a) Any subdivision and development must avoid effects of lighting on the safe and efficient operation of RNZAF Base Auckland, to the extent that lighting: i. Avoids simulating approach and departure path runway lighting ii. Ensures that clear	Accept

	T		
		visibility of approach	
		and departure path	
		runway lighting is	
		maintained; and	
		iii. Avoids glare or	
		light spill that could	
		affect <u>flight safety or</u>	
		aircraft operations.	
		b) External building	
		materials must be	
		constructed with the	
		following:	
		÷ Roof surfaces and	
		Eexternal building	
		surfaces (excluding	
		vertical surfaces)	
		greater than 10m	
		above ground level	
		must not exceed a	
		reflectivity (specular	
		reflectance) of	
		20 30% white light	
		where located 10m	
		above ground level;	
		and all roof surfaces.	
		c) No person may	
		illuminate or display	
		the following	
		outdoor lighting	
		between 11:00pm	
		and 6:30am:	
		i. searchlights; or	
		ii. outside	
		illumination of any	
		structure or feature	
		by floodlight that	
		shines above the	
		horizontal plane.	
		nonzontat ptane.	
6.23	New Zealand Defence	Seeks amendments	Accept
0.23	Force	to Standard I1.6.10	Λουσμι
	10100	Noise as follows:	
		indise as follows:	
1		11 6 10 Noico	
		I1.6.10 Noise	
		I1.6.10 Noise Purpose: • To ensure that	

	potential reverse	
	sensitivity effects of	
	noise from <u>on</u> the	
	adjacent RNZAF	
	Base Auckland are	
	appropriately	
	avoided, remedied,	
	or mitigated	
	addressed and	
	provided for within	
	the Precinct.	
	a) A no-complaints	
	covenant or consent	
	notice shall be	
	included on each	
	title issued within	
	the precinct. This	
	covenant or consent	
	notice shall be	
	registered with the	
	deposit of the survey	
	plan, in a form	
	acceptable to RNZAF	
	Base Auckland the	
	New Zealand	
	<u>Defence Force</u> under	
	which the registered	
	proprietor will	
	covenant to waive all	
	rights of complaint,	
	submission, appeal	
	or objection it may	
	have under the	
	Resource	
	Management Act	
	1991 and successive	
	legislation or	
	otherwise in respect	
	of any noise	
	associated with the	
	RNZAF Base	
	Auckland.	

6.24	New Zealand Defence Force	Seeks Standard I1.6.11 is retained as notified	Reject
6.25	New Zealand Defence Force	Seeks for a new standard to be inserted into the PPC 107 Precinct: I1.6.X. Temporary activities and construction Purpose: • to avoid safety and operation risk effects on the RNZAF Base Auckland. (1) Any application for subdivision and development that requires the use of a temporary structure or construction equipment that infringes the Obstacle Limitation Surface must seek written approval from the RNZAF Base Auckland.	Accept
6.26	New Zealand Defence Force	Seeks amendments to the Matters of Discretion I1.7.1(1) as follows: f) Effects of On the operation of RNZAF Base Auckland including reverse sensitivity effects and any measures to avoid, remedy or	Accept

		mitigate these effects;	
6.27	New Zealand Defence Force	Seeks amendments to the I1.7.2 Assessment Criteria as follows: (5) The effects on the operation of the RNZAF Base Auckland, including potential reverse sensitivity effects and effects on aircraft safety, in relation to: a) Lighting, and glare, and reflection; b) Temporary structures and construction; and c) Noise	Accept

Issue 3 Transport

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planners Recommendations
1.2	David George Allen	Seeks for walking and cycling access on Kauri Road, and further analysis on whether improvement works are required for the Kauri Road/Brigham Creek intersection.		Reject
3.4	Cabra Development Limited	Seeks amendments to require additional mitigation in order to reach the maximum build out of 150,000m2 GFA, and/or additional assessment criteria to consider the need for other mitigation		Accept in part

		measures should the 725 vph be exceeded.	
5.4	Auckland Council	Seeks amendments to the precinct provisions to require a Restricted Discretionary Activity consent for the construction of a vehicle crossing on Trig Road. Further, seeks amendments to the precinct plans to provide a fourth leg on intersection 'A' to provide access to the western side of Trig Road.	Accept in part
5.12	Auckland Council	Seeks amendments to precinct provisions to impose vehicle access restrictions on Trig road as a Restricted Discretionary Activity, with the assessment criteria/matters of discretion to be based on E27.8.1(12) and E27.8.2(11)	Accept
5.13	Auckland Council	Seeks amendments to the precinct provisions and precinct plans (Infrastructure Staging) to show a fourth leg on intersection 'A' to provide access to the orange shaded area on the western side of Trig Road.	Reject
6.4	New Zealand Defence Force	Seek to ensure that the safe and efficient access to the RNZAF Base Auckland is not compromised by development enabled by PPC 107	Reject

Issue 4 Hydrology

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planners Recommendations
4.2	Watercare Services Limited	Seeks amendments to PPC 107 precinct	Support - [FS1]	Accept

		description,	Auckland	
		objectives and policies, rules/standards, matters of discretion, precinct plans, and special information requirements to address stormwater and flooding effects so that there is no increase in flood levels at the Whenuapai Wastewater Pump Station or that could compromise its operation.	Council	
5.5	Auckland Council	Seeks information on how development enabled within the plan change area will avoid creating new risks to people, property and infrastructure, including the wastewater pump station.	Support – [FS2] Watercare Services Limited	Accept
5.14	Auckland Council	Seeks amendments to the precinct provisions to address flood risk to properties and infrastructure outside the plan change area and include provisions to require any upgraded infrastructure to provide safe egress and/or mitigate flood risk.	Support - [FS2] Watercare Services Limited Support - [FS3] NZDF	Accept

6.5	New Zealand Defence Force	Seeks to ensure that development enabled under PPC 107 does not exacerbate flood risk hazard on RNZAF Base Auckland, and seeks consideration of flooding and stormwater effects on RNZAF Base Auckland.	Accept
6.8	New Zealand Defence Force	Seeks Precinct Objective I1.2(9) be retained as notified	Accept
6.19	New Zealand Defence Force	Seeks Standard I1.6.3 Stormwater management to be retained as notified	Reject

APPENDIX EIGHT

S42A RECOMMENDED CHANGES TO PRECINCT PROVISIONS

I6XX.1 Whenuapai Business Park Precinct

I1.1. Precinct Description

The purpose of the Whenuapai Business Park Precinct is to enable the transition of land within the Precinct from semi-rural land uses to a light industrial business area, in an integrated and comprehensive manner to support business and employment growth in the area. The Precinct will facilitate the establishment of significant infrastructure that will support its development and ensure it is integrated into, and enables, future urban development of the wider area. Infrastructure upgrades include new internal roading connections, new and upgraded intersections, and an upgrade to Brigham Creek Road and Trig Road. Walking and cycling connections are provided within the Precinct to connect the reserves to the east and west of the plan change area. These connections are to ensure good cycling and walking connectivity between these two reserves. The Whenuapai Business Park Precinct seeks to provide a well-designed interface with Brigham Creek Reserve and Spedding/Trig Reserve to provide for convenient public access, effective passive surveillance, and to avoid bulk and dominance effects from light industrial development on the reserve.

Land within the Precinct is identified as Business – Light Industry Zone. This zone is generally consistent with, and implements, the vision encapsulated within the Whenuapai Structure Plan 2016.

Development of the Precinct is guided by the Whenuapai Business Park Precinct Plan.

Stormwater management within the Precinct is guided by the Cato Bolam Stormwater Management Plan (2023). As part of the integrated stormwater approach, stormwater treatment requirements and the Stormwater Management Area Control – Flow 1 have been applied to the Precinct.

The Royal New Zealand Air Force (RNZAF) Base Auckland is located to the north of the Whenuapai Business Park Precinct and the approach path infrastructure traverses the western portion of the Precinct. RNZAF Base Auckland is a strategic defence facility of national and regional strategic importance. The presence of RNZAF Base Auckland contributes to the Precinct's existing environment and character. The Precinct acknowledges the significance and presence of RNZAF Base Auckland by ensuring that all subdivision, use and development within the Precinct will occur in a manner that does not adversely affect the ongoing operations of RNZAF Base Auckland. This approach is consistent with Regional Policy Statement provisions that recognise the functional and operational needs of infrastructure (including RNZAF Base Auckland) and seek to protect it from reverse sensitivity effects caused by incompatible subdivision, use and development.

Some of the aircraft that operate from RNZAF Base Auckland are maintained on-site. Engine testing is an essential part of aircraft maintenance. Testing is normally undertaken between 7.00am and 10.00pm but, in circumstances where an aircraft must be prepared on an urgent basis, it can be conducted at any time and for extended periods. The Whenuapai Business Park Precinct Plan includes noise contour boundaries for aircraft engine testing noise. Related provisions impose restrictions on activities in the Precinct that are sensitive to aircraft noise, to manage the potential for reverse sensitivity effects on the operations of RNZAF Base Auckland.

Commented [MA1]: Amendment by Parks Department - no relevant submission

Commented [MA2]: Submission [6.6] Support - Amendment by NZDF

The Precinct is situated within an area broadly identified as the North-West Wildlink, the aims of which are to create safe, connected, and healthy habitats for native wildlife to safety travel and breed in between the Waitākere Ranges and the Hauraki Gulf Islands. The Precinct recognises that this area of Whenuapai is a stepping stone in this link for native wildlife and seeks to enhance these connections through riparian planting and restoration of degraded habitats, including the provision of habitats for less mobile or flightless species.

The Precinct recognises and provides for the vision of Auckland's Urban Ngahere (Forest) Strategy to increase the canopy cover in the Auckland region, by providing opportunities for riparian planting, wetland restoration, and additional open space buffer and front boundary planting to contribute to increasing the canopy cover in the area.

All relevant overlays, Auckland-wide and zone provisions apply in this Precinct unless otherwise specified below.

I1.2. Objectives [rcp/rp/dp]

General

(1) Whenuapai Business Park Precinct is developed in a staged, comprehensive, and integrated manner to facilitate the development of a business area for predominantly light industrial land use activities.

Transport Infrastructure

(2A) Subdivision and development that is not staged and co-ordinated with the required transport infrastructure is avoided.

- (2) Transport infrastructure that is required to service subdivision and development within the Precinct:
 - a) Provides for freight
 - b) Provides safe and efficient walking and cycling connections
 - Provides for bus access and bus stops to support future improvements to public transport connectivity
 - d) Mitigates traffic impacts on the surrounding road network
 - e) Provides connectivity to facilitate future subdivision and development of adjacent sites; and
 - f) Is staged and co-ordinated with subdivision and development
- (3) Roading connections, new or upgraded intersections, and the upgrading of Brigham Creek and Trig Road are provided to support subdivision and development within the Precinct.

Ecology

(4) Ensure the interface of subdivision and development with Brigham Creek

Reserve and Spedding/Trig Reserve is addressed by providing an open space

buffer that avoids bulk, dominance and shading effects from industrial

development on the reserves whilst also adhering to Crime Prevention Through

Commented [MA3]: Amendment by Auckland Transport - No relevant submission

Environmental Design principles.

(3)(5) Ecological values including the health and well-being of streams and wetlands within the Precinct are enhanced.

(4)(6) Riparian, open space buffer, front yard, and boundary planting contributes to increasing the canopy cover and indigenous biodiversity within the Precinct.

Three Waters Infrastructure

(5)(7)_All necessary three waters infrastructure (being water supply, wastewater, and stormwater infrastructure) is in place to service development within the Precinct and is staged and coordinated with subdivision and development.

(6)(8) Stormwater quality and quantity is managed to maintain the health, well-being, and preserve the mauri, of the receiving environment, and minimise flood risk.

(7)(9) Stormwater devices avoid, as far as practicable, or otherwise minimise or mittigate adverse effects on the receiving environment, and the attraction of birds that could become a hazard to aircraft operations at RNZAF Base Auckland.

Effects on RNZAF Base Auckland

(8)(10) The effects of subdivision, use and development on the operation and activities of RNZAF Base Auckland are avoided as far as practicable, or otherwise remedied or mitigated.

(9) The adverse effects of aircraft engine testing noise on activities sensitive to aircraft noise are avoided, remedied, or mitigated at the receiving environment.

I1.3. Policies [rcp/rp/dp]

General

(1) Develop Whenuapai Business Park Precinct in accordance with the Precinct Plan.

- (2) Ensure that where a stage identified on the Precinct Plan (Infrastructure Staging) is subdivided or developed, the associated upgrading or establishment of transport and three waters infrastructure is undertaken and completed at the same time.
- (3) Stages may be developed in any order, or more than one stage can be developed at one time.

Transport

- (4) Require the development of a transport network that implements the elements and connections identified in the Precinct Plan and is in accordance with Tables 1 and 2 I6XX: Road Function and Design Elements.
- (5) Subdivision and development within each identified stage does not occur in advance of the availability of transport infrastructure to support that stage, as identified on the Precinct Plan (Infrastructure Staging).

(5A) Require that the efficient, effective and safe operation of the Trig Road as a

future arterial road is supported by restricting vehicle access.

(5B) Require traffic effects from development to be controlled by an overall GFA limit.

Commented [MA4]: Amendment by Parks Department
- No relevant submission

Commented [MA5]: Submission [6.7] Support - Amendment by NZDF

Commented [MA6]: Amendment by Healthy Waters - No relevant submissions

Commented [MA7]: Submission [6.9] Support - Amendment by NZDF

Commented [MA8]: Submission [5.4] Support in Part -Amendment by Auckland Transport - Consequential to submission [5.12]

Commented [MA9]: Submission [3.4] Support in Part - Amendment by Auckland Transport

Ecology

- (6) Provide for the health and well-being of indigenous biodiversity, streams and wetlands within the Precinct through riparian planting and restoration of degraded habitats.
- (6)(7) Provide an open space buffer along the boundary with Brigham Creek Reserve and Spedding/Trig Reserve to create a positive frontage with the reserves that does not contain buildings or parts of buildings.

Three Waters Infrastructure

- (7)(8) Require subdivision and development to be in accordance with the approved Precinct Stormwater Management Plan to effectively manage stormwater runoff and to provide for water sensitive design.
- (8)(9) Ensure that stormwater in the Precinct is managed and where appropriate, treated, to ensure the health and ecological value of streams are maintained and where practicable, enhanced, for all subdivision and development.
- (9)(10) Ensure that stormwater is managed to minimise flood risk, within the Precinct and in the downstream catchment.
- (10)(11) Require tThe stormwater management outcomes and devices for the site to shall be planned, designed, and implemented to avoid attracting birds and therefore mitigate the potential for bird strike to impact safety and flight operations at RNZAF Base Auckland.
- (11)(12) Ensure that appropriate sufficient capacity in the water and wastewater infrastructure network is provided to enable the servicing of new subdivision and developmentnew light industrial lots and activities.
- (12)(13) Ensure subdivision and development is aligned with the timing of the provision of wastewater infrastructure.

Effects on RNZAF Base Auckland

- (13)(14) Require subdivision, use and development within the Precinct to avoid, remedy or mitigate any adverse effects, including reverse sensitivity effects and safety risks relating to bird strike, lighting, glare and reflection, on the operation and activities of RNZAF Base Auckland.
- (14)(15) Avoid establishing activities sensitive to noise within the area between the 57 dB Ldn and 65 dB Ldn aircraft engine testing noise boundaries as shown on the Precinct Plan, unless the noise effects can be adequately avoided, remedied, or mitigated at the receiving site through acoustic treatment of buildings, including mechanical ventilation.

I1.4. Activity table [rcp/rp/dp]

All relevant overlay, Auckland-wide and zone activity tables apply unless the activity is listed in Activity Table I6XX.4.1 below.

Activity Table I6XX.4.1 specifies the activity status of regional / district land use /

Commented [MA10]: Amendment by Parks Department - No relevant submission

Commented [MA11]: Submission [4.2] Support in Part - Amendment by Healthy Waters

Commented [MA12]: Submission [4.2] Support in Part - Amendment by Healthy Waters

Commented [MA13]: Submission [6.10] Support -Amendment by NZDF

Commented [MA14]: Amendment by Planner -Recommended as alternative to inclusion of a new policy sought by Auckland Council Submission [5.9]

Commented [MA15]: Submission [6.11] Support - Amendment by NZDF

subdivision / coastal works, occupation and/ or activities in the coastal marine area / activities in, on, under or over the beds of lakes, rivers, streams and wetlands / take, use, dam or divert water, heat or energy / discharge of contaminants or water into water; or discharges of contaminants into air, or onto or into land or water activities in the I1XX.1 Whenuapai Business Park Precinct pursuant to section(s) 9(2) / 9(3) / 11 / 12(1) / 12(2) / 12(3) / 13 / 14 / 15 of the Resource Management Act 1991.

A blank in the activity status column means that the activity status in the relevant overlay, Auckland-wide or zone provision applies.

In addition to the provisions of the Precinct, reference should also be had to the planning maps (GIS Viewer) which show the extent of all designations, overlays and controls applying to land within the Whenuapai Business Park Precinct. Development in the Precinct is subject to height restrictions under Designation 4311 and land use and subdivision in specified areas requires the written approval of the New Zealand Defence Force. Reference should also be made to Whenuapai Airbase Designation 4310 including the Aircraft Noise provisions of Condition 1 and associated Airbase Noise maps. This Precinct introduces additional 57 dB Ldn and 65 dB Ldn noise contour boundaries for aircraft engine testing noise and restrictions for activities sensitive to noise within this area.

Table I6XX.4.1 Activity table

Activity		Activity status
Use and I		
(A1)	Activities listed as permitted, restricted discretionary or discretionary activities in Table H17.4.1 Activity Table in the Business Light Industry Zone.	
(A2)	Use and development that does not comply with Standard IX.6.1 or Standard IX.6.4.	NC
(A3)	New activities sensitive to noise and alterations and additions to existing buildings accommodating activities sensitive to noise within the aircraft engine testing noise boundaries	D
(A4)	Activities that do not comply with: Standard I1.6.11 XX Development within the aircraft engine testing noise boundaries; but and do not comply with any one or more of the other standards contained in Standards Xfollowing standards: I1.6.5 - I1.6.10.	NC
(A5)	Use and development that does not comply with Standard IX.6.2.	RD
<u>(A5A)</u>	Construction of a new vehicle crossing to Trig Road	RD
	<u> </u>	ļ

Commented [MA16]: Submission [6.13] Support - Amendment by NZDF

Commented [MA17]: Submission [5.10] - Amendment by Auckland Council

Commented [MA18]: Submission [3.2] and [6.15] Support in part - Amendment by planner

Commented [MA19]: Amendment by Auckland Transport - No relevant submission

Commented [MA20]: Submission [5.4] Support in part, [5.12] Support - Amendment by Auckland Transport and sought in Auckland Council submission

Subdivision		
(A <u>6</u> 5)	Subdivision listed in Chapter E38 Subdivision	
(A <u>7</u> 6)	Subdivision that does not comply with Standard IX.6.1, IX.6.3 and IX.6.4.	NC
Lighting		
(A7)	Activities listed as permitted or restricted discretionary activities in Table E24.4.1 Activity Table (Lighting)	

Commented [MA21]: Amendment by planner - No relevant submission

11.5. Notification

- (1) Any application for resource consent for an activity listed in Activity Table I6XX.4.1 above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.
- (2) When deciding who is an affected person in relation to any activity for the purpose of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule C1.13(4).

I1.6. Standards

All relevant overlay, Auckland-wide and zone standards apply to the activities listed in Activity Table I6XX.4.1 unless otherwise specified below.

If there is a conflict or difference between the Precinct standards and the Auckland-wide and zone standards, the standards in this Precinct will apply.

All activities listed in Activity Table I6XX.4.1 must comply with Standards I.1X.6(1) - I.1X.6(124).

Commented [MA22]: Amendment by Auckland Transport - No relevant submission

I1.6.1 Transport Infrastructure Upgrades

Purpose:

- To mitigate the adverse effects of traffic generation on the surrounding road network
- To achieve the integration of land use and transport
 - (1) Prior to the occupation of any buildings within a particular stage, the transport infrastructure shown on Precinct Plan (Infrastructure Staging) must have been constructed for that stage. New and upgraded roads and intersections must be constructed in accordance with Tables 1 and 2 I6XX: Road Function and Design Elements.

(2) Subdivision

 a) Must be designed to ensure the protection of the future road corridors, intersections and connections shown on Precinct Plan. **Commented [MA23]:** Amendment by Auckland Transport - No relevant submission

- <u>b)</u> Prior to the Council issuing a certificate under section 224(c) of the Resource Management Act 1991 for subdivision within a particular stage, the transport infrastructure shown on Precinct Plan (Infrastructure Upgrading) must have been constructed for that stage.
- b)c) New and upgraded roads and intersections must be constructed in accordance with Tables 1 and 2 I6XX: Road Function and Design Flements

New and upgraded roads and intersections must be constructed in accordance with Tables 1 and 2 I6XX: Road Function and Design Elements.

Commented [MA24]: Amendment by Auckland Transport - No relevant submission

I1.6.2 Trip Generation GFA Limit

Purpose

- To mitigate the adverse effects of traffic generation on the surrounding road network
- (1) The cumulative extent of buildings within the Precinct shall not exceed 115,000m² GFA. unless a traffic monitoring report prepared by a suitably qualified expert has demonstrated that peak hour trip generation from all existing or consented development in the Precinct does not exceed 725 vehicles per hour.

Commented [MA25]: Submission [3.4] Support in part - Amendment by Auckland Transport

I1.6.2A Vehicle Access Restriction for Trig Road

Purpose:

- to restrict direct vehicle access onto a future arterial road
- to promote safe and efficient operation of transport infrastructure particularly for active modes
 - (1) Vehicle access restrictions apply under E27.6.4.1(2) and 3(c) as if Trig Road was identified as an arterial road on the planning maps.

Commented [MA26]: Submission [5.4] Support in part, [5.12] Support - Amendment by Auckland Transport

I1.6.3 Stormwater Management

Purpose: To ensure that stormwater in the Precinct is managed and, where appropriate, treated, to ensure the health and ecological values of the streams are maintained.

- Stormwater quality:
 - a) All land use development shall be managed in accordance with an approved Network private Discharge Consent and/or a Stormwater Management Plan approved by the stormwater network utility operator.
 - b) New buildings, and additions to buildings, must be constructed using inert cladding, roofing and spouting building materials that avoid the use of high contaminant yielding building products which have:
 - exposed surface(s) or surface coating of metallic zinc of any alloy containing greater than 10% zinc; or

Consequential to Submission [4 2]

Commented [MA28]: Amendment by Healthy Waters - No relevant submission

- ii. exposed surface(s) or surface coating of metallic copper or any alloy containing greater than 10% copper; or
- iii. exposed treated timber surface(s) or any roof material with a copper containing or zinc-containing algaecide.
- c) Stormwater runoff from all other impervious areas that do not meet (b) above—must be treated with a stormwater management device(s) meeting the following standards:
 - the device or system must be sized and designed in accordance with 'Guidance Document 2017/001 Stormwater Management Devices in the Auckland Region (GD01)'; or
 - (ii) where alternative devices are proposed, the device must demonstrate it is designed to achieve an equivalent level of contaminant or sediment removal performance to that of 'Guidance Document 2017/001 Stormwater Management Devices in the Auckland Region (GD01)'.
- d) In the event that dry detention basins or stormwater ponds are proposed, these shall be designed by a suitably qualified and experienced person to:
 - Minimise bird settling or roosting (including planting with species unlikely to be attractive to large and/or flocking bird species); and
 - ii. Fully drain down within 48 hours of a 2 percent Annual Exceedance Probability (AEP) storm event; and
 - iii. Have side slopes at least as steep as 1 vertical to 4 horizontal (1:4) except for:
 - 1. Any side slope treated with rock armouring; or
 - Any area required for vehicle access, provided that such vehicle access has a gradient of at least 1 vertical to 8 horizontal (1:8).
- e) Roof runoff must be directed to a tank sized for the minimum of 5mm retention volume for internal non-potable reuse within the property.
- e)f) The following stormwater related infrastructure and devices identified in the precinct plan must be coordinated with each stage and constructed and operational prior to the implementation of any subdivision and/or development:
 - i. two bridges for Road 1
 - ii. a new culvert by Trig Road
 - iii. stormwater management devices for new and upgraded roads
 - iv. new accessway at 159 Brigham Creek Road
 - v. new road connection from Road 1 to 161 Brigham Creek Road

Commented [MA29]: Amendment by Healthy Waters - No relevant submission

Commented [MA30]: Submission [4.2] Support in part - Healthy Water amendment

vi. upgrade of culverts under 161 and 163 Brigham Creek Road

I1.6.4 Wastewater and Water Supply Infrastructure

Purpose: To ensure that bulk water supply and wastewater infrastructure with sufficient capacity is available to support development within the Precinct.

- a) AnyThe subdivision and the construction of any new buildings within the Precinct can only proceed following the completion and commissioning of the wastewater and water network that is completed and commissioned with sufficient capacity to service the subdivision or development.—supply infrastructure as is required within its catchment.
- b) Note: Standard I1.6.4(a) will be considered to be complied with if the identified upgrades are constructed and operational:
 - i. prior to the lodgement of a resource consent application; OR
 - ii. form part of the same resource consent, or a separate resource consent, which is given effect to prior to release of the certificate under section 224(c) of the Resource Management Act 1991 for any subdivision; OR
 - iii. prior to occupation of any new building(s) for a land use only.

- Amendment by Healthy Waters - consequential to Submissions [5.5], [5.14] support in part

Commented [MA31]: Submission [4.2] Support in part

Commented [MA32]: Submission [5.11] - Amendment by Auckland Council

I1.6.5 Bird strike

- a) If roof gradients are less than 15 degrees, measures to discourage bird roosting on the roof of the structure are required where building design may be conducive to potential bird roosting.
- b) Any measures to discourage bird roosting on the roof of the structure shall be maintained thereafter to the satisfaction of Auckland Council in consultation with NZDF.

11.6.6 Yards

Purpose:

- Provide a buffer and screening between industrial activities and neighbouring sites, to mitigate adverse visual and nuisance effects;
- Provide sufficient riparian yard to protect the flood mitigation function of the steam and allow space for the stream to adjust to mitigate erosion effects;
- Increase canopy cover and linkages between green spaces
 - a) A building or parts of a building must be set back from the relevant boundary by the minimum depth listed in Table XX:

Table XX:

Yard	Minimum Depth
Front	3.7m where the front yard faces an internal road identified on the Precinct Plan.

Commented [MA33]: Amendment by Healthy Waters - No relevant submission

Side	5m where an open space buffer is identified on the Precinct Plan.				
Rear	5m where an open space buffer is identified on the Precinct Plan.				
	20m from the edge of all permanent and intermittent streams				

b) Front yards (excluding access points or the location of infrastructure) must be planted with a mixture of native trees, shrubs, or ground cover plants (including grass) within and along the full extent of the yard.

c) Side and rear yards must be planted with native vegetation comprising a mixture of trees, shrubs or ground cover plants (including grass) within and along the full extent of the yard to provide a densely planted visual buffer of at least 3m in depth and must be appropriately maintained thereafter.

d) Vegetation planting must be of species unlikely to be attractive to large and/or flocking bird species.

I1.6.7 Riparian Margins

a) At the time of subdivision or development, land within 240m of the streams and wetlands identified on the Precinct Plan as 240m Riparian Margin / Ecological Enhancement must be planted with native vegetation from the top of the bank of the stream or the wetland's edge.

I1.6.8 Height in Relation to Boundary

a) Buildings or parts of buildings must not project beyond a 35 degree recession plane measured from a point 6m vertically above ground at the site boundary where those site boundaries adjoin an open space buffer as identified on Precinct Plan.

I1.6.9 Lighting, glare, and reflection

Purpose:

- To manage reverse sensitivity effects on RNZAF Base Auckland
- To avoid or minimise the effects of lighting on aircraft descending to land at RNZAF Base Auckland.
- a) Any subdivision and development must avoid effects of lighting on the safe and efficient operation of RNZAF Base Auckland, to the extent that lighting:
 - i. Avoids simulating approach and departure path runway lighting
 - ii. Ensures that clear visibility of approach and departure path runway lighting is maintained; and
 - Avoids glare or light spill that could affect <u>flight safety or</u> aircraft operations.

Commented [MA34]: Amendment by Healthy Waters - No relevant submission

Commented [MA35]: Submission [6.21] Support - Amendment by NZDF

Commented [MA36]: Amendment by Healthy Waters - No relevant submission

- b) External building materials must be constructed with the following:
- b) Roof surfaces and eExternal building surfaces (excluding vertical surfaces) greater than 10m above ground level must not exceed a reflectivity (specular reflectance) of 230% white light where located 10m above ground level; and all roof surfaces.
- c) No person may illuminate or display the following outdoor lighting between 11:00pm and 6:30am:
 - i. searchlights; or
 - i.ii. outside illumination of any structure or feature by floodlight that shines above the horizontal plane.

11.6.10 Noise

Purpose:

- To ensure that potential reverse sensitivity effects of noise from on the adjacent RNZAF Base Auckland are appropriately avoided, remedied, or mitigated addressed and provided for within the Precinct.
 - a) A no-complaints covenant or consent notice-shall be included on each title issued within the precinct. This covenant or consent notice-shall be registered with the deposit of the survey plan, in a form acceptable to RNZAF Base Auckland the New Zealand Defence Force under which the registered proprietor will covenant to waive all rights of complaint, submission, appeal or objection it may have under the Resource Management Act 1991 and successive legislation or otherwise in respect of any noise associated with the RNZAF Base Auckland.

I1.6.11 Development within the aircraft engine testing noise boundaries

- a) Between the 557 dB Ldn and 65 dB Ldn noise boundaries as shown on the Precinct Plan, new activities sensitive to <u>aircraft</u> noise and alterations and additions to existing buildings accommodating activities sensitive to <u>aircraft</u> noise must <u>be designed and constructed to meet the</u> requirements of <u>D24.6.1.provide sound attenuation and related</u> ventilation and/or air conditioning measures:
 - To ensure the internal environment of habitable rooms does not exceed a maximum noise level of 40 dB Ldn; and
 - ii. That are certified to the Council's satisfaction as being able to meet Standard I6XX.6.11(a)(i) by a person suitably qualified and experienced in acoustics prior to its construction; and
 - ii. So that the related ventilation and/or air conditioning system(s) satisfies the requirements of New Zealand Building Code Rule G4, or any equivalent standard that replaces it, with all external doors of the building and all windows of the habitable rooms closed.

Commented [MA37]: Submission [6.22] Support - Amendment by NZDF

Commented [MA38]: Submission [6.23] Support - Amendment by NZDF

Commented [MA39]: Amendment by Acoustic Specialist - No relevant submission

11.6.12 Temporary activities and construction

Purpose:

- To avoid safety and operation risk effects on the RNZAF Base Auckland.
 - a) Any application for subdivision and development that requires the use of a temporary structure or construction equipment that infringes the Obstacle Limitation Surface must seek written approval from the RNZAF Base Auckland.

Commented [MA40]: Submission [6.25] Support - Amendment by NZDF

11.7. Assessment - restricted discretionary activity

I1.7.1. Matters of discretion

The Council will reserve its discretion to all of the following matters when assessing a restricted discretionary activity resource consent application, in addition to the matters specified for the relevant restricted discretionary activities in the overlays, Aucklandwide or zones provisions:

- (1) Matters for all restricted discretionary activities (including otherwise permitted activities that infringe a permitted standard):
 - a) Whether the infrastructure required to service any subdivision or development is provided;
 - b) The effects of the proposal on the future ability to construct the road corridors and connections shown in the Precinct Plan;
 - Whether the proposal will provide for the safe and efficient functioning of the current and future transport network;
 - Mhether stormwater and flooding are managed appropriately The requirements of the approved Stormwater Management Plan to manage stormwater and flooding effects;
 - d)e) The provision of stormwater related infrastructure and devices required to manage stormwater and flooding effects:
 - e)f) Whether the ecological outcomes will be appropriate The effects on the health, well-being and the mauri of the streams and wetlands;
 - f)g) Effects onlef the operation of RNZAF Base Auckland including reverse sensitivity effects and any measures to avoid, remedy or mitigate these effects:
 - Lighting associated with development, structures, infrastructure and construction;
 - g)i) Effects of the Proposal on the amenity and character of Brigham Creek
 Road and Trig Road corridors.
- (2) Vehicle crossings to Trig Road

 The matters of discretion in E27.8.1(12) apply.

Commented [MA41]: Submissions [4.2], [5.5], [5.14] Support in Part -Amendment by Healthy Waters

Commented [MA42]: Submission [6.26] Support - Amendment by NZDF

Commented [MA43]: Amendment by Urban Design specialist - No relevant submission

Commented [MA44]: Submission [5.4] Support in part, [5.12] Support - Amendment by Auckland Transport

- (3) Matters where development that is adjacent to the Open Space Buffer infringes the Yard standard or the Height in Relation to Boundary standard
 - a) Any policy which is relevant to the standard;
 - b) the purpose of the standard;
 - c) the effects on the amenity of the neighbouring reserve;
 - d) How the development addresses passive surveillance on the boundary with a reserve.

Commented [MA45]: Amendment by Parks Department - Also gives effect to Urban Design specialist recommendation

I1.7.2. Assessment Criteria

The Council will reserve its discretion to all of the following matters when assessing a restricted discretionary activity resource consent application, in addition to the matters specified for the relevant restricted discretionary activities in the overlays, Aucklandwide or zones provisions:

- (1) For subdivision:
 - a) The extent to which any subdivision or development layout is consistent with and provides for the upgraded roads and new indicative roads and connections shown on the Precinct Plan;
 - b) Whether the proposed subdivision includes the delivery of the transport infrastructure identified on Precinct Plan (Infrastructure Staging) and in accordance with the Road Function and Design Elements Tables;
 - c) Whether the proposed road corridors and connections will service the Precinct in a safe and efficient manner;
 - d) Whether the proposed subdivision enables development that would require transport infrastructure upgrades to be provided;
 - e) Whether the proposed subdivision will adversely affect the safe and efficient operation of the current and future transport network;
 - f) Whether a safe and efficient road design is provided;
 - g) The extent to which any subdivision or development layout provides for the functional requirements of the existing or proposed transport network, roads and relevant transport modes;
 - Mhether the proposal includes methods to ensure the construction of road corridors and connections, within its stage shown in Precinct Plan (Infrastructure Staging); and
 - For subdivisions that involve allotments fronting Trig and/or Brigham Creek Road, measures to ensure future development positively contributes to the visual interest and enlivenment of the street, and provides for pedestrian (public) access:
 - j) For subdivisions that include the Open Space Buffer identified on the Precinct Plan, measures to ensure the placement and design of

buildings is co-ordinated with planting to avoid adverse amenity and amenity effects and incorporate CPTED principles in relation to adjacent public open space; and

Commented [MA46]: Amendment by Urban Design specialist

h)

- i)k) Whether the following required works are located, designed, and undertaken in a staged manner, in accordance with the Precinct Plan (Infrastructure Staging), that facilitates and avoids unnecessary rework in future upgrades to Brigham Creek Road and Trig Road to provide strategic network connections to service wider growth:
 - Proposed new roundabout on Trig Road, and Trig Road upgrade
 - Upgraded Brigham Creek Road/ Trig Road intersection roundabout, and Brigham Creek Road upgrade
 - New Brigham Creek Road left in, left out intersection and Brigham Creek Road upgrade
 - iv. New Brigham Creek Road signalised intersection and Brigham Creek Road upgrade
- (2) For stormwater management not complying with Standard I6XX.3:
 - a) Whether development and/or subdivision is in accordance with approved Stormwater Management Plan and Policies XX); and
 - The design and efficacy of new and upgraded stormwater related infrastructure and devices with consideration given to the likely effectiveness, ease of access, operation and integration with the surrounding environment; and
 - c) Whether there is sufficient infrastructure capacity to provide for flood conveyance and protect land and infrastructure and.
 - e)d)
 The extent to which contaminants contribute to the adverse
 effects on receiving environment, including on the healthy, well-being
 and mauri of the streams and wetlands.
- (3) For riparian margins not in accordance with standard I1.6(7)(a) whether the health, well-being and mauri of the streams and wetlands, including the flood mitigation function of the stream are ecological outcomes achieved by the proposed riparian planting will be equal to or better than the requirement of I1.6(7)(a).
- (4) For stormwater detention/retention ponds/wetlands not complying with the standards in I1.6(3), the extent to which the proposal minimises the attraction of birds that could become a hazard to aircraft operating at RNZAF Base Auckland.
- (5) The effects on the operation of the RNZAF Base Auckland, including potential reverse sensitivity effects and effects on aircraft safety, in relation to:

Commented [MA47]: Submission [4.2] Support in Part - Amendment by Healthy Waters

Commented [MA48]: Amendment by Healthy Waters - No relevant submission

- a) Lighting, and glare, and reflection;
- b) Temporary structures and construction; and
- c) Noise

(6) For land use not complying with standard IX.6.2 Trip Generation:

The extent to which the wider transport network can accommodate peak hour trip generation from the Precinct that exceeds 725 vehicles per hour, while maintaining reasonably efficient movement of traffic.(b) (a) The extent to which new transport infrastructure upgrades are required to accommodate the trip generation proposed, and the likely timing for such upgrades to have been completed and operational.

(6) For development not in accordance with the standard I1.6.6 Yards and I1.6.8 Height In Relation to Boundary Standard for the Open Space Buffer the extent to which the proposed buildings cause shading on the reserve and whether the building design ensures bulk and dominance effects are reduced whilst addressing passive surveillance on the boundary with a reserve.

(7) Vehicle crossings to Trig Road

The assessment criteria in E27.8.2(11)(a) apply.

11.8. Special information requirements

(1) Transport Design Report:

- a) Any proposed new road intersection or upgrading of existing road intersections illustrated on the Precinct Plan must be supported by a Transport Design Report and concept plans, prepared by a suitably qualified transport engineer confirming that the location and design of any road and its intersection(s) supports the safe and efficient function of the existing transport network and can be accommodated within the proposed or available road reserves. This may be included within a transport assessment supporting land use or subdivision consents.
- b) In addition to the report and plan required in (1)(a) where an interim upgrade is proposed, information detailing how the design allows (where possible) for the ultimate upgrade to be efficiently delivered must be provided.
- (2) Any application for resource consent for subdivision or development, including any vegetation alteration or removal within 20m of a natural wetland or within 10m of a stream (permanent or intermittent) shown on the Precinct Plan shall:
 - a) Detail the proposed methods for managing adverse effects on protected fauna, nesting birds during bird breeding season, herpetofauna and the habitat of long-tailed bat, including addressing adverse effects from increased light and noise on bat habitat; and
 - b) Provide a detailed restoration plan, including planting and maintenance for no less than three years, for the stream, wetland, and their buffer/riparian

Commented [MA49]: Submission [6.27] Support - Amendment by NZDF

Commented [MA50]: Submission [3.4] Support -Amendment by Auckland Transport - Consequential to Amendment of Rule (A5) to a discretionary activity.

Commented [MA51]: Amendment by Parks Department - Also gives effect to Urban Design specialist recommendation

Commented [MA52]: Submission [5.4] Support in part, [5.12] Support - Amendment by Auckland Transport and sought in AC submission

margins. The plan shall be in accordance with best practice methodologies of TP148 and/or Auckland Unitary Plan Appendix 16, or other subsequent Council restoration guide.

- (3) Any application for buildings must whether Standard I1.6.2 GFA Limit is complied with by including details of the existing and consented GFA for buildings within the precinct.
- (4) Any application for land modification, development and subdivision which discharge to or adjoins a permanent or intermittent stream must be accompanied by a stream and stabilisation plan assessment to inform the type and scale of instream and/or stream margin work required to ensure the effects from the development and structure in the stream is managed and there is resilience to any effects of future flow. The assessment must address the requirements below;
 - a) A stream health and stabilisation assessment by a qualified fluvial geomorphologist and stream ecologist.
 - b) A stream health and stabilisation plan inform by 3(a) that:
 - sets out the type and scale of instream and/or stream margin work required to ensure the ecological and geomorphological effects from the development and structures in the stream is managed and there is resilience to any effects of future flow, and.
 - ii. demonstrates that any instream and/or stream margin work is
 of a standard that will allow the stream channel to
 progressively improve over time where it is degraded, or
 maintain high stream values where these values are present,
 and,
 - iii. prioritises nature based solutions and green infrastructure that demonstrate resiliency and adaptability to changes in climate and flow, instead of relying on permanent hard engineering solutions,
 - iv. details who is responsible for carrying out the stream health and stabilisation plan, timing of the implementation of the plan and ongoing monitoring and maintenance.

Commented [MA54]: Amendment by Healthy Waters -

No relevant submission

Other Amendments:

- Note 1: Amend the precinct plan to identify a Vehicle Access Restriction for Trig Road (future arterial)
- Note 2: Annotate each of the concept drawings for intersections with the following:

 'All drawings are indicative designs to be refined further through the Engineering

 Plan Approval process.'
- Note 3: Update the Precinct Plan to show the 55 dB Ldn engine testing noise contour.

Commented [MA55]: Submission [5.4] Support in part - Amendment by Auckland Transport - Consequential to Submission [5.12]

Commented [MA56]: Amendment by AT - No relevant submission

Commented [MA57]: Amendment by Acoustic Specialist - No relevant submission

1

Commented [MA53]: Submission [3.4] Support in part - Amendment by Auckland Transport

 Note 4: Amend the staging plan to identify stormwater related infrastructure and devices identified in I1.6.3.

Commented [MA58]: Amendment by planner - Consequential to Healthy Waters amendment to I1.6.3.

Table 1: Road Function and Required Design Elements

Road name	Proposed role and function of road in precinct area	Minimum road reserve width ¹	Total number of lanes	Design speed	Median ²	Cycle Provision	Pedestrian provision	Freight or heavy vehicle route	Access restriction	Bus provision ³
Brigham Creek Road upgrade (Between Kauri Road and Intersection D)*	Arterial	30m	4	60km/hr	No	Yes-one side ⁴	Yes-two sides ⁵	Yes	Yes	Yes
Brigham Creek Road upgrade (West of Intersection D)*	Arterial	Various	2	60km/hr	No	Yes-two sides ⁶	Yes-two sides ⁶	Yes	Yes	Yes
Trig Road	Future Arterial	24m	2	60km/hr	Yes	Yes-two sides	Yes-two sides	Yes	<u>Yes</u> No	Yes
Roads 1, 2, 3	Collector	24m	2	50km/hr	No	Yes-two sides	Yes-two sides	Yes	No	Yes

Commented [MA59]: Submission [5.4] Support in part, [5.12] Support - Amendment by Auckland Transport

Table 2: Intersection Type and Design

Intersection Reference (refer Precinct Plan Infrastructure Staging)	Intersection Type	Designed in general accordance with:	Comments
A - Trig Road	New Intersection - Roundabout	47712-DR-C-8510	Single Lane roundabout. A future fourth leg could provide access to part of the PCA west of Trig Road
B - Trig / Brigham Creek Road	Upgraded Intersection - Roundabout	47712-DR-C-8511	Single lane roundabout. At consenting stage consideration to be given to the need to include the following: with an additional circulating lane on the northern side. two approach lanes on Brigham Creek Road, eastbound.
C - Brigham Creek Road	New Intersection - Left in, left out	47712-DR-C-8512	
D - Brigham Creek Road	New Intersection - Signalized	47712-DR-C-513	

Commented [MA60]: Amendment by Auckland Transport - No relevant submission

⁴ Two-way cycleway on northern side only.

Commented [MA61]: Amendment by Auckland Transport - No relevant submission

^{*} Denotes interim upgrades to Brigham Creek Road (i.e. not the ultimate width provided for by AT's NOR W3)

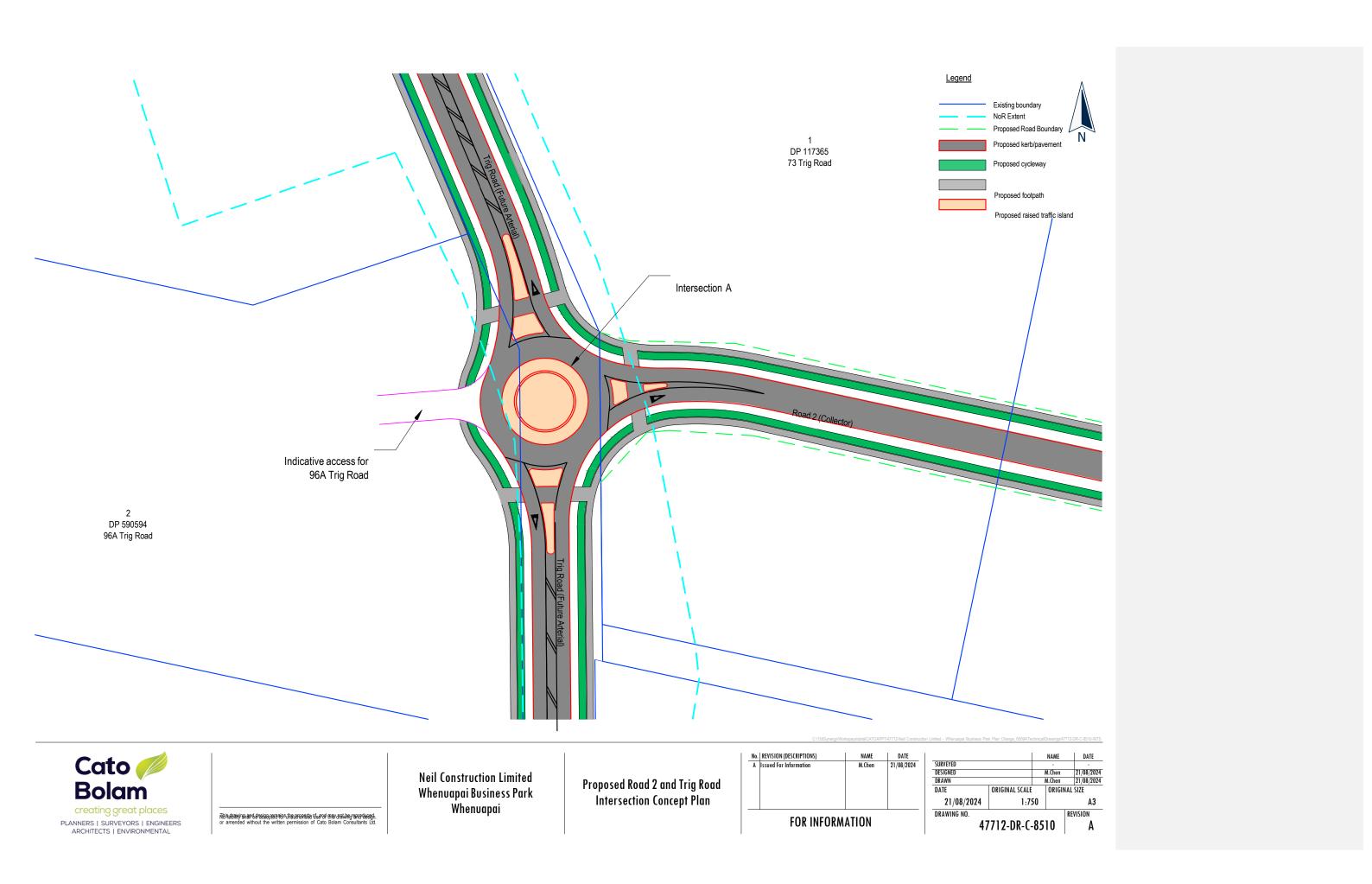
¹ Typical minimum width which may be varied in specific locations where required to accommodate network utilities, batters, structures stormwater treatment, intersection design, significant constraints or other localised design requirements.

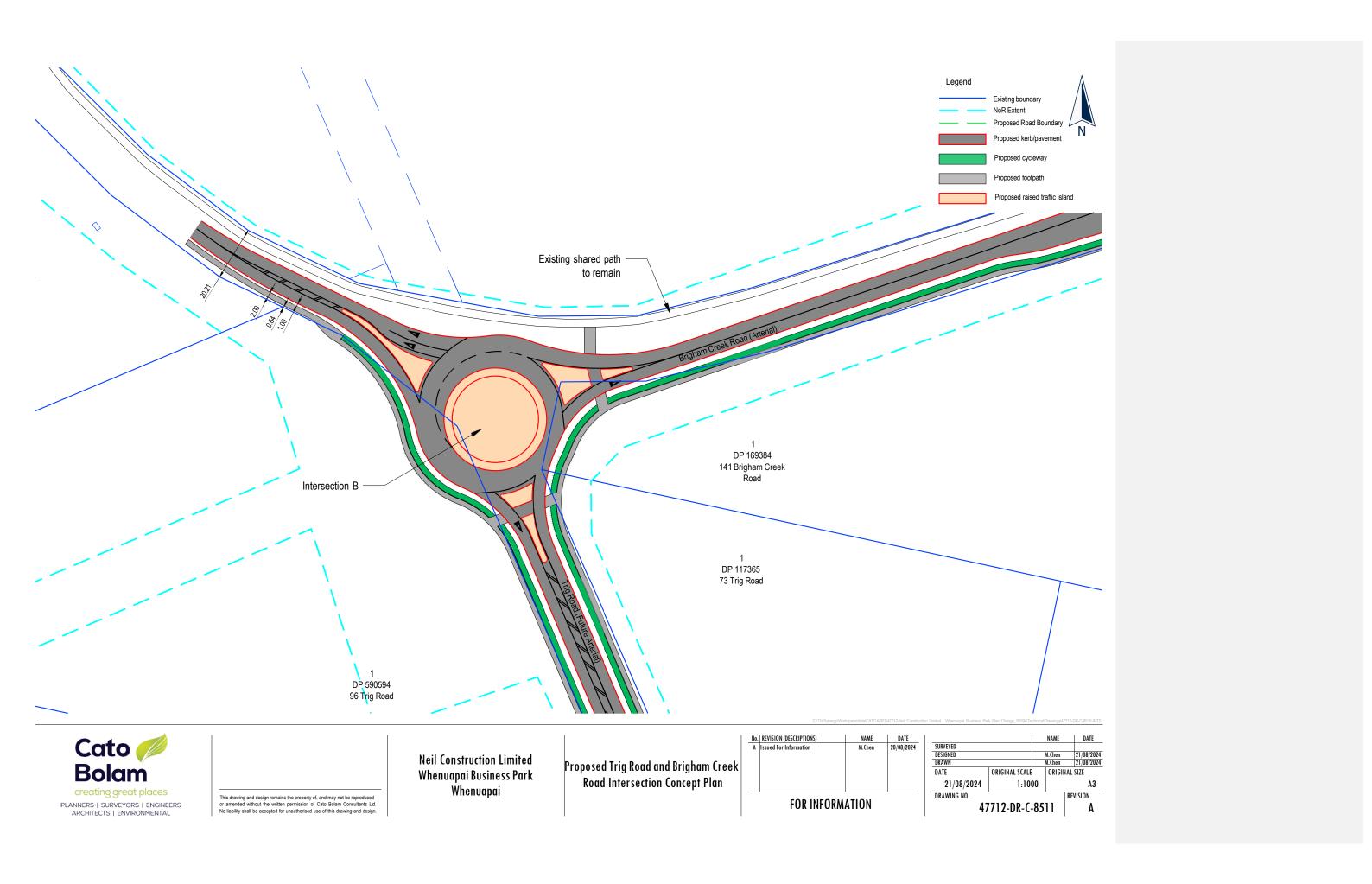
² Flush, solid or raised medians subject to Auckland Transport approval at EPA stage.

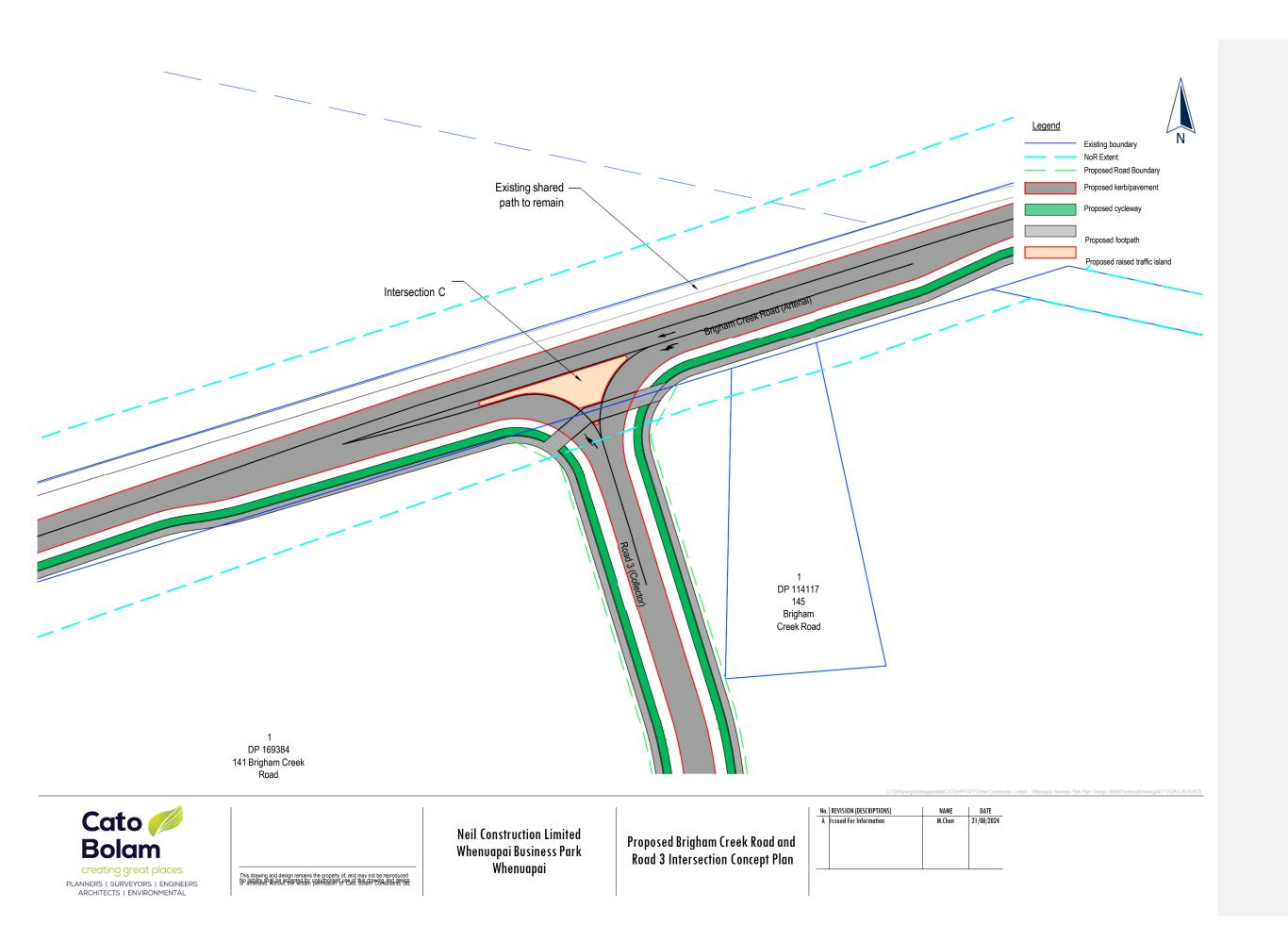
³ Carriageway lanes and geometry of intersections capable of accommodating buses. Bus stop form and locations and bus routes shall be determined with Auckland Transport at resource consent and engineering plan approval stage.

⁵ Southern side footpath extending to the eastern extremity of Lot 1 DP 167537 (159 Brigham Creek Road)

⁶ Shared path on northern side of Brigham Creek Road remains



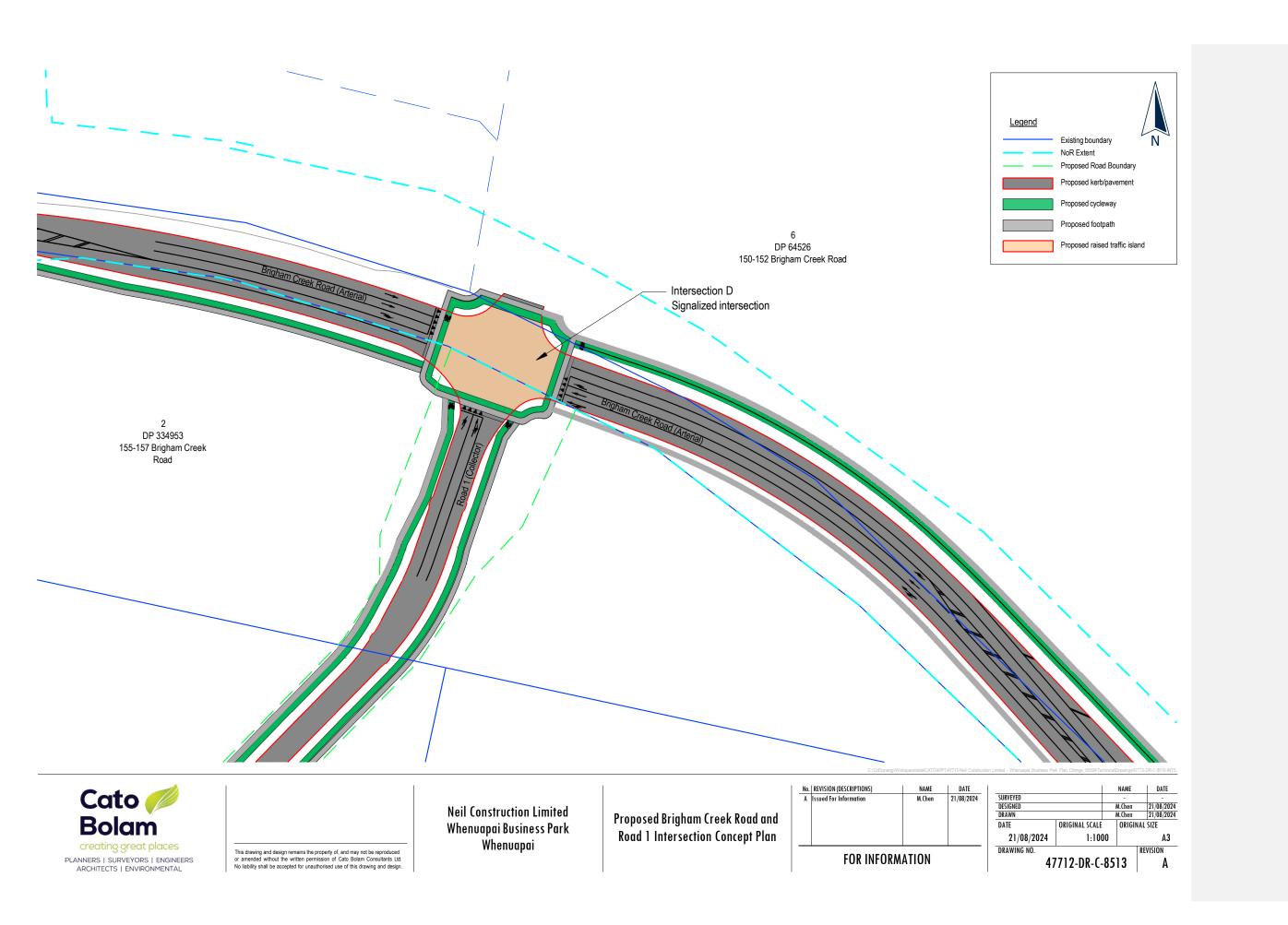


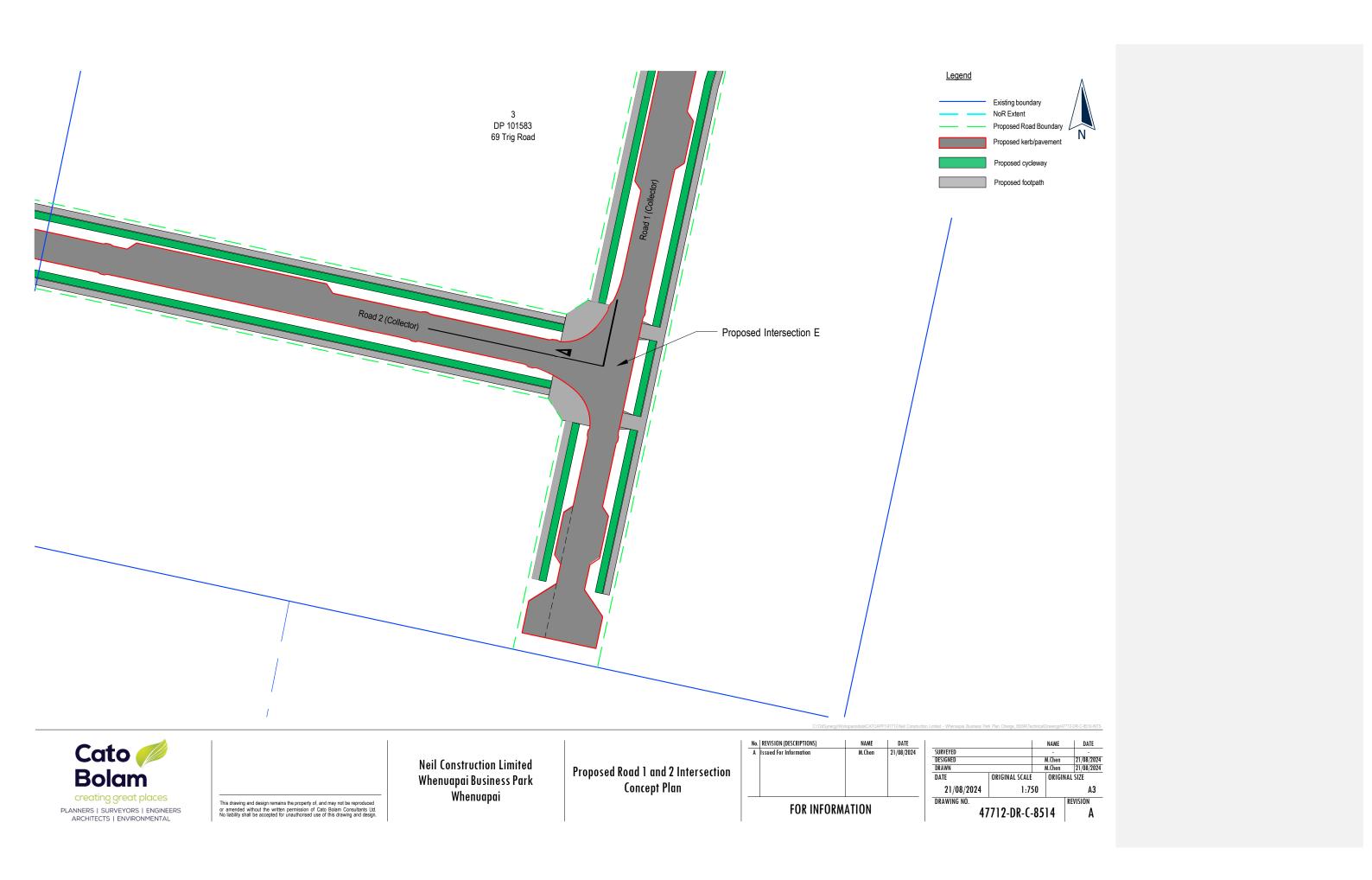


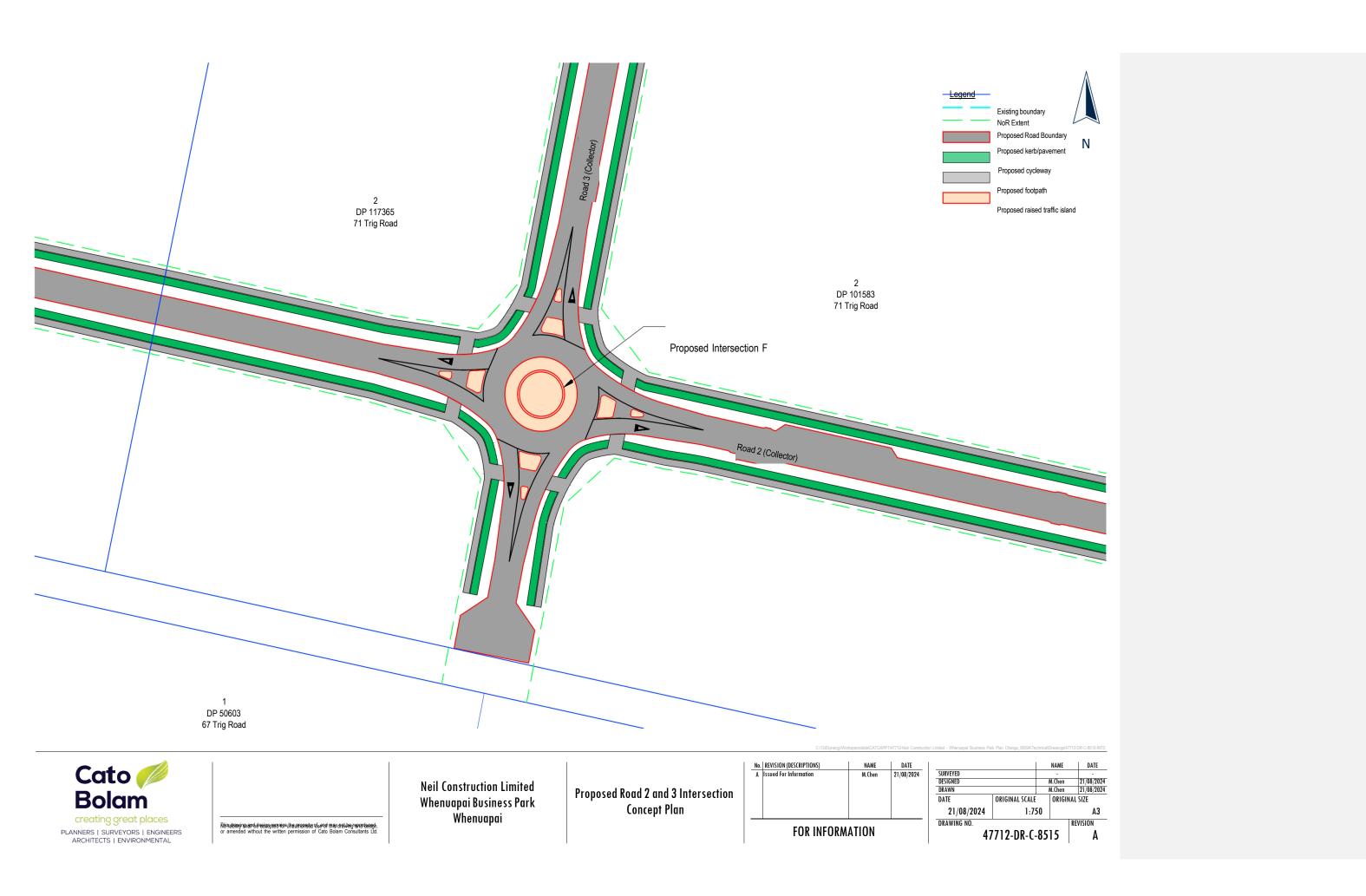
FOR INFORMATION

No liability shall be accepted for unauthorised use of this drawing and design.

			NAME	DATE
SURVEYED			-	-
DESIGNED			M.Chen	21/08/2024
DRAWN			M.Chen	21/08/2024
DATE	ORIGINAL SCALE ORIGIN			IAL SIZE
21/08/2024	1:750			A3
DRAWING NO.				REVISION
47	7712-DR-C	85	12	Α







I6XX.1 Whenuapai Business Park Precinct

I1.1. Precinct Description

The purpose of the Whenuapai Business Park Precinct is to enable the transition of land within the Precinct from semi-rural land uses to a light industrial business area, in an integrated and comprehensive manner to support business and employment growth in the area. The Precinct will facilitate the establishment of significant infrastructure that will support its development and ensure it is integrated into, and enables, future urban development of the wider area. Infrastructure upgrades include new internal roading connections, new and upgraded intersections, and an upgrade to Brigham Creek Road and Trig Road. Walking and cycling connections are provided within the Precinct to connect the reserves to the east and west of the plan change area. These connections are to ensure good cycling and walking connectivity between these two reserves. The Whenuapai Business Park Precinct seeks to provide a well-designed interface with Brigham Creek Reserve and Spedding/Trig Reserve to provide for convenient public access, effective passive surveillance, and to avoid bulk and dominance effects from light industrial development on the reserve.

Land within the Precinct is identified as Business – Light Industry Zone. This zone is generally consistent with, and implements, the vision encapsulated within the Whenuapai Structure Plan 2016.

Development of the Precinct is guided by the Whenuapai Business Park Precinct Plan.

Stormwater management within the Precinct is guided by the Cato Bolam Stormwater Management Plan (2023). As part of the integrated stormwater approach, stormwater treatment requirements and the Stormwater Management Area Control – Flow 1 have been applied to the Precinct.

The Royal New Zealand Air Force (RNZAF) Base Auckland is located to the north of the Whenuapai Business Park Precinct and the approach path infrastructure traverses the western portion of the Precinct. RNZAF Base Auckland is a strategic defence facility of national and regional importance. The presence of RNZAF Base Auckland contributes to the Precinct's existing environment and character. The Precinct acknowledges the significance and presence of RNZAF Base Auckland by ensuring that all subdivision, use and development within the Precinct will occur in a manner that does not adversely affect the ongoing operations of RNZAF Base Auckland. This approach is consistent with Regional Policy Statement provisions that recognise the functional and operational needs of infrastructure (including RNZAF Base Auckland) and seek to protect it from reverse sensitivity effects caused by incompatible subdivision, use and development.

Some of the aircraft that operate from RNZAF Base Auckland are maintained on-site. Engine testing is an essential part of aircraft maintenance. Testing is normally undertaken between 7.00am and 10.00pm but, in circumstances where an aircraft must be prepared on an urgent basis, it can be conducted at any time and for extended periods. The Whenuapai Business Park Precinct Plan includes noise contour boundaries for aircraft engine testing noise. Related provisions impose restrictions on activities in the Precinct that are sensitive to aircraft noise, to manage the potential for reverse sensitivity effects on the operations of RNZAF Base Auckland.

The Precinct is situated within an area broadly identified as the North-West Wildlink, the aims of which are to create safe, connected, and healthy habitats for native wildlife to safety travel and breed in between the Waitākere Ranges and the Hauraki Gulf Islands. The Precinct recognises that this area of Whenuapai is a stepping stone in this link for native wildlife and seeks to enhance these connections through riparian planting and restoration of degraded habitats, including the provision of habitats for less mobile or flightless species.

The Precinct recognises and provides for the vision of Auckland's Urban Ngahere (Forest) Strategy to increase the canopy cover in the Auckland region, by providing opportunities for riparian planting, wetland restoration, and additional open space buffer and front boundary planting to contribute to increasing the canopy cover in the area.

All relevant overlays, Auckland-wide and zone provisions apply in this Precinct unless otherwise specified below.

I1.2. Objectives [rcp/rp/dp]

General

(1) Whenuapai Business Park Precinct is developed in a staged, comprehensive, and integrated manner to facilitate the development of a business area for predominantly light industrial land use activities.

Transport Infrastructure

- (2A) Subdivision and development that is not staged and co-ordinated with the required transport infrastructure is avoided.
- (2) Transport infrastructure that is required to service subdivision and development within the Precinct:
 - a) Provides for freight
 - b) Provides safe and efficient walking and cycling connections
 - c) Provides for bus access and bus stops to support future improvements to public transport connectivity
 - d) Mitigates traffic impacts on the surrounding road network
 - e) Provides connectivity to facilitate future subdivision and development of adjacent sites; and
 - f) Is staged and co-ordinated with subdivision and development
- (3) Roading connections, new or upgraded intersections, and the upgrading of Brigham Creek and Trig Road are provided to support subdivision and development within the Precinct.

Ecology

(4) Ensure the interface of subdivision and development with Brigham Creek Reserve and Spedding/Trig Reserve is addressed by providing an open space buffer that avoids bulk, dominance and shading effects from industrial development on the reserves whilst also adhering to Crime Prevention Through

Environmental Design principles.

- (5) Ecological values including the health and well-being of streams and wetlands within the Precinct are enhanced.
- (6) Riparian, open space buffer, front yard, and boundary planting contributes to increasing the canopy cover and indigenous biodiversity within the Precinct.

Three Waters Infrastructure

- (7) All necessary three waters infrastructure (being water supply, wastewater, and stormwater infrastructure) is in place to service development within the Precinct and is staged and coordinated with subdivision and development.
- (8) Stormwater quality and quantity is managed to maintain the health, well-being, and preserve the mauri, of the receiving environment, and minimise flood risk.
- (9) Stormwater devices avoid, the attraction of birds that could become a hazard to aircraft operations at RNZAF Base Auckland.

Effects on RNZAF Base Auckland

(10) The effects of subdivision, use and development on the operation and activities of RNZAF Base Auckland are avoided as far as practicable, or otherwise remedied or mitigated.

I1.3. Policies [rcp/rp/dp]

General

- (1) Develop Whenuapai Business Park Precinct in accordance with the Precinct Plan.
- (2) Ensure that where a stage identified on the Precinct Plan (Infrastructure Staging) is subdivided or developed, the associated upgrading or establishment of transport and three waters infrastructure is undertaken and completed at the same time.
- (3) Stages may be developed in any order, or more than one stage can be developed at one time.

Transport

- (4) Require the development of a transport network that implements the elements and connections identified in the Precinct Plan and is in accordance with Tables 1 and 2 I6XX: Road Function and Design Elements.
- (5) Subdivision and development within each identified stage does not occur in advance of the availability of transport infrastructure to support that stage, as identified on the Precinct Plan (Infrastructure Staging).
- (5A) Require that the efficient, effective and safe operation of the Trig Road as a future arterial road is supported by restricting vehicle access.
- (5B) Require traffic effects from development to be controlled by an overall GFA limit.

Ecology

(6) Provide for the health and well-being of indigenous biodiversity, streams and wetlands within the Precinct through riparian planting and restoration of degraded

habitats.

(7) Provide an open space buffer along the boundary with Brigham Creek Reserve and Spedding/Trig Reserve to create a positive frontage with the reserves that does not contain buildings or parts of buildings.

Three Waters Infrastructure

- (8) Require subdivision and development to be in accordance with the approved Stormwater Management Plan to effectively manage stormwater runoff and to provide for water sensitive design.
- (9) Ensure that stormwater in the Precinct is managed and treated, to ensure the health and ecological value of streams are maintained and enhanced, for all subdivision and development.
- (10) Ensure that stormwater is managed to minimise flood risk, within the Precinct and in the downstream catchment.
- (11)Require the stormwater management outcomes and devices for the site to be planned, designed, and implemented to avoid attracting birds and therefore mitigate the potential for bird strike to impact safety and flight operations at RNZAF Base Auckland.
- (12) Ensure that sufficient capacity in the water and wastewater network is provided to enable the servicing of new subdivision and development.
- (13) Ensure subdivision and development is aligned with the timing of the provision of wastewater infrastructure.

Effects on RNZAF Base Auckland

- (14) Require subdivision, use and development within the Precinct to avoid, remedy or mitigate any adverse effects, including reverse sensitivity effects, and safety risks relating to bird strike, lighting, glare and reflection, on the operation and activities of RNZAF Base Auckland.
- (15) Avoid establishing activities sensitive to noise within the area between the 57 dB Ldn and 65 dB Ldn aircraft engine testing noise boundaries as shown on the Precinct Plan, unless the noise effects can be adequately avoided, remedied, or mitigated at the receiving site through acoustic treatment of buildings, including mechanical ventilation.

I1.4. Activity table [rcp/rp/dp]

All relevant overlay, Auckland-wide and zone activity tables apply unless the activity is listed in Activity Table I6XX.4.1 below.

Activity Table I6XX.4.1 specifies the activity status of regional / district land use / subdivision / coastal works, occupation and/ or activities in the coastal marine area / activities in, on, under or over the beds of lakes, rivers, streams and wetlands / take, use, dam or divert water, heat or energy / discharge of contaminants or water into water; or discharges of contaminants into air, or onto or into land or water activities in the I1XX.1 Whenuapai Business Park Precinct pursuant to section(s) 9(2) / 9(3) / 11 / 12(1) / 12(2) / 12(3) / 13 / 14 / 15 of the Resource Management Act 1991.

A blank in the activity status column means that the activity status in the relevant overlay, Auckland-wide or zone provision applies.

In addition to the provisions of the Precinct, reference should also be had to the planning maps (GIS Viewer) which show the extent of all designations, overlays and controls applying to land within the Whenuapai Business Park Precinct. Development in the Precinct is subject to height restrictions under Designation 4311 and land use and subdivision in specified areas requires the written approval of the New Zealand Defence Force. Reference should also be made to Whenuapai Airbase Designation 4310 including the Aircraft Noise provisions of Condition 1 and associated Airbase Noise maps. This Precinct introduces additional 57 dB Ldn and 65 dB Ldn noise contour boundaries for aircraft engine testing noise and restrictions for activities sensitive to noise within this area.

Table I6XX.4.1 Activity table

Activity		Activity status
Use and De	velopment	
(A1)	Activities listed as permitted, restricted discretionary or discretionary activities in Table H17.4.1 Activity Table in the Business Light Industry Zone.	
(A2)	Use and development that does not comply with Standard IX.6.1 or Standard IX.6.4.	NC
(A3)	New activities sensitive to noise and alterations and additions to existing buildings accommodating activities sensitive to noise within the aircraft engine testing noise boundaries	D
(A4)	Activities that do not comply with: Standard I1.6.11; and with any one or more of the following standards: I1.6.5 - I1.6.10.	NC
(A5)	Use and development that does not comply with Standard IX.6.2.	D
(A5A)	Construction of a new vehicle crossing to Trig Road	RD
Subdivision		
(A6)	Subdivision listed in Chapter E38 Subdivision	
(A7)	Subdivision that does not comply with Standard IX.6.1, IX.6.3 and IX.6.4.	NC

Lighting		
(A7)	Activities listed as permitted or restricted discretionary activities in Table E24.4.1 Activity Table (Lighting)	

11.5. Notification

- (1) Any application for resource consent for an activity listed in Activity Table I6XX.4.1 above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.
- (2) When deciding who is an affected person in relation to any activity for the purpose of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule C1.13(4).

11.6. Standards

All relevant overlay, Auckland-wide and zone standards apply to the activities listed in Activity Table I6XX.4.1 unless otherwise specified below.

If there is a conflict or difference between the Precinct standards and the Auckland-wide and zone standards, the standards in this Precinct will apply.

All activities listed in Activity Table I6XX.4.1 must comply with Standards I.1.6(1) - I.1.6(12).

I1.6.1 Transport Infrastructure Upgrades

Purpose:

- To mitigate the adverse effects of traffic generation on the surrounding road network
- To achieve the integration of land use and transport
 - (1) Prior to the occupation of any buildings within a particular stage, the transport infrastructure shown on Precinct Plan (Infrastructure Staging) must have been constructed for that stage. New and upgraded roads and intersections must be constructed in accordance with Tables 1 and 2 I6XX: Road Function and Design Elements.

(2) Subdivision

- a) Must be designed to ensure the protection of the future road corridors, intersections and connections shown on Precinct Plan.
- b) Prior to the Council issuing a certificate under section 224(c) of the Resource Management Act 1991 for subdivision within a particular stage, the transport infrastructure shown on Precinct Plan (Infrastructure Upgrading) must have been constructed for that stage.
- c) New and upgraded roads and intersections must be constructed in accordance with Tables 1 and 2 I6XX: Road Function and Design

Elements.

I1.6.2 GFA Limit

Purpose

- To mitigate the adverse effects of traffic generation on the surrounding road network
- (1) The cumulative extent of buildings within the Precinct shall not exceed 115,000m² GFA.

I1.6.2A <u>Vehicle Access Restriction for Trig Road</u>

Purpose:

- to restrict direct vehicle access onto a future arterial road
- to promote safe and efficient operation of transport infrastructure particularly for active modes
 - (1) Vehicle access restrictions apply under E27.6.4.1(2) and 3(c) as if Trig Road was identified as an arterial road on the planning maps.

I1.6.3 Stormwater Management

Purpose: To ensure that stormwater in the Precinct is managed and, where appropriate, treated, to ensure the health and ecological values of the streams are maintained.

- Stormwater quality:
 - a) All land use development shall be managed in accordance with an approved private Discharge Consent and/or a Stormwater Management Plan approved by the stormwater network utility operator.
 - b) New buildings, and additions to buildings, must be constructed using cladding, roofing and spouting building materials that avoid the use of high contaminant yielding building products which have:
 - i. exposed surface(s) or surface coating of metallic zinc of any alloy containing greater than 10% zinc; or
 - ii. exposed surface(s) or surface coating of metallic copper or any alloy containing greater than 10% copper; or
 - iii. exposed treated timber surface(s) or any roof material with a copper containing or zinc-containing algaecide.
 - c) Stormwater runoff from all impervious areas must be treated with a stormwater management device(s) meeting the following standards:
 - (i) the device or system must be sized and designed in accordance with 'Guidance Document 2017/001 Stormwater Management Devices in the Auckland Region (GD01)'; or
 - (ii) where alternative devices are proposed, the device must

demonstrate it is designed to achieve an equivalent level of contaminant or sediment removal performance to that of 'Guidance Document 2017/001 Stormwater Management Devices in the Auckland Region (GD01)'.

- d) In the event that dry detention basins or stormwater ponds are proposed, these shall be designed by a suitably qualified and experienced person to:
 - Minimise bird settling or roosting (including planting with species unlikely to be attractive to large and/or flocking bird species); and
 - ii. Fully drain down within 48 hours of a 2 percent Annual Exceedance Probability (AEP) storm event; and
 - iii. Have side slopes at least as steep as 1 vertical to 4 horizontal (1:4) except for:
 - 1. Any side slope treated with rock armouring; or
 - 2. Any area required for vehicle access, provided that such vehicle access has a gradient of at least 1 vertical to 8 horizontal (1:8).
- e) Roof runoff must be directed to a tank sized for the minimum of 5mm retention volume for internal non-potable reuse within the property.
- f) The following stormwater related infrastructure and devices identified in the precinct plan must be coordinated with each stage and constructed and operational prior to the implementation of any subdivision and/or development:
 - i. two bridges for Road 1
 - ii. a new culvert by Trig Road
 - iii. stormwater management devices for new and upgraded roads
 - iv. new accessway at 159 Brigham Creek Road
 - v. new road connection from Road 1 to 161 Brigham Creek Road
 - vi. upgrade of culverts under 161 and 163 Brigham Creek Road.

I1.6.4 Wastewater and Water Supply Infrastructure

Purpose: To ensure that bulk water supply and wastewater infrastructure with sufficient capacity is available to support development within the Precinct.

a) Any subdivision and buildings within the Precinct wastewater and water network that is completed and commissioned with sufficient capacity to service the subdivision or development..

I1.6.5 Bird strike

- a) If roof gradients are less than 15 degrees, measures to discourage bird roosting on the roof of the structure are required where building design may be conducive to potential bird roosting.
- b) Any measures to discourage bird roosting on the roof of the structure shall be maintained thereafter to the satisfaction of Auckland Council in consultation with NZDF.

11.6.6 Yards

Purpose:

- Provide a buffer and screening between industrial activities and neighbouring sites, to mitigate adverse visual and nuisance effects;
- Provide sufficient riparian yard to protect the flood mitigation function of the steam and allow space for the stream to adjust to mitigate erosion effects;
- Increase canopy cover and linkages between green spaces
 - a) A building or parts of a building must be set back from the relevant boundary by the minimum depth listed in Table XX:

Table XX:

Yard	Minimum Depth
Front	3.7m where the front yard faces an internal road identified on the Precinct Plan.
Side	5m where an open space buffer is identified on the Precinct Plan.
Rear	5m where an open space buffer is identified on the Precinct Plan.
Riparian	20m from the edge of all permanent and
	intermittent streams

- b) Front yards (excluding access points or the location of infrastructure) must be planted with a mixture of native trees, shrubs, or ground cover plants (including grass) within and along the full extent of the yard.
- c) Side and rear yards must be planted with native vegetation comprising a mixture of trees, shrubs or ground cover plants (including grass) within and along the full extent of the yard to provide a densely planted visual buffer of at least 3m in depth and must be appropriately maintained thereafter.
- d) <u>Vegetation planting must be of species unlikely to be attractive to large and/or flocking bird species.</u>

I1.6.7 Riparian Margins

a) At the time of subdivision or development, land within 20m of the streams and wetlands identified on the Precinct Plan as 20m Riparian Margin / Ecological Enhancement must be planted with native vegetation from the top of the bank of the stream or the wetland's edge.

I1.6.8 Height in Relation to Boundary

a) Buildings or parts of buildings must not project beyond a 35 degree recession plane measured from a point 6m vertically above ground at the site boundary where those site boundaries adjoin an open space buffer as identified on Precinct Plan.

11.6.9 Lighting, glare, and reflection

Purpose:

- To avoid or minimise the effects of lighting on aircraft descending to land at RNZAF Base Auckland.
- a) Any subdivision and development must avoid effects of lighting on the safe and efficient operation of RNZAF Base Auckland, to the extent that lighting:
 - i. Avoids simulating approach and departure path runway lighting
 - ii. Ensures that clear visibility of approach and departure path runway lighting is maintained; and
 - iii. Avoids glare or light spill that could affect flight safety or aircraft operations.
- b) Roof surfaces and external building surfaces (excluding vertical surfaces) greater than 10m above ground level must not exceed a reflectivity (specular reflectance) of 20% white light.
- c) No person may illuminate or display the following outdoor lighting between 11:00pm and 6:30am:
 - i. searchlights; or
 - ii. outside illumination of any structure or feature by floodlight that shines above the horizontal plane.

I1.6.10 Noise

Purpose:

- To ensure that potential reverse sensitivity effects on the adjacent RNZAF Base Auckland are appropriately avoided, remedied, or mitigated within the Precinct.
 - a) A no-complaints covenant shall be included on each title issued within the precinct. This covenant shall be registered with the deposit of the survey plan, in a form acceptable to the New Zealand Defence Force under which the registered proprietor will covenant to waive all rights of complaint, submission, appeal or objection it may have under the Resource Management Act 1991 and successive legislation or otherwise in respect of any noise associated with the RNZAF Base Auckland.

11.6.11 Development within the aircraft engine testing noise boundaries

a) Between the 55 dB Ldn and 65 dB Ldn noise boundaries as shown on the Precinct Plan, new activities sensitive to aircraft noise and alterations and additions to existing buildings accommodating activities sensitive to aircraft noise must be designed and constructed to meet the requirements of D24.6.1.

I1.6.12 Temporary activities and construction

Purpose:

- To avoid safety and operation risk effects on the RNZAF Base Auckland.
 - a) Any application for subdivision and development that requires the use of a temporary structure or construction equipment that infringes the Obstacle Limitation Surface must seek written approval from the RNZAF Base Auckland.

11.7. Assessment – restricted discretionary activity

11.7.1. Matters of discretion

The Council will reserve its discretion to all of the following matters when assessing a restricted discretionary activity resource consent application, in addition to the matters specified for the relevant restricted discretionary activities in the overlays, Aucklandwide or zones provisions:

- (1) Matters for all restricted discretionary activities (including otherwise permitted activities that infringe a permitted standard):
 - a) Whether the infrastructure required to service any subdivision or development is provided;
 - b) The effects of the proposal on the future ability to construct the road corridors and connections shown in the Precinct Plan;
 - c) Whether the proposal will provide for the safe and efficient functioning of the current and future transport network;
 - d) The requirements of the approved Stormwater Management Plan to manage stormwater and flooding effects;
 - e) The provision of stormwater related infrastructure and devices required to manage stormwater and flooding effects;
 - f) The effects on the health, well-being and the mauri of the streams and wetlands;
 - g) Effects on the operation of RNZAF Base Auckland including reverse sensitivity effects and any measures to avoid, remedy or mitigate these effects;
 - h) Lighting associated with development, structures, infrastructure and construction;

- Effects of the Proposal on the amenity and character of Brigham Creek Road and Trig Road corridors.
- (2) Vehicle crossings to Trig Road The matters of discretion in E27.8.1(12) apply.
- (3) Matters where development that is adjacent to the Open Space Buffer infringes the Yard standard or the Height in Relation to Boundary standard
 - a) Any policy which is relevant to the standard;
 - b) the purpose of the standard;
 - c) the effects on the amenity of the neighbouring reserve;
 - d) How the development addresses passive surveillance on the boundary with a reserve.

11.7.2. Assessment Criteria

The Council will reserve its discretion to all of the following matters when assessing a restricted discretionary activity resource consent application, in addition to the matters specified for the relevant restricted discretionary activities in the overlays, Aucklandwide or zones provisions:

- (1) For subdivision:
 - a) The extent to which any subdivision or development layout is consistent with and provides for the upgraded roads and new indicative roads and connections shown on the Precinct Plan;
 - b) Whether the proposed subdivision includes the delivery of the transport infrastructure identified on Precinct Plan (Infrastructure Staging) and in accordance with the Road Function and Design Elements Tables;
 - c) Whether the proposed road corridors and connections will service the Precinct in a safe and efficient manner;
 - d) Whether the proposed subdivision enables development that would require transport infrastructure upgrades to be provided;
 - e) Whether the proposed subdivision will adversely affect the safe and efficient operation of the current and future transport network;
 - f) Whether a safe and efficient road design is provided;
 - g) The extent to which any subdivision or development layout provides for the functional requirements of the existing or proposed transport network, roads and relevant transport modes;
 - h) Whether the proposal includes methods to ensure the construction of road corridors and connections, within its stage shown in Precinct Plan (Infrastructure Staging);

- For subdivisions that involve allotments fronting Trig and/or Brigham Creek Road, measures to ensure future development positively contributes to the visual interest and enlivenment of the street, and provides for pedestrian (public) access;
- j) For subdivisions that include the Open Space Buffer identified on the Precinct Plan, measures to ensure the placement and design of buildings is co-ordinated with planting to avoid adverse amenity and amenity effects and incorporate CPTED principles in relation to adjacent public open space; and
- k) Whether the following required works are located, designed, and undertaken in a staged manner, in accordance with the Precinct Plan (Infrastructure Staging), that facilitates and avoids unnecessary rework in future upgrades to Brigham Creek Road and Trig Road to provide strategic network connections to service wider growth:
 - i. Proposed new roundabout on Trig Road, and Trig Road upgrade
 - ii. Upgraded Brigham Creek Road/ Trig Road intersection roundabout, and Brigham Creek Road upgrade
 - iii. New Brigham Creek Road left in, left out intersection and Brigham Creek Road upgrade
 - iv. New Brigham Creek Road signalised intersection and Brigham Creek Road upgrade
- (2) For stormwater management not complying with Standard I6XX.3:
 - a) Whether development and/or subdivision is in accordance with the approved Stormwater Management Plan and Policies XX); and
 - The design and efficacy of new and upgraded stormwater related infrastructure and devices with consideration given to the likely effectiveness, ease of access, operation and integration with the surrounding environment; and
 - c) Whether there is sufficient infrastructure capacity to provide for flood conveyance and protect land and infrastructure; and
 - d) The extent to which contaminants contribute to the adverse effects on receiving environment, including on the healthy, well-being and mauri of the streams and wetlands.
- (3) For riparian margins not in accordance with standard I1.6(7)(a) whether the health, well-being and mauri of the streams and wetlands, including the flood mitigation function of the stream are achieved by the proposed riparian planting will be equal to or better than the requirement of I1.6(7)(a).
- (4) For stormwater detention/retention ponds/wetlands not complying with the standards in I1.6(3), the extent to which the proposal minimises the attraction of birds that could become a hazard to aircraft operating at RNZAF Base Auckland.

- (5) The effects on the operation of the RNZAF Base Auckland, including potential reverse sensitivity effects and effects on aircraft safety, in relation to:
 - a) Lighting, glare, and reflection;
 - b) Temporary structures and construction; and
 - c) Noise
- (6) For development not in accordance with the standard I1.6.6 Yards and I1.6.8 Height In Relation to Boundary Standard for the Open Space Buffer the extent to which the proposed buildings cause shading on the reserve and whether the building design ensures bulk and dominance effects are reduced whilst addressing passive surveillance on the boundary with a reserve.
- (7) Vehicle crossings to Trig Road The assessment criteria in E27.8.2(11)(a) apply.

11.8. Special information requirements

- (1) Transport Design Report:
 - a) Any proposed new road intersection or upgrading of existing road intersections illustrated on the Precinct Plan must be supported by a Transport Design Report and concept plans, prepared by a suitably qualified transport engineer confirming that the location and design of any road and its intersection(s) supports the safe and efficient function of the existing transport network and can be accommodated within the proposed or available road reserves. This may be included within a transport assessment supporting land use or subdivision consents.
 - b) In addition to the report and plan required in (1)(a) where an interim upgrade is proposed, information detailing how the design allows (where possible) for the ultimate upgrade to be efficiently delivered must be provided.
- (2) Any application for resource consent for subdivision or development, including any vegetation alteration or removal within 20m of a natural wetland or within 10m of a stream (permanent or intermittent) shown on the Precinct Plan shall:
 - a) Detail the proposed methods for managing adverse effects on protected fauna, nesting birds during bird breeding season, herpetofauna and the habitat of long-tailed bat, including addressing adverse effects from increased light and noise on bat habitat; and
 - b) Provide a detailed restoration plan, including planting and maintenance for no less than three years, for the stream, wetland, and their buffer/riparian margins. The plan shall be in accordance with best practice methodologies of TP148 and/or Auckland Unitary Plan Appendix 16, or other subsequent Council restoration guide.
- (3) Any application for buildings must whether Standard I1.6.2 GFA Limit is complied with by including details of the existing and consented GFA for buildings within the

precinct.

- (4) Any application for land modification, development and subdivision which discharge to or adjoins a permanent or intermittent stream must be accompanied by a stream and stabilisation plan assessment to inform the type and scale of instream and/or stream margin work required to ensure the effects from the development and structure in the stream is managed and there is resilience to any effects of future flow. The assessment must address the requirements below;
 - a) A stream health and stabilisation assessment by a qualified fluvial geomorphologist and stream ecologist.
 - b) A stream health and stabilisation plan inform by 3(a) that:
 - sets out the type and scale of instream and/or stream margin work required to ensure the ecological and geomorphological effects from the development and structures in the stream is managed and there is resilience to any effects of future flow, and,
 - ii. demonstrates that any instream and/or stream margin work is of a standard that will allow the stream channel to progressively improve over time where it is degraded, or maintain high stream values where these values are present, and,
 - iii. prioritises nature based solutions and green infrastructure that demonstrate resiliency and adaptability to changes in climate and flow, instead of relying on permanent hard engineering solutions,
 - iv. details who is responsible for carrying out the stream health and stabilisation plan, timing of the implementation of the plan and ongoing monitoring and maintenance.

Other Amendments:

- Note 1: Amend the precinct plan to identify a Vehicle Access Restriction for Trig Road (future arterial)
- Note 2: Annotate each of the concept drawings for intersections with the following: 'All drawings are indicative designs to be refined further through the Engineering Plan Approval process.'
- Note 3: Update the Precinct Plan to show the 55 dB Ldn engine testing noise contour.
- Note 4: Amend the staging plan to identify stormwater related infrastructure and devices identified in I1.6.3.

Table 1: Road Function and Required Design Elements

Road name	Proposed role and function of road in precinct area	Minimum road reserve width ¹	Total number of lanes	Design speed	Median ²	Cycle Provision	Pedestrian provision	Freight or heavy vehicle route	Access restriction	Bus provision ³
Brigham Creek Road upgrade (Between Kauri Road and Intersection D)*	Arterial	30m	4	60km/hr	No	Yes-one side ⁴	Yes-two sides ⁵	Yes	Yes	Yes
Brigham Creek Road upgrade (West of Intersection D)*	Arterial	Various	2	60km/hr	No	Yes-two sides ⁶	Yes-two sides ⁶	Yes	Yes	Yes
Trig Road	Future Arterial	24m	2	60km/hr	Yes	Yes-two sides	Yes-two sides	Yes	Yes	Yes
Roads 1, 2, 3	Collector	24m	2	50km/hr	No	Yes-two sides	Yes-two sides	Yes	No	Yes

Table 2: Intersection Type and Design

Intersection Reference (refer Precinct Plan Infrastructure Staging)	Intersection Type	Designed in general accordance with:	Comments
A - Trig Road	New Intersection - Roundabout	47712-DR-C-8510	Single Lane roundabout. A future fourth leg could provide access to part of the PCA west of Trig Road
B - Trig / Brigham Creek Road	Upgraded Intersection - Roundabout	47712-DR-C-8511	Single lane roundabout. At consenting stage consideration to be given to the need to include the following: an additional circulating lane on the northern side. two approach lanes on Brigham Creek Road, eastbound.
C - Brigham Creek Road	New Intersection - Left in, left out	47712-DR-C-8512	
D - Brigham Creek Road	New Intersection - Signalized	47712-DR-C-513	

^{*} Denotes interim upgrades to Brigham Creek Road (i.e. not the ultimate width provided for by AT's NOR W3)

¹ Typical minimum width which may be varied in specific locations where required to accommodate network utilities, batters, structures stormwater treatment, intersection design, significant constraints or other localised design requirements.

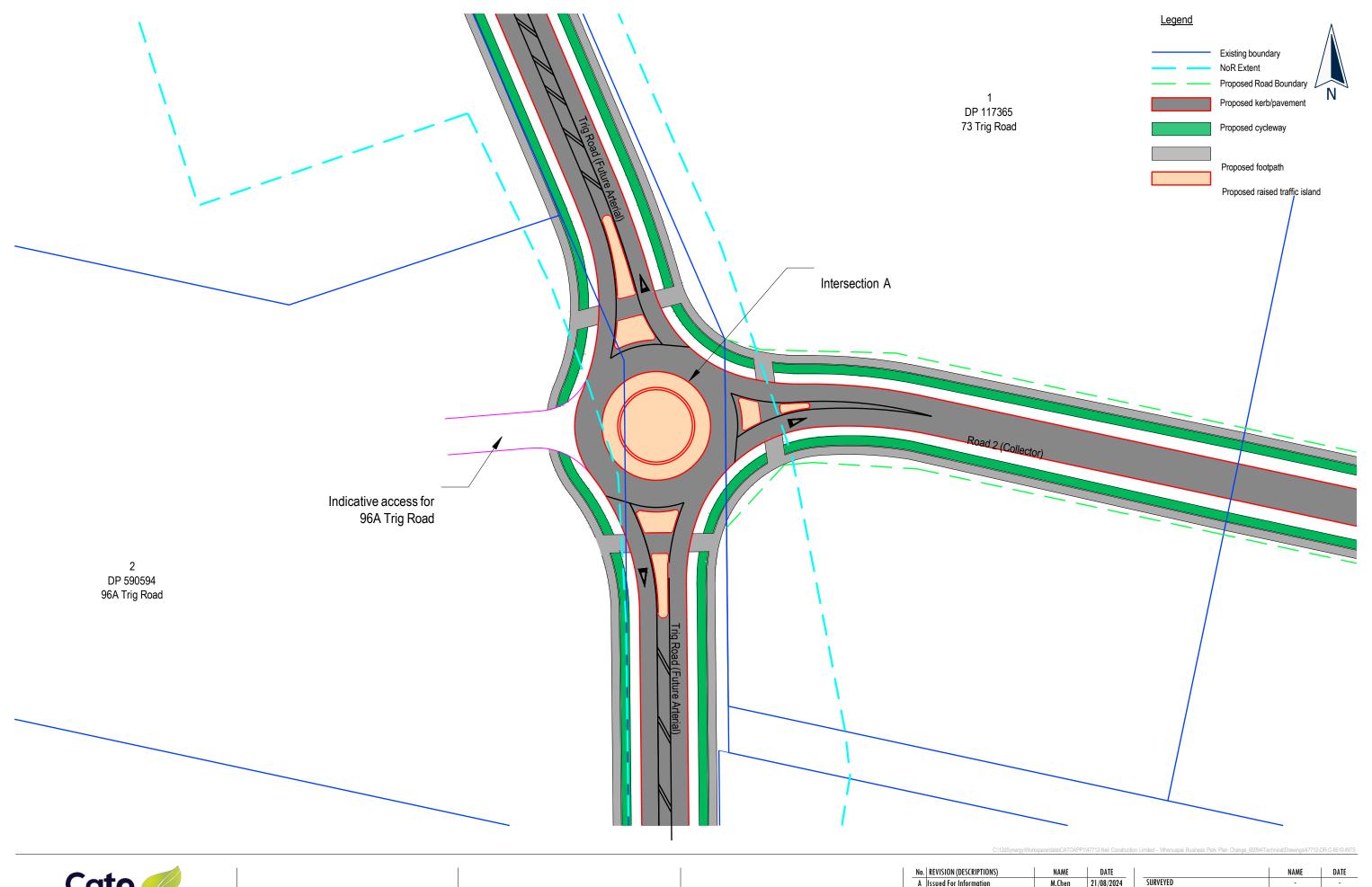
² Flush, solid or raised medians subject to Auckland Transport approval at EPA stage.

³ Carriageway lanes and geometry of intersections capable of accommodating buses. Bus stop form and locations and bus routes shall be determined with Auckland Transport at resource consent and engineering plan approval stage.

⁴ Two-way cycleway on northern side only.

⁵ Southern side footpath extending to the eastern extremity of Lot 1 DP 167537 (159 Brigham Creek Road)

⁶ Shared path on northern side of Brigham Creek Road remains





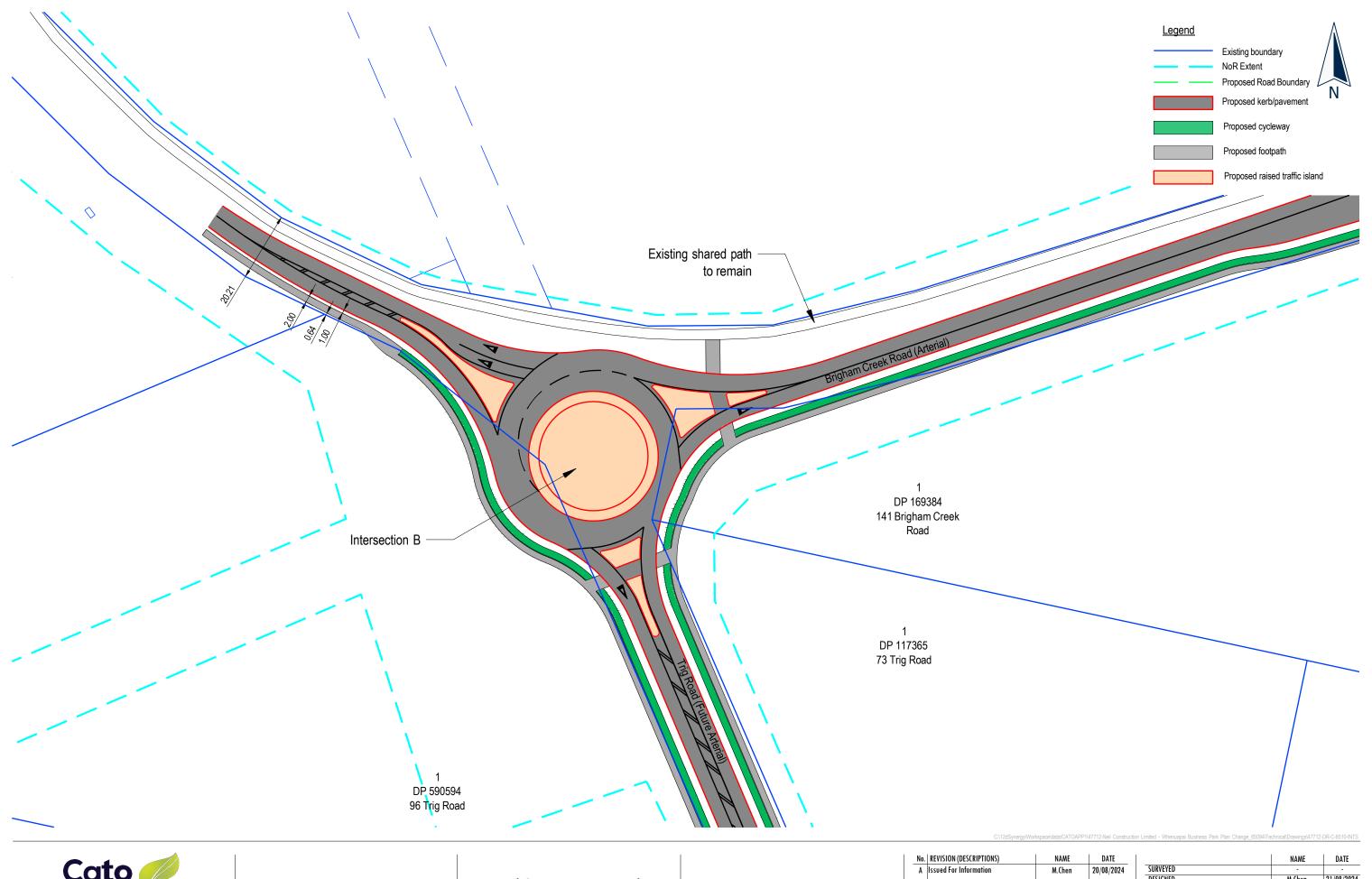
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Proposed Road 2 and Trig Road Intersection Concept Plan

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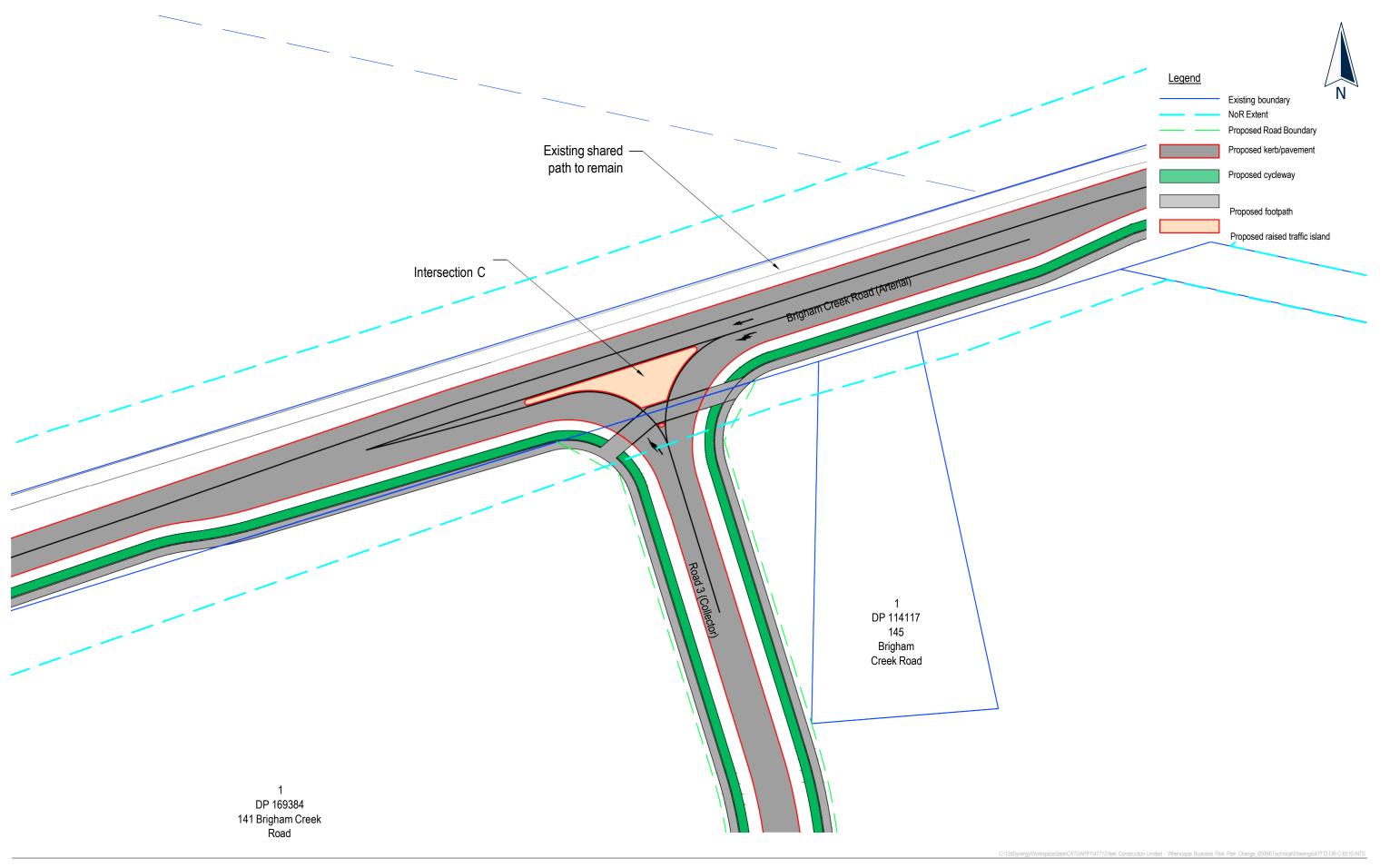
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Proposed Trig Road and Brigham Creek Road Intersection Concept Plan

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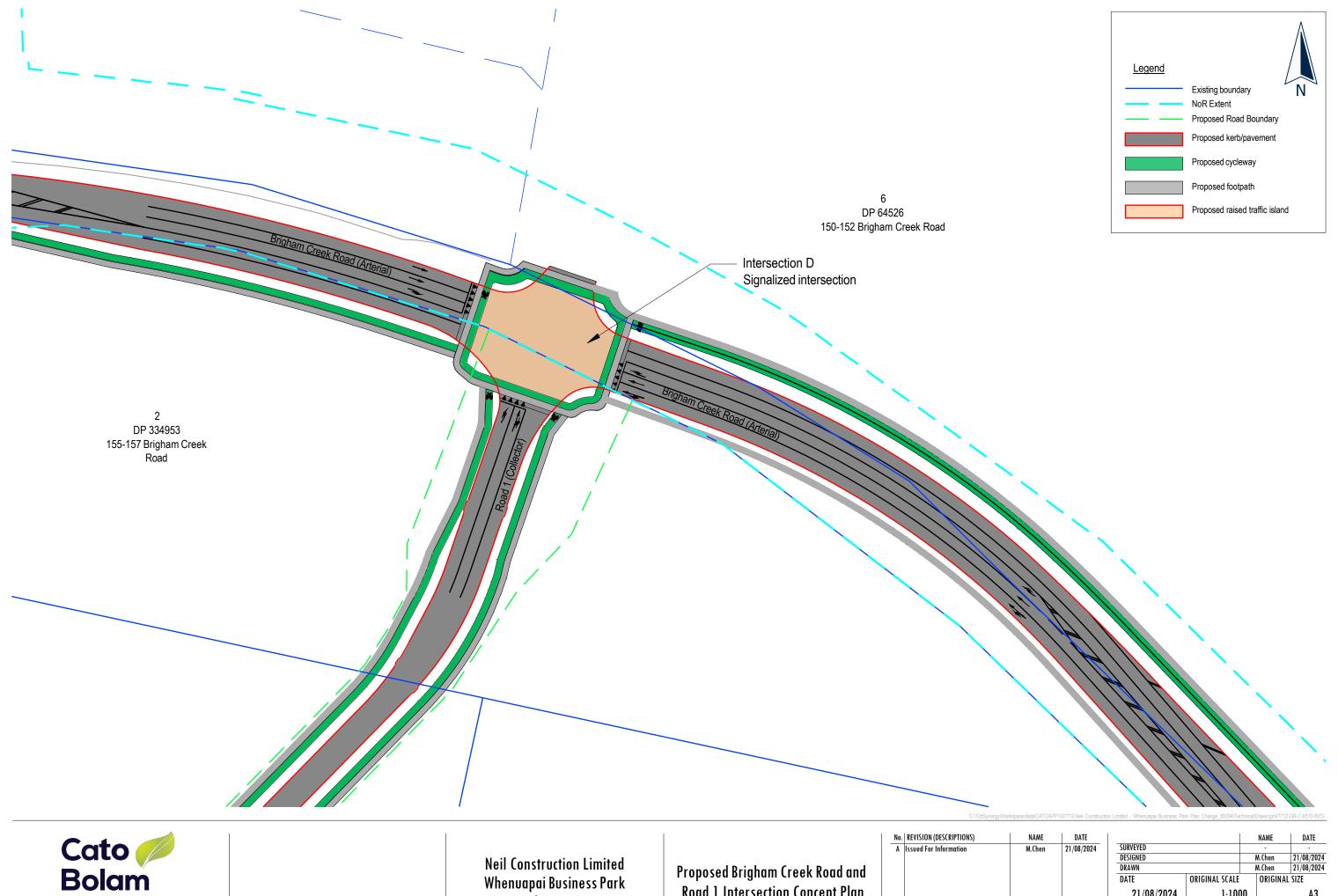
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Proposed Brigham Creek Road and Road 3 Intersection Concept Plan

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Road 1 Intersection Concept Plan

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Proposed Road 1 and 2 Intersection Concept Plan

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Proposed Road 2 and 3 Intersection Concept Plan

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APPENDIX NINE SECTION 32AA REPORT

Attachment 9 - Section 32 AA Report

Overview

This report provides an evaluation under section 32AA (s32AA) of the RRMA of a change to PPC 107 since it was publicly notified on 8 November 2024. PPC 107 included draft objectives, policies and rules as well as supporting constraints and opportunities reports, maps and plans, a s32 analysis and a cost-benefit analysis.

Section 32AA of the RMA requires further evaluation of changes made to PPC 107 since the original evaluation report was completed to support the changes recommended to the Panel through this s42A report. This further evaluation corresponds to the scale and significance of the changes.

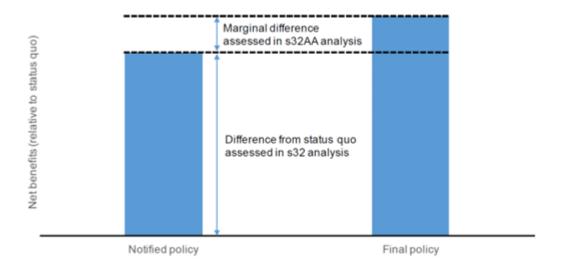
- (1) A further evaluation required under this Act-
 - (a) Is required only for any changes that have been made to, or are proposed for, the proposal since the evaluation report for the proposal was completed (the changes); and
 - (b) Must be undertaken in accordance with section 32(1) to (4); and
 - (c) Must, despite paragraph (b) and section 32(1)(c), be undertaken at a level of detail that corresponds to the scale and significance of the changes; and
 - (d) Must-
 - (i) Be published as an evaluation report that is made available for public inspection at the time as the approved proposal (in the case of a national policy statement or a New Zealand coastal policy statement or a national planning standard), or the decision on the proposal, is notified; or
 - (ii) Be referred to in the decision-making record in sufficient detail to demonstrate that the further evaluation was undertaken in accordance with this section.
- (2) To avoid doubt, an evaluation report does not have to be prepared in a further evaluation is undertaken in accordance with subjection (1)(d)(ii).
- (3) In this section, proposal means a proposed statement, national planning standard, plan, or change for which a further evaluation must be undertaken under this Act.

Evaluation approach used in this report

The difference between a s32 analysis of a notified policy and a s32AA analysis of subsequent changes to the proposed policy can be summed up as shown in figure 1 below.

- A s32 analysis should assess the overall costs and benefits of the proposed policy relative to the status quo established by existing policies and features of the market.
- A s32AA analysis should assess the marginal costs and benefits of changes to the proposed policy, relative to the version assessed in the original s32 analysis.

Figure 1: s32 analysis versus s32AA analysis



Consequently, this evaluation focuses on the changes from the proposed PPC 107 (s42A) recommendations report. In particular, this evaluation report provides an assessment of the preferred option, including the degree to which it is likely to improve the efficiency and effectiveness of PPC 107.

PPC 107 Policy Objectives, Policies and rules

Outline proposed changes made to objectives

Matter	Theme	PPC 107 as notified	Recommended approach (s32AA)
		(Proposal 1)	(Proposal 2)
			(110)034(2)
		State provision	Describe what's changing
I1.1. Precinct	Open Space	The Precinct Description	The recommended amendment
Description		describes how the Whenuapai	includes a new paragraph
		Business Park Precinct will	which recognises the
		support the growth of a	importance of transport
		business park by integrating	infrastructure in the precinct
		development with new	to provide connections
		internal and external	between future reserves
		infrastructure. The Precinct	adjacent to the plan change
		Description recognises	area. The new paragraph also
		underlying strategies which	recognises that the interface
		guide development and	between the plan change area
		ecological outcomes in the	and Brigham Creek Road and
		plan change area and	Trig Road should be well-
		surroundings.	designed to provide a safe

			connection for all transport modes along these routes.
I1.1. Precinct Description	Whenuapai Airbase	The precinct description recognises the regional importance and relationship of the plan change area with the Whenuapai Airbase and the effect of its operation on the site.	The recommended amendments specify the strategic importance of the airbase facility and its functional needs as a defence facility.
I1.2. Objectives	Transport	Transport infrastructure within the Precinct will provide for freight, safe active transport, and bus access, mitigate traffic impacts, enable future connectivity, and be staged with development, supported by new and upgraded roads and intersections including Brigham Creek and Trig Roads.	A new recommended objective that strengthens the requirement in lower order provisions to stage subdivision and development with transport infrastructure upgrades that support it.
I1.2. Objectives	Open Space	Ecological values, including stream and wetland health, are to be enhanced, and planting will increase canopy cover and indigenous biodiversity within the Precinct.	A new recommended objective requires the open space buffers identified on the precinct plan to manage the impact of built form and safety effects arising from land use on the future open space reserves adjacent to the plan change area.
I1.2. Objectives	Hydrology	All necessary three waters infrastructure must be in place and coordinated with development, while stormwater quality and quantity must be managed to protect the receiving environment and minimize flood risk, with stormwater devices designed to avoid	A recommended amendment to remove redundancy of the requirements in the objectives.

		adverse effects and bird attraction near RNZAF Base Auckland.	
I1.2. Objectives	Whenuapai Airbase	The effects of subdivision, use, and development on the operation and activities of RNZAF Base Auckland are to be avoided as far as practicable, or otherwise remedied or mitigated.	The recommended removal of an objective which (as notified) requires that the effects from aircraft engine testing are to be avoided, rather than managing reverse sensitivity effects on Whenuapai Airbase from the development.
I1.3. Policies	Transport	Development of a transport network as per the Precinct Plan's elements and road design is required, and subdivision within each stage must not occur before the availability of its supporting transport infrastructure as outlined in the Infrastructure Staging.	Two new policies are recommended that support Trig Road's future arterial function by restricting vehicle access, and manage traffic effects from the development though an overall GFA limit.
I1.3. Policies	Open Space	The Ecology policy supports the health and well-being of indigenous biodiversity, streams, and wetlands within the Precinct via riparian planting and the restoration of degraded habitats.	A new policy is recommended which recognises the requirement to create a positive interface through the open space buffer.
I1.3. Policies	Hydrology	Subdivision and development must adhere to the Precinct Stormwater Management Plan for effective, watersensitive stormwater management that protects stream health, minimizes flood risk (considering downstream impacts), avoids attracting birds near RNZAF Base Auckland, and aligns with the provision of	Recommended amendments to the policies to strengthen stormwater management functions.

I1.3. Policies	Whenuapai Airbase	appropriate water and wastewater infrastructure for new light industrial areas. The policies related to Whenuapai Airbase require subdivision, use, and development must avoid, remedy, or mitigate adverse effects on RNZAF Base Auckland, including noise, and noise-sensitive activities should be avoided within certain noise boundaries unless adequately mitigated.	Recommended amendments to strengthen the requirement for stormwater management devices to avoid creating the potential for bird strike and reverse sensitivity effects on Whenuapai airbase.
I1.4. Activity table [rcp/rp/dp]	Whenuapai Airbase	The text above the activity table refers to the underlying planning maps showing designations, overlays, and controls which originate Whenuapai Airbase and apply to the plan change area.	The amendment recommended includes a reference to the area within Designation 4311 which requires the written approval of New Zealand Defence Force to establish land use and subdivision.
Table I6XX.4.1 Activity table	Transport	Rule A2 sets a non-complying activity status for activities which do not comply with I1.6.1 Transport Infrastructure Upgrades.	The recommended amendment introduces Standard I1.6.4 Wastewater and Water Supply Infrastructure as a noncomplying activity.
Table I6XX.4.1 Activity table	Planning	Rule A4 sets a non-complying activity status for activities which do not comply with Standard I1.6.11 and another standard. It is not clear from the rule as notified which other standards apply to the rule.	The recommended amendment to Activity Table Rule A4 seeks to clarify which standards trigger a non-complying activity.
Table I6XX.4.1 Activity table	Transport	Rule A5 applies a Restricted Discretionary activity status to activities which do not comply with Standard IX.6.2.	Recommended amendment to Activity Table Rule A5 applies a Discretionary activity to activities that do not comply

			with Standard IX.6.2. A second recommended amendment is to introduce new Rule (A5A) which applies a Restricted Discretionary activity to activities which include construction or use of a vehicle crossing to Trig Road
Table I6XX.4.1 Activity table	Planning	As notified two Rules are labelled A5	Recommended amendment introduces new Activity Table Rule A6 and consequential numbering changes.
I1.6. Standards	Planning	As notified Standards referenced in the text do not the numbers of the standards being referred to.	Recommended amendment to refer to numbered standards.
I 1.6, I1.7, I1.8	Various Themes	As notified standard	Recommended amendments to provide clarity and certainty to the provisions, along with aligning with the amended objectives and policies and responding to technical advice and matters raised in submissions.

To view the full extent of changes since notification, refer to **Attachment 8** of this s42A report.

Analysis of Suggested Policy Changes

This section assesses the options considered as part of the proposed approach outlined in **Attachment 8**.

Scale and significance

Section 32(1)(c) of the RMA notes that this evaluation report should contain a level of detail that corresponds to the limited scale and significance of the effects, particularly the difference between the plan change as notified as the proposed changes. I anticipate that these changes will have limited environmental, economic, social and/or cultural effects when compared to the status quo.

Proposal 1 is provided in detail the report. The purpose of Proposal 2 is to recommend specific changes that will address the identified issues that require amendment to PPC 107 as proposed.

Examining the extent to which the revised objectives, policies and rules are the most appropriate way to achieve the purpose of the RMA

Matter	PPC 107 as notified	Proposed approach (s32AA)
	(Proposal 1)	(Proposal 2)
Status Quo	PPC 107 seeks to change the status quo by introducing a new precinct with bespoke objectives, policies and rules that will convert semi-rural land to a light-industrial zone. The proposed zoning generally aligns with the Whenuapai Structure Plan 2016. Internal roads, upgraded intersections, Brigham Creek Road and Trig Road upgrades support staged development. Stormwater follows the 2023 Cato Bolam Stormwater Management Plan with SMAF1 controls; measures prevent bird attraction near RNZAF Base Auckland. Riparian planting and habitat restoration link the North-West Wildlink and advance Auckland's Urban Ngahere canopy goals. All subdivisions and developments must avoid reverse-sensitivity effects on RNZAF operations, adhere to noise contours for engine testing, and recognise Designations 4310 and 4311 overlays. Objectives demand integrated staging of land use, transport, three-waters infrastructure and ecological	The recommended amendments proposed in Attachment 8 recognise and respond to infrastructure constraints, ecological outcomes, and the existing and planned future environment that PPC 107 is located in. For transport, recommended amendments include setting an overall Gross Floor Area (GFA) limit to manage traffic generation more effectively and introducing vehicle access restrictions on Trig Road to protect its function as a future arterial route. A recommended amendment to an objective avoids development and subdivision which is not staged with supporting transport infrastructure. The recommended amendments place a greater emphasis on ensuring that development is staged and supported by the necessary water and wastewater capacity to service development. In terms of hydrology, recommended amendments strengthen stormwater management requirements, including specifying treatment for all impervious areas and wider riparian margins and stream stabilisation plans to address stream erosion and sedimentation. Other recommended amendments improve water quality, and minimize flood risk, particularly for infrastructure external to the site like the Whenuapai Wastewater Pump Station. Stormwater infrastructure which manages flooding effects arising from the development of the site has been recommended to be included as a requirement in Standard

enhancement. Transport must accommodate freight, pedestrians, cyclists and future transit, mitigate network impacts and align with precinct stages. Threewaters infrastructure must meet health, floodmanagement and mauri preservation standards without compromising RNZAF safety. Ecological objectives require stream and wetland health improvements, native planting for canopy cover and biodiversity. Noise-sensitive activities are restricted within 57-65 dB Ldn enginetesting contours unless mitigated by certified acoustic treatments.

Policies enforce development as per the Precinct Plan. Transport networks and infrastructure upgrades must precede occupation or certification under section 224(c) of the RMA. Stormwater quality and quantity controls mandate GD01-equivalent devices, inert building materials, and bird-deterrent designs. Wastewater and water-supply infrastructure must be operational before subdivision or building occupation. All development must avoid, remedy or

I1.6.3 and in the precinct plan so that the construction is staged with development.

The recommended amendments also manage reverse sensitivity effects on Whenuapai Airbase. Recommended amendments to the provisions include more specific controls on lighting and roof reflectivity to prevent glare and a greater focus on avoiding ecology and stormwater features that increase the likelihood of bird strike hazards. The effect of the Designation 4311 OLS is recognised through the precinct standards in regard to temporary activities. The engine testing noise boundaries which were included on the notified precinct provisions have been recommended to be extended to include the 55 dB Ldn.

For urban design and open space, recommended amendments improve the interface between the future business park and surrounding roads and future reserves, enhancing visual amenity, pedestrian access, accessibility and passive surveillance.

mitigate effects on RNZAF
Base Auckland—noise, birdstrike risk, glare, lighting and
reverse sensitivity—and
require covenants
acknowledging nocomplaints for aircraft noise.

Efficiency and effectiveness

The notified provisions are not considered to be efficient and effective in achieving the lowest cost in regard to reducing the risk to the environment and people's health and the highest benefit in ensuring that development and subdivision enabled by PPC 107 can be integrated with the existing environment and avoid adverse effects from incompatible or unsupported development.

This report has identified several risks in regard to flooding, infrastructure provision, reverse sensitivity on Whenuapai Airbase, and effects of the development on the existing and planned transport infrastructure. The notified provisions do not adequately recognise these risks within the development controls and are therefore not considered to be effective at managing them.

Furthermore, the provisions as notified are more enabling of development proceeding in locations which would exacerbate the risks

The recommended amendments are considered to be more effective and efficient in achieving the lowest cost in regard to reducing the risk to the environment and people's health. They also provide the highest benefit in ensuring that development and subdivision enabled by PPC 107 can be integrated with the existing environment and avoid adverse effects from incompatible or unsupported development. Generally, the recommended amendments reduce uncertainty in the consenting process by establishing guidelines and identifying risks which identify when development is supported and when adverse effects are to be avoided. Reducing uncertainty in the consenting process and accurately identifying risks through development controls is considered to be more effective at avoiding future incompatibility and cumulative effects.

Identifying risks and appropriate responses at the precinct level through precinct specific development controls is considered to be an efficient means through which to ensure development located in the precinct recognises and manages adverse effects.

identified in this report and provide less context within the development controls. This puts an additional strain on developers, infrastructure providers and operators, and consent officers in assessing the risk imposed by development and a greater likelihood of cumulative effects.

Costs

The cost of giving effect to the plan change as notified is that development and subdivision is able to proceed without appropriate recognition of the risks associated with its establishment. This creates potential additional costs to Council and its Council Controlled Organisations to manage effects and provide infrastructure to assist with that. NZDF to maintain the safe operation of Whenuapai Airbase, uncertainty for future developers within the plan change and surrounding area.

Costs associated with the recommended amendments are considered to mainly be associated with an increased reliance on the completion of internal and external infrastructure to enable development within the plan change area, which may limit the realisable development of the plan change area prior to the necessary supporting infrastructure being provided.

Additionally the following recommended amendments may impose additional costs in the development of the plan change.

- The extension of the engine testing noise contours to include the 55 dB Ldn places additional locational restrictions on ASAN locating in the precinct
- The proposed increase of riparian margins from 10m to 20m reduces the total developable area available in the precinct
- There may be an additional cost for developers to implement the required stormwater management devices, stream

Benefits	The benefits of PPC 107 as notified is that it is has the potential to realise a greater developable area for much needed industrial land and enable a faster rate of development within the plan change area. The development controls enable growth within the precinct while still going some way to	stabilisation plans and more specific requirements relating to lighting. The benefits of the recommended amendments are that they provide a policy and rule framework that enables subdivision and development, while managing the issues identified in the applicant's documents, and recommended amendments that address the matters raised by council's specialists and in response to submissions and further submissions.
	integrate development and subdivision with supporting infrastructure and providing for comprehensive development of the plan change site.	
Extent to which this is the most appropriate way to achieve the purpose of the RMA	Rezoning via the RMA Schedule 1 process is an appropriate way to bring the FUZ land into the AUP as a live urban zone.	The recommended amendments assist with the achievement of the proposed rezoning, while managing identified environmental effects. This means that the purpose of the RMA is met within the PPC 107 area.

Conclusion

Overall, I conclude that Proposal 2 is the most efficient and effective way to manage development in the precinct. Where the recommended amendments are applied in conjunction with the unamended provisions in Proposal 1, subdivision and development will proceed while ensuring that adverse effects on the transport network, infrastructure (both internal and external to the precinct) and the environment are appropriately managed. The objectives, policies and rules in PPC 107 will meet the requirements of the RMA and the AUP RPS, while enabling the development of the future business park and the economic wellbeing that will be derived from LIZ in this location.