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

**Date:** Monday 4, Tuesday 5 and Wednesday 6 October 2021  
**Time:** 9.30am  
**Meeting room:** Manukau Room  
**Venue:** Ground Floor, Civic Annex  
31-33 Manukau Station Road, Manukau,

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**PRIVATE PLAN CHANGE 61**  
**HEARING REPORT**  
**WAIPUPEKE**  
**LOMAI PROPERTIES LIMITED**

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**COMMISSIONERS**

**Chairperson** Greg Hill  
**Commissioners** Karyn Kurzeja  
Mark Farnsworth

**Sam Otter**  
**MĀTANGA MATAAMUA WHAKAWĀ /**  
**SENIOR HEARINGS ADVISOR**

Telephone: 09 353 9587 or 021 196 2582  
Email: [sam.otter@aucklandcouncil.govt.nz](mailto:sam.otter@aucklandcouncil.govt.nz)  
Website: [www.aucklandcouncil.govt.nz](http://www.aucklandcouncil.govt.nz)

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**Note:** The reports contained within this document are for consideration and should not be construed as a decision of Council. Should commissioners require further information relating to any reports, please contact the hearings advisor.

## **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 LOMAI PROPERTIES LIMITED**

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**Reporting officer, Jimmy Zhang, Planner**

Reporting on proposed Private Plan Change 61 - Waipupuke to rezone land in the area generally bounded by Jesmond Road to the east, Oira Road to the west, Future Urban Zone land to the north and Karaka Road/State Highway 22 to the south.

**APPLICANT:** LOMAI PROPERTIES LIMITED

<b>SUBMITTERS:</b>	
Page 399	Anthony Joyce
Page 401	Song Wanping
Page 403	BSK Growers Ltd c/- Balkar Singh
Page 405	Watercare Services Limited
Page 411	Andrew Daken
Page 415	Malcolm Douglas Scott
Page 418	Prem Lal
Page 420	Soco Homes Limited
Page 429	Katherine Grace de Courcy and Robert Russell Maunganui Smith
Page 431	Linqi Wang
Page 440	Wing Family Trust
Page 453	Harnett Orchard Limited and L and C Griffen
Page 462	Shan Yin Property Investment Family Trust
Page 469	The Te Henga Family Trust
Page 472	Ministry of Education
Page 477	Ministry of Housing and Urban Development (HUD)
Page 482	Elly S Pan
Page 486	Waka Kotahi
Page 497	Kāinga Ora – Homes and Communities
Page 509	Karaka and Drury Limited
Page 511	Auckland Transport
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Page 617	Tingran Doreen
Page 619	Mark Lewis Grey

<b>FURTHER SUBMITTERS:</b>	
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Page 695	BSK Growers Ltd c/- Balkar Singh
Page 697	Counties Power limited
Page 716	Soco Homes Limited
Page 725	Harnett Bruce Harnett Orchard





## **Hearing Report for Proposed Plan Change 61 (Private) Waipupuke to the Auckland Unitary Plan (Operative in part)**

Section 42A Hearing Report under the Resource Management Act 1991

**Report to:** Hearing Commissioners

**Hearing Dates:** 4 - 6 October 2021

**File Reference** S42A report, PPC61

**Report Author** Jimmy Zhang, Policy Planner, Central and South

**Report Approver** Craig Cairncross, Team Leader Central and South

**Report produced** 7 September 2021

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## Summary of Proposed Plan Change 61: Waipupuke

<b>Plan subject to change</b>	Auckland Unitary Plan (Operative in Part), 2016
<b>Number and name of change</b>	Proposed Plan Change 61 – Waipupuke Precinct to the Auckland Unitary Plan (Operative in Part)
<b>Status of Plan</b>	Operative in part
<b>Type of change</b>	Private plan change
<b>Committee date of approval (or adoption) for notification</b>	Pursuant to clause 25(2)(b) of part 2 of Schedule 1 of the Resource Management Act 1991, Proposed Plan Change 61 was accepted under delegation by the Manager Central South on 19 January 2021
<b>Parts of the Auckland Unitary Plan affected by the proposed plan change</b>	<ul style="list-style-type: none"> <li>a) Introduce a new Waipupuke Precinct into Chapter I Precincts (South) of the AUP to manage the future layout of main roads in the precinct, enable additional building height and to modify several Auckland-wide and zone-based standards.</li> <li>b) Rezone 27.52 ha of land from Future Urban Zone to Terrace Housing and Apartment Building Zone.</li> <li>c) Rezone 21.20 ha of land from Future Urban Zone to Residential – Mixed Housing Urban Zone.</li> <li>d) Rezone 2.02 ha of land from Future Urban Zone to Business – Neighbourhood Centre Zone.</li> <li>e) Rezone 4.79 ha of land from Future Urban Zone to Open Space – Informal Recreation Zone.</li> <li>f) Introduce Height Variation Controls over the proposed Business - Neighbourhood Centre Zone.</li> <li>g) Apply the Stormwater Management Area Control: Flow 1 over the site.</li> </ul>
<b>Date draft proposed plan change was sent to iwi for feedback</b>	The requestor advised that it has engaged with 6 iwi in the area. Feedback on the draft proposal was sought prior to the lodgement of the request with council.



<b>Date of notification of the proposed plan change and whether it was publicly notified or limited notified</b>	28 January 2021, publicly notified
<b>Submissions received (excluding withdrawals)</b>	28
<b>Date summary of submissions notified</b>	9 April 2021
<b>Number of further submissions received</b>	7
<b>Legal Effect at Notification</b>	No
<b>Main issues or topics emerging from all submissions</b>	<ul style="list-style-type: none"> <li>• Funding and timing of infrastructure upgrades required to support urbanisation of the plan change area, particularly transport</li> <li>• Concerns regarding the appropriate zoning and density for the area</li> <li>• Whether the plan change gives effect to the Regional Policy Statement (AUP) on matters such as integration between land use and transport</li> <li>• Ensuring servicing of area with utilities, and protection of network utility operator interests</li> <li>• Detailed comments on the transport-related provisions</li> <li>• Flooding effects on upstream and downstream sites</li> <li>• Alignment of proposed public infrastructure required to service the plan change area</li> <li>• Requests to amend activities enabled through the precinct provisions</li> </ul>

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## Abbreviations

Abbreviations in this report include:

Abbreviation	Meaning
AEE	Assessment of Environmental Effects
AEP	Annual Exceedance Probability
AUP	Auckland Unitary Plan (Operative in Part)
CIA	Cultural Impact Assessment
FTN	Frequent Transit Network
FULSS	Auckland Council Future Urban Land Supply Strategy 2017
FUZ	Future Urban Zone
HNZPT	Heritage New Zealand Pouhere Taonga
ITA	Integrated Transport Assessment
LTP	Auckland Council 10 Year Budget 2018-2028 (Long Term Plan)
MHU	Residential - Mixed Housing Urban
BNC	Business - Neighbourhood Centre
NDC	Auckland Council Stormwater Network Discharge Consent
NES-CS	National Environmental Standard on assessing and managing contaminants into soil to protect human health
NoR	Notice of Requirement
NPS-FM	National Policy Statement on Freshwater Management 2020
NPS-UD	National Policy Statement for Urban Development 2020
NZTA	Waka Kotahi NZ Transport Agency
NZUP	New Zealand Upgrade Programme
OSCS	Open Space – Civic spaces

OSIR	Open Space - Information Recreation
PPC61	Proposed Plan Change 61
RLTP	Regional Land Transport Plan 2018
RMA	Resource Management Act 1991
RPS	Regional Policy Statement (AUP)
RTN	Rapid Transit Network
SEA	Significant Ecological Area
SGA	Te Tupu Ngātahi / Supporting Growth Alliance
SH22	State Highway 22
SMAF1	Stormwater Management Area Control – Flow 1
SMP	Stormwater Management Plan
THAB	Terrace Housing and Apartment Buildings

<b>Attachments</b>	
<b>Appendix 1</b>	<b>Proposed Plan Change 61 (Waipupuke)</b>
<b>Appendix 2</b>	<b>Section 32 Report and technical reports</b>
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<b>Appendix 6</b>	<b>Submissions and Further Submissions</b>
<b>Appendix 7</b>	<b>Recommended Changes</b>

## 1. EXECUTIVE SUMMARY

1. Proposed Plan Change 61 (Private) Waipupuke ('**PPC61**' or '**Plan Change**') to the Auckland Unitary Plan (Operative in Part) ('**AUP**') seeks to rezone approximately 56ha of Future Urban zoned ('**FUZ**') land at Drury west and introduce a new precinct (Waipupuke) over the rezoned land. Specifically, PPC61 seeks to:
  - a) rezone 27.52ha of land from FUZ to Terraced Housing and Apartment buildings ('**THAB**');
  - b) rezone 21.2ha of land from FUZ to Mixed Housing Urban ('**MHU**'); and
  - c) rezone 2.02ha of land from FUZ to Business - Neighbourhood Centre ('**BNC**'); and
  - d) Establish an open space network including parks and stormwater reserves; and
  - e) Introduce the Waipupuke precinct over the rezoned land; and
  - f) Introduce new definitions to the AUP to support the Waipupuke precinct.
2. The purpose of PPC61 as expressed by the requestor is to deliver a comprehensively planned and integrated community for the plan change area, based around the Southern Auckland Medical Centre. As well, it will give effect to the Drury-Opāheke Structure Plan ('**DOSP**') and enable residential, commercial and social development of the plan change area to provide for Auckland's growing population.
3. The private plan change request was lodged with Auckland Council ('**council**') on 7 August 2020.
4. Further information was sought from the applicant by the council in accordance with Clause 23 of Schedule 1 to the Resource Management Act ('**RMA**') on 4 September 2020. The applicant provided further information in response to the Clause 23 request related to transport, urban design, ecology, heritage, and planning matters. A second request for further information in accordance with Clause 23 (2) was sent to the applicant on 23 October 2020. The applicant provided a response on 6 November 2020. It was considered that sufficient information had been provided on 19 November 2020.
5. As part of the information provided in response to the Clause 23, the applicant made modifications to the plan change.
6. PPC61 was accepted by Auckland Council, under clause 25(2)(b) of Schedule 1 to the RMA on 19 January 2021.
7. PPC61 was publicly notified by the council on 28 January 2021 and the closing date for submissions was 1 March 2021. The council received 29 submissions on PC61, including one submission which was subsequently withdrawn. The council's Summary of Decisions Requested was publicly notified on 9 April 2021 with the period for making further submissions closing on 23 April 2021. Seven further submissions were received.
8. In preparing for hearings on PC61, this hearing report has been prepared in accordance with section 42A of the RMA.
9. This report considered the issues raised by submissions and further submissions on PC61. the discussion and draft recommendations in this report are intended to assist the Hearing Commissions, and those persons or organisations that lodged submissions on PC61. The recommendations contained within this report are not the decisions of the Hearing Commissioners.

10. The proposed urbanisation of the PPC61 land is consistent with the Council's Future Urban Land Supply Strategy ('**FULSS**') 2017, which identifies this area as being development-ready from 2022. However, at the time of the plan change request there remained some uncertainties over the funding, timing and location of supporting transport infrastructure for the Drury West area, including access to public transport services and upgrades required to the arterial road and wider network.
11. Other issues identified through assessment of the plan change, and raised through submissions include:
- Ensuring that the timing of development is coordinated with the delivery of transport and other infrastructure necessary to support PPC61 and manage any potential effects on the surrounding area.
  - Transport and land-use integration, particularly around access to public transport
  - Potential flooding and stormwater effects on downstream properties
  - The scale and intensity of development enabled through the neighbourhood centre
  - Proposed precinct provisions that deviate from the underlying unitary plan zone provisions
  - Whether the location of zoning of open spaces should be confirmed at the plan change stage
  - The alignment and integration of infrastructure such as the wastewater network
  - Whether PPC61 gives effect to regional and national planning documents.
12. It is my assessment that the identified issues are likely able to be addressed through the precinct rules or existing rules in the remainder of the AUP, and by modifications to the precinct provisions, zoning pattern and precinct plans. Section 11 and **Appendix 7** sets out the recommended changes and the modifications to the precinct plans.
13. It is my recommendation that the private plan change request be approved with modifications under clause 29(4)(a) of Schedule 1 of the RMA. The modifications are recommended in response to submission and to address adverse effects on the environment.



## 2. BACKGROUND

### 2.1 Request

14. Proposed Private Plan Change 61 (PPC61) to the Auckland Unitary Plan (Operative in Part) seeks to rezone approximately 56 ha of FUZ land and introduce the Waipupuke precinct to the AUP. Other amendments sought to the AUP include application of the Stormwater Management Area Flow: Control 1 ('**SMAF:1**') over the site, the introduction of Height Variation Controls over the proposed centre and two new definitions.

15. The private plan change request was lodged with the council by Lomai Properties Limited on 7 August 2020. The purpose of PPC61 as expressed by the applicant is to deliver a comprehensively planned and integrated community for the subject site, based around the Southern Auckland Medical Centre. As well, it will give effect to the DOSP and enable residential, commercial and social development of the site to provide for Auckland's growing population.

### 2.2 Existing environment

16. The location of the plan change is shown on **Figure 1** below. The plan change area is bordered by Jesmond Road to the east, Oira Road to the west, Karaka Road (State Highway 22) to the south and private properties to the north.



Figure 1: PPC61 Locality Plan

17. PPC61 is comprised of the following lots, being:

- a) 329 Karaka Road – Lot 6 DP 62229 and PT LOT 5 DP 62229
- b) 335 Karaka Road – Lot 7 DP 62229
- c) 89 Oira Road – Lot 8 DP 62229
- d) 99 Oira Road – Lot 9 DP 62229
- e) 109 Oira Road – Lot 10 DP 62229
- f) 125 Oira Road – Lot 2 DP 402711
- g) 139 Oira Road – Lot 1 DP 402711
- h) 140 Oira Road – Lot 1 DP 62229
- i) Jesmond Road Lot 2 DP 62229
- j) Jesmond Road Lot 3 DP 62229
- k) Jesmond Road Lot 4 DP 62229

All the above lots are owned by the requestor.

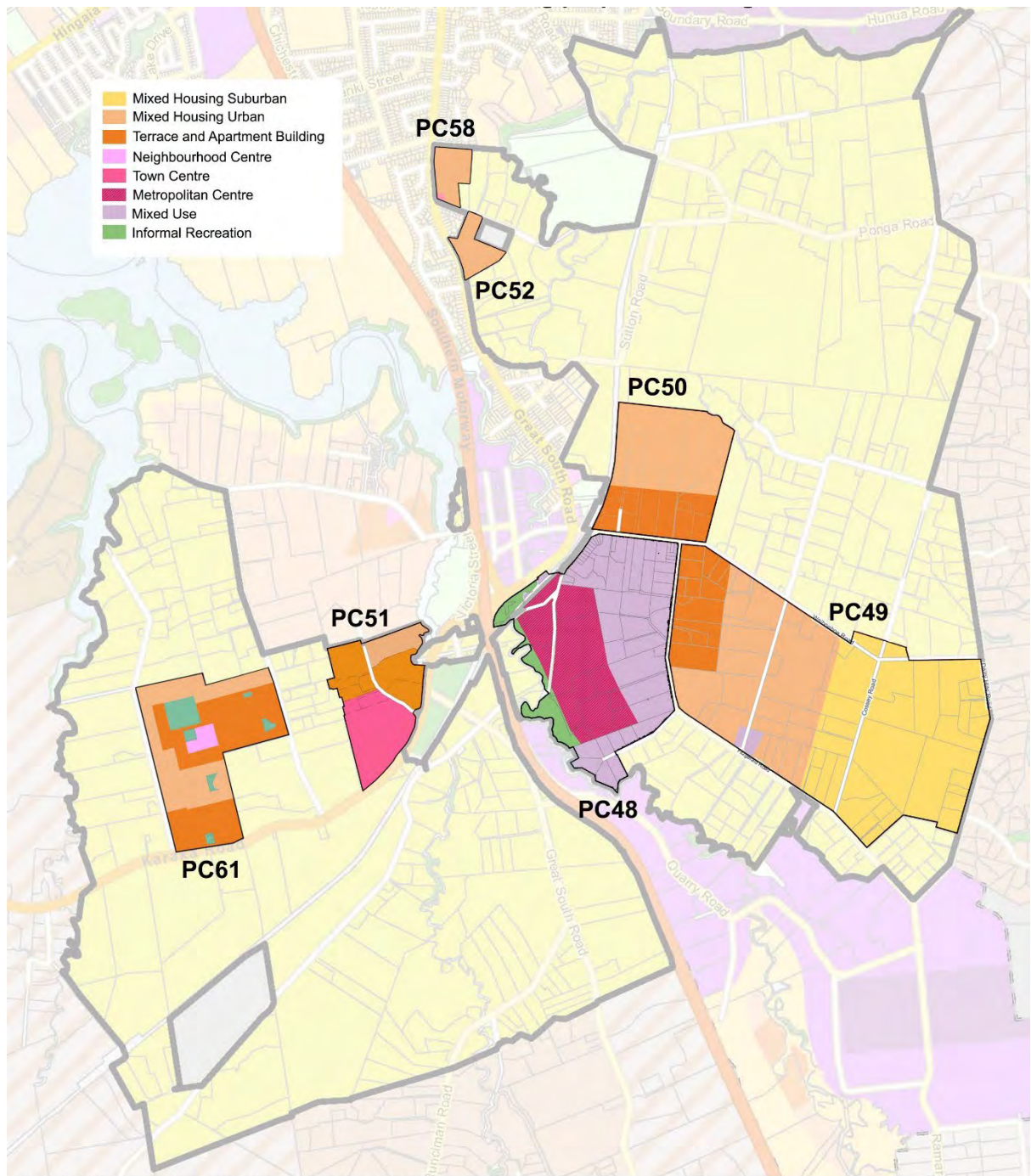
18. The site is set within a generally flat and gently rolling landscape. Roughly at the centre of the site, a low ridge runs north to south and is surrounded by comparatively low-lying agricultural land. The central ridgeline is the dominant feature within the open rural landscape of the site. There are several streams around the periphery of the site, with a tributary of the Pāhurehure Inlet running across the easternmost corner of the site.
19. The current land uses within the site include agricultural production on arable land and pastoral farmland and rural residential properties with supporting agricultural buildings. Rural grassland and pastoral farmland cover most of the site. Sparsely distributed hedgerows define the various fields and rural lots within the site. The majority of trees are aligned as shelterbelts along the northern and southern boundaries.

### **2.3 Surrounding context**

20. Generally, the wider landscape is made up of highly modified rural land for agricultural production with scatterings of rural lifestyle blocks and farmsteads. Agricultural fields of varying sizes and vegetation reflective of agricultural land use are defining aspects of the surrounding areas.
21. The PPC61 area is bounded by Karaka Road (SH22) to the south. The New Zealand Hothouse facility and glasshouses are located over the road.
22. Immediately to the north of the site adjoins Future Urban zoned land. Further north-east of the site lies the Bremner Road Special Housing Area otherwise known as Auranga (A, B1 and B2):
  - Auranga A comprises 84.6 ha of land zoned MHS, MHU, THAB and Business – Local Centre ('LC'). Development was approved under the Housing Accords and Special Housing Areas Act 2013 in August 2016 as Plan Variation 15 to the Proposed Auckland Unitary Plan. This land is subject to the Drury 1 Precinct.
  - Auranga B1 comprises of 83 ha of land zoned MHS and MHU. It was approved under Private Plan Change 6 to the Auckland Unitary Plan (Operative in Part) in July 2018 and became fully operative in February 2020. This land is subject to the Drury 1 Precinct.

- Plan Change 51 - Auranga B2, lodged in May 2020 proposes to re-zone 33.65 ha of FUZ land to a mix of LC, THAB and MHU zones. The Drury 2 Precinct is proposed to be applied to this land.
23. The eastern side of the site adjoins Jesmond Road. The edge of the existing Drury township and businesses lie approximately 2km's to the north-east, on the other side of the southern motorway and Ngakora stream/Drury Creek. The Auckland rail corridor lies to the south of SH22 approximately 1km away. The south-eastern corner of the site borders several FUZ properties – including the Red Shed Palazzo café.
  24. Oira Road runs along the length of the plan change area to the west with Future Urban zoned properties being located across the road. To the south lies rural land currently held in pasture and horticulture uses and zoned Future Urban.
  25. The largest existing centres closest to the plan change area include Papakura approximately 8km to the north-east and Pukekohe approximately 12 km to the south-west.
  26. At the time of writing this report, the council has received seven private plan change requests to urbanise land within the DOSP area. The location and proposed zoning of these plan changes are shown in **Figure 2** overpage.
  27. Of particular relevance to PC61 are the following private plan change requests lodged with the council for the development of the Drury-Opāheke Future Urban east and west of the SH1 corridor:
    - PC48 Drury Centre, seeks to rezone 95 hectares of land in the area generally bounded by Great South Road, Waihoehoe Road, Fitzgerald Road and the Hingaia Stream, from Future Urban to approximately 35 hectares of Business: Metropolitan Centre zone, approximately 51.5 ha of Business: Mixed Use zone surrounding the Metropolitan Centre and approximately 8.5ha Open Space: Informal Recreation zone adjoining the Hingaia Stream.
    - PC49 Drury East, seeks to rezone 184 hectares of land in the area generally bounded by Waihoehoe Road, Drury Hills Road and Fitzgerald Road, from Future Urban to 2 hectares of Business: Mixed Use zone, 22 hectares of Residential: Terrace Housing and Apartment Buildings zoning; 65 hectares of Residential: Mixed Housing Urban zoning and 95 hectares of Residential: Mixed Housing Suburban zoned land.
    - PC50 Waihoehoe, seeks to rezone 48.9 hectares of land located to the north of Waihoehoe Road and east of the North Island Main Trunk Railway, from Future Urban to Residential: Terrace Housing and Apartment Buildings zone.
    - PC51 Drury 2, seeks to rezone 33.65 hectares of land in Drury West in the area generally bounded by Drury Creek to the east, Future Urban zoned land to the west and Karaka Road/State Highway 22 to the south and south east, from Future Urban zone to 15.29 hectares of Business: Town Centre zone, 13.75 hectares of Residential: Terrace Housing and Apartment Buildings zone and 4.61 hectares of Residential: Residential: Mixed Housing Urban zone.

Figure 2: Drury-Opāheke private plan changes PC48 – 52, PC58 and PC61



- PC 48 (Private): Drury Centre Precinct
- PC 49 (Private): Drury East Precinct
- PC 50 (Private): Waihoehoe Precinct
- PC 51 (Private): Drury 2 Precinct
- PC 52 (Private): 520 Great South Road, Papakura
- PC 58 (Private): 470 and 476 Great South Road and 2 and 8 Gatland Road, Papakura
- PC 61 (Private): Waipupuke

## 2.4 Lodged documents

28. The requestor provided the following reports and documents to support their application for PC61<sup>1</sup>:

- Private Plan Change Request Section 32 Assessment of Environmental Effects, prepared by Tattico Limited, dated 22 January 2021;
- Annexure A: Proposed Plan Change, dated 22 January 2021;
- Annexure B: Masterplan Document, prepared by Buchan, dated 2 October 2020;
- Annexure C: Urban Design Assessment, prepared by Buchan, dated 2 October 2020;
- Annexure D: Mana Whenua Engagement Report; prepared by Navigator, dated August 2020;
- Annexure E: Mana Whenua Key Agreed Cultural Value Agreement Outcomes (addendum to the Cultural Values Assessment Reports);
- Annexure E (i): Cultural Values Assessment Report - Ngati Te Ata Waiohua, prepared by Ngati Te Ata Waiohua, dated July 2020;
- Annexure E (ii): Cultural Values Assessment Report - Te Ākitai, prepared by Te Ākitai Waiohua, dated 2020;
- Annexure E (iii): Cultural Values Assessment Report – Ngati Tamaoho Cultural Values Assessment, prepared by Ngati Tamaoho Trust, dated July 2020;
- Annexure E (iv): Letter from Ngati Te Ata, dated 2 October 2020;
- Annexure E (v): Letter from Ngati Tamaoho, dated 13 October 2020;
- Annexure F: Open Space Framework, prepared by Boffa Miskell, dated 30 September 2020;
- Annexure G: Landscape and Visual Assessment, prepared by Boffa Miskell, dated 30 September 2020;
- Annexure G (i): Graphic Supplement (appendix to Landscape and Visual Assessment), dated September 2020;
- Annexure H: Economic Assessment, prepared by Insight Economics, dated 8 October 2020;
- Annexure I: Integrated Transport Assessment, prepared by Commute, dated 28 October 2020;
- Annexure J: Infrastructure Assessment, prepared by Maven, dated 27 July 2020;

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<sup>1</sup> Note that where applicable this includes documents that have been updated by the applicant in response to Clause 23 further information requests.

- Annexure K: Stormwater Management Plan, prepared by Tonkin & Taylor, dated 29 July 2020 (updated 16 December 2020);
- Annexure L: Ecological Assessment, prepared by Freshwater Solutions, dated 30 October 2020;
- Annexure M: Arboricultural Assessment, prepared by GreensceneNZ, dated 20 July 2020;
- Annexure N: Preliminary Geotechnical Assessment, prepared by Lander Geotechnical Consultants, dated 27 July 2020;
- Annexure O (i): Ground Contamination Advice Note, memo by Pattle Delamore Partners Ltd, dated 28 July 2020;
- Annexure O (ii): Contaminated Site Action Plan and Remedial Management Plan, prepared by PDP, dated 13 July 2020;
- Annexure O (iii): Detailed Site Investigation, prepared by PDP, dated 13 July 2020;
- Annexure O (iv): Preliminary Site Investigation, prepared by PDP, dated 13 July 2020;
- Annexure P: Archaeological Assessment, prepared by Clough & Associates, dated July 2020;
- Annexure Q: Heritage memo, prepared by Plan.Heritage for Clough & Associates, dated 25 June 2020.

## **2.5 Clause 23 Requests for Further information, Clause 24 Modifications, and acceptance under Clause 25**

29. On 4 September 2020, prior to accepting PPC61, the council requested that the requestor provide further information in accordance with Clause 23 of Schedule 1 to the RMA. This request is attached as **Appendix 3** to this report. The purpose of the further information request was to enable council to better understand the effects of the plan change on the environment and the ways in which adverse effects may be mitigated. The key information sought relate to the following matters:

- Planning;
- Urban design;
- Freshwater ecology;
- Transport and traffic;
- Stormwater and flooding; and,
- Heritage and archaeology assessments.

30. The requestor responded to the Clause 23 request on 2 October 2020. This response is also contained within **Appendix 3** to this report. In response to the Clause 23 request, the applicant provided the following material:

- Historic Heritage Memo, prepared by Plan.Heritage, dated 6 November 2020;

- Historic Heritage Evaluation for 140 Jesmond Road, prepared by Plan.Heritage, dated 29 October 2020;
- Historic Heritage Evaluation for 329 Karaka Road, prepared by Plan.Heritage, dated 29 October 2020;
- Illustrative concepts for the Neighbourhood Centre, prepared by Buchan, dated 2 September 2020;
- Responses to the Further Information Request for planning, urban design, open space, freshwater ecology, terrestrial ecology, trees, transport, stormwater and flooding and heritage and archaeology matters;
- Local Traffic effects report, prepared by Commute, dated 19 November 2020;
- Wetland assessment, prepared by Freshwater Solutions, dated 4 November 2020;

31. Through the Clause 23 response, the requestor has made modifications to the request in accordance with Clause 24 to Schedule 1 RMA on 5 June 2020. These modifications include:

- a) Amended precinct plans (addition of extent of place and changes to open space);
- b) Introducing a policy to manage the amenity of developments, particularly in the Neighbourhood Centre;
- c) Amending the activity table in the MHU zone to make 'Care Centres' a permitted activity;
- d) Replacing 'Hospital' with 'Medical and Specialist Facility' in the BNC zone activity table;
- e) Amending the office and retail activities in the BNC zone activity table to clarify the application of the Gross Floor Area limits;
- f) Providing a setback standard in the BNC zone;
- g) Removing the 'Early Childhood Learning Centres' activity from the Open Space – Information Recreation zone activity table;
- h) Introducing a matter of discretion and an assessment criterion for the 'Service Stations' and 'Fast food outlets' activities;
- i) Proposing two new definitions to be inserted into the Definitions chapter of the AUP; and
- j) Minor clarifications and consequential changes within the proposed precinct wording.

32. Having reviewed the applicant's Clause 23 response and the reports and materials attached, I considered that the further information requests had been satisfied. In making this determination, I relied on the advice of technical experts listed in Section 7 of this report.

33. The Plan Change request was accepted for notification under Clause 25 to Schedule 1 RMA on 2 July 2020.

### **3. STRATEGIC CONTEXT**

34. This section of the report sets out the strategic context to the plan change request and provides a discussion on non-statutory documents like the Auckland Plan, the Future Urban Land Supply Strategy and the Drury-Opāheke Structure Plan. It also discusses relevant Notices of Requirement and infrastructure projects. The National Policy Statement on Urban Development, which is a statutory document, is also addressed at a high level.

#### **3.1 Auckland Plan**

35. The Auckland Plan 2050 is prepared in accordance with sections 79 and 80 of the Local Government (Auckland Council) Act 2009.

36. In terms of the form of development, the Auckland Plan takes a quality compact approach to growth and development. The Auckland Plan defines quality as:

- most development occurs in areas that are easily accessible by public transport, walking and cycling;
- most development is within reasonable walking distance of services and facilities including centres, community facilities, employment opportunities and open space;
- future development maximises efficient use of land; and
- delivery of necessary infrastructure is coordinated to support growth in the right place at the right time.

37. The compact aspect of this approach means that:

- future development will be focused within Auckland's urban footprint, with most of that growth occurring in existing urban areas;
- by 2050, most growth will have occurred within this urban footprint, limiting both expansion into the rural hinterland and rural land fragmentation; and
- this approach contributes to investment certainty by understanding where and when growth is likely to occur.



38. The Auckland Plan’s Development Strategy shows a number of urban expansion areas in the southern sector, including Drury West (the location of the plan change request) – see **Figure 3**.

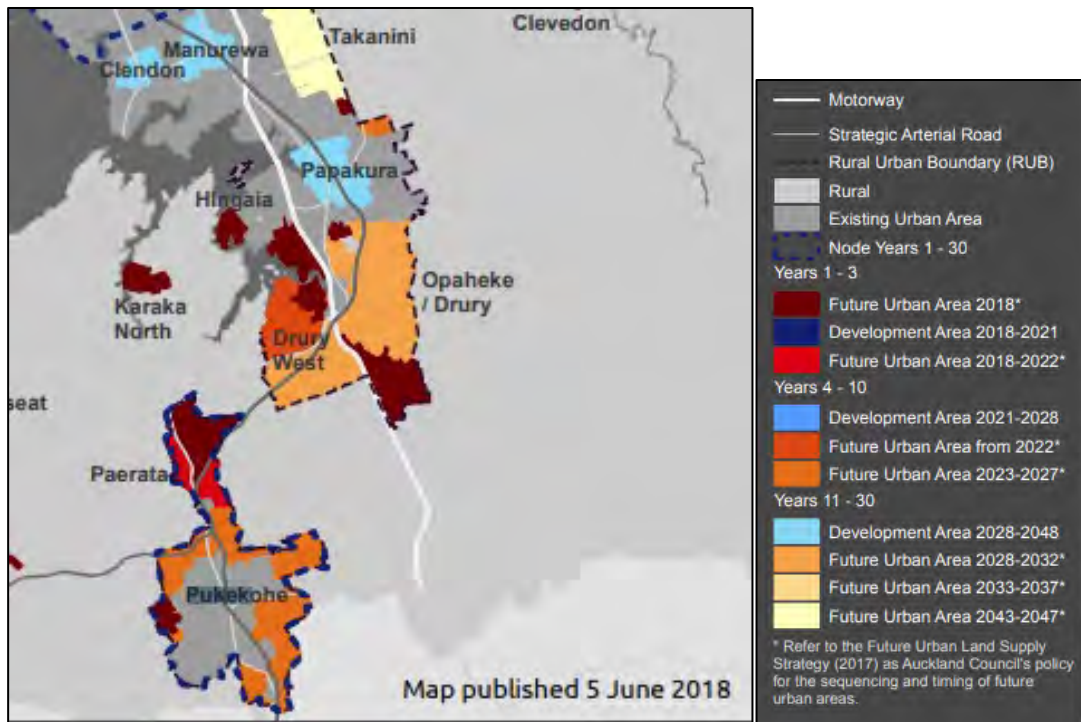


Figure 3: Auckland Plan Development Strategy Map

### 3.2 Future Urban Land Supply Strategy

39. The Council’s Future Urban Land Supply Strategy 2017 (**‘FULSS’**) sequences the release of future urban land with the supply of infrastructure over 30 years for the entire Auckland region. The FULSS has a regional focus and attempts to provide a sustainable path for greenfields expansion to the north, west and south of the Auckland urban area. The FULSS strategy sits alongside council’s (and central government’s) aspirations for considerable brownfields redevelopment.

40. The intended staging for growth in Drury-Opāheke set out in the FULSS (see **Figure 4** overpage) is:

- (a) Drury west of SH1 and north of SH22 is to be development ready from 2022 (including this PPC61 area)
- (b) the remainder of the Drury-Opāheke structure plan area is to be development ready by between 2028 and 2032.

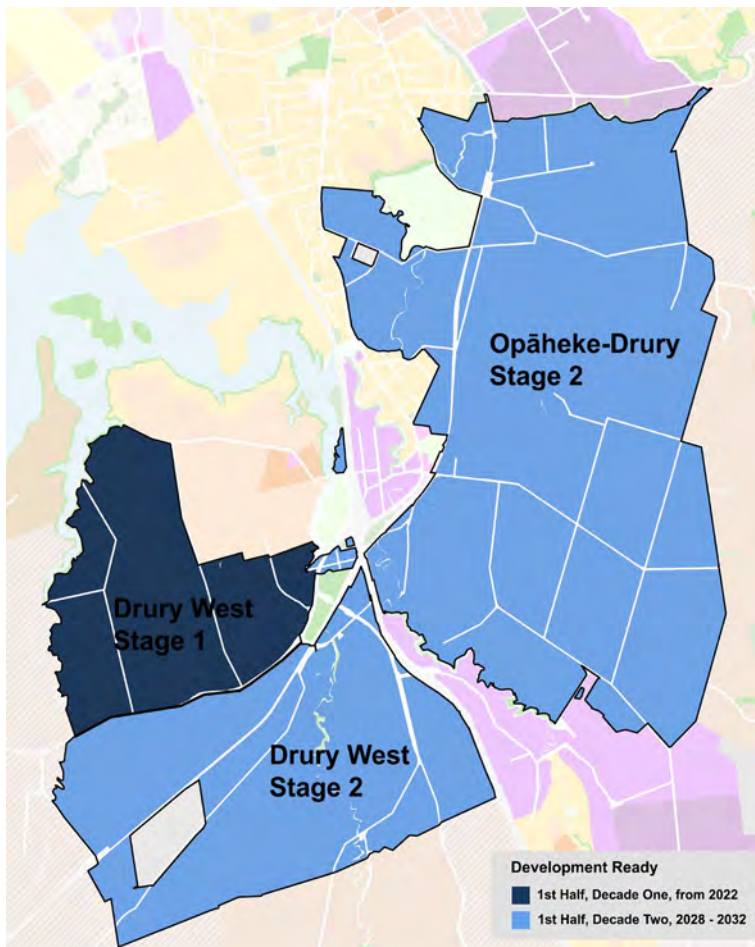


Figure 4: Staging of land under Future Urban Land Supply Strategy 2017

41. In this context development ready means that urban zoning and bulk infrastructure is provided.
42. The FULSS (and the Structure Plan Guidelines of the Auckland Unitary Plan) seek that structure planning that occurs in accordance with the timing of the FULSS will be accompanied by a funding plan that is co-ordinated with the timing of rezonings. The funding plan will see funding commitments made in the Council's Long-Term Plan, the Regional Land Transport Plan and where relevant, Development Contributions policy. This is to ensure infrastructure is co-ordinated with development.
43. The plan change request, if made operative, would result in development occurring in line with the 'from 2022' timing set out in the FULSS.
44. The Drury area is one part of a wider programme of facilitating managed urban expansion. In the first decade of the Auckland Plan's 30-year time horizon, the FULSS identifies a capacity of 22,000 dwellings in greenfields growth areas of Warkworth North, Paerata, Whenuapai Stage 1, Drury West Stage 1, Pukekohe and Cosgrave Road Takanini.
45. The 22,000 dwellings to be enabled in decade one comes on top of capacity which is already live zoned. For example, in the south this includes the Bremner Road Special Housing Area (1,350 dwellings); Wesley (Paerata) (4,550 dwellings); and Belmont (800 dwellings) areas. Large areas are also being urbanised in Redhills and Wainui in the north-west and north of the region (areas that were live zoned during the AUP development process).

46. In the Drury area, in 2016 the Council approved a plan change request by Karaka and Drury Limited (KDL) to rezone 84.6 hectares of land in a Special Housing Area at Bremner Road (Auranga A). In 2018 a plan change request by KDL to rezone an additional 83 hectares of land adjacent to Auranga A was approved. Together these areas form Drury 1 precinct in the AUP, where approximately 2,650 dwellings are anticipated. The FULSS anticipates up to 5,500 dwellings in Drury West Stage 2 south of SH22 (with a timing of 2028-2032).

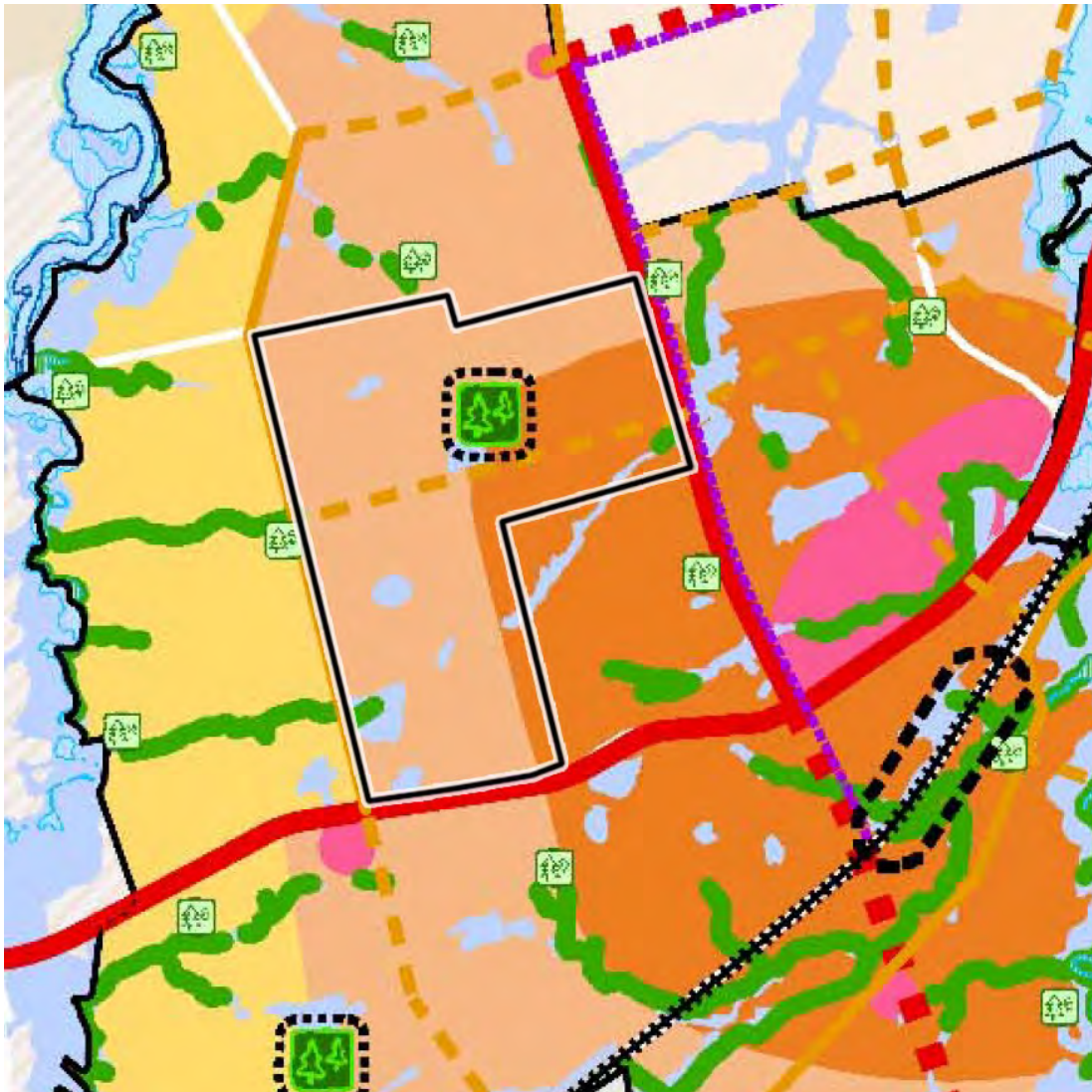
### 3.3 Drury-Opāheke Structure Plan

47. The Council's Drury-Opāheke Structure Plan, adopted in August 2019, sets out a pattern of land use and a network of infrastructure for the Future Urban zoned land at Drury and Opāheke (1,921ha). The structure plan is intended to be the foundation to inform future plan changes to rezone the land and is a requirement under the AUP before Future Urban zoned areas can be urbanised and 'live' zoned.

48. The structure plan land use map indicates a substantial centre at Drury East, a smaller centre at Drury West and large areas of housing to the east and west of the motorway. A substantial area of light industrial land is shown along the western side of SH1 around Great South Road. Over 30 years the structure plan is estimated to provide room for about 22,000 houses and 12,000 jobs, with a build out population of about 60,000.

49. The land use zonings proposed in PPC61 are largely consistent with the land use pattern set out in the structure plan (see **Figure 5** below). The key differences include a new neighbourhood centre in the central part of the site, several neighbourhood and pocket parks zoned OS:IR and additional THAB zones in the south adjoining Karaka Road (SH22) and around the proposed neighbourhood centre.

50. In terms of the centre shown to the east of PPC61 on the structure plan, PPC51 is proposing to rezone the land to Business: Town Centre. The indicative location of the train station has shifted south-westwards as a result of more detailed work by Kiwirail, with the station to be located west of the rail line.


















- |   |  |
|---|--|
| <ul style="list-style-type: none"> <li> Permanent and Intermittent Streams and 20m Riparian Margin (Width may change)</li> <li> Floodplains</li> <li> Centres</li> <li> Terrace Housing and Apartment Buildings</li> <li> Mixed Housing Urban</li> <li> Mixed Housing Suburban</li> <li> Potential New Neighbourhood Park (Size 0.3-0.5ha) (Location may change)</li> <li> Potential New Suburb Park (Size 5 -10 ha or more) (Location may change)</li> </ul> | <p><b>Indicative Roads, Cycling &amp; Walking Network</b></p> <ul style="list-style-type: none"> <li> Arterial Roads (Existing &amp; Upgrades)</li> <li> Recommended New Arterial Roads (Location may change)</li> <li> Collector Roads (Existing)</li> <li> Indicative New Collector Road (Location may change)</li> </ul> <p><b>Indicative Public Transport</b></p> <ul style="list-style-type: none"> <li> Frequent and Express (Bus)</li> <li> Rapid (Rail)</li> <li> Train Station (Location may change)</li> </ul> |
|---|--|

Figure 5: Drury-Opāheke Structure Plan

### 3.4 Notices of Requirement for Education Infrastructure and Supporting Infrastructure

51. A Notice of Requirement ('NoR') by the Minister of Education was notified on the 25 March 2021 for a secondary school and Early Childhood Education Centre in Drury West. The school site is on the eastern side of Jesmond Road within the Drury 1 precinct.
52. Auckland Transport ('AT') and Waka Kotahi NZ Transport Agency lodged NoRs on 28 January 2021 for a number of new designations for future strategic transport corridors in the Drury area. These designations are to support the planned urban growth in the Drury-Ōpāheke area. A hearing on all the NoRs is set for 18-22 October 2021.
53. Of key relevance to PPC61 is Waka Kotahi's NoR's referred to as Project D1 (Alteration to Designation 6707 State Highway 22 Upgrade) and Project D2 (Jesmond to Waihoehoe West Frequent Transit Network Upgrade). See **Figure 6** below for the NoR locations.

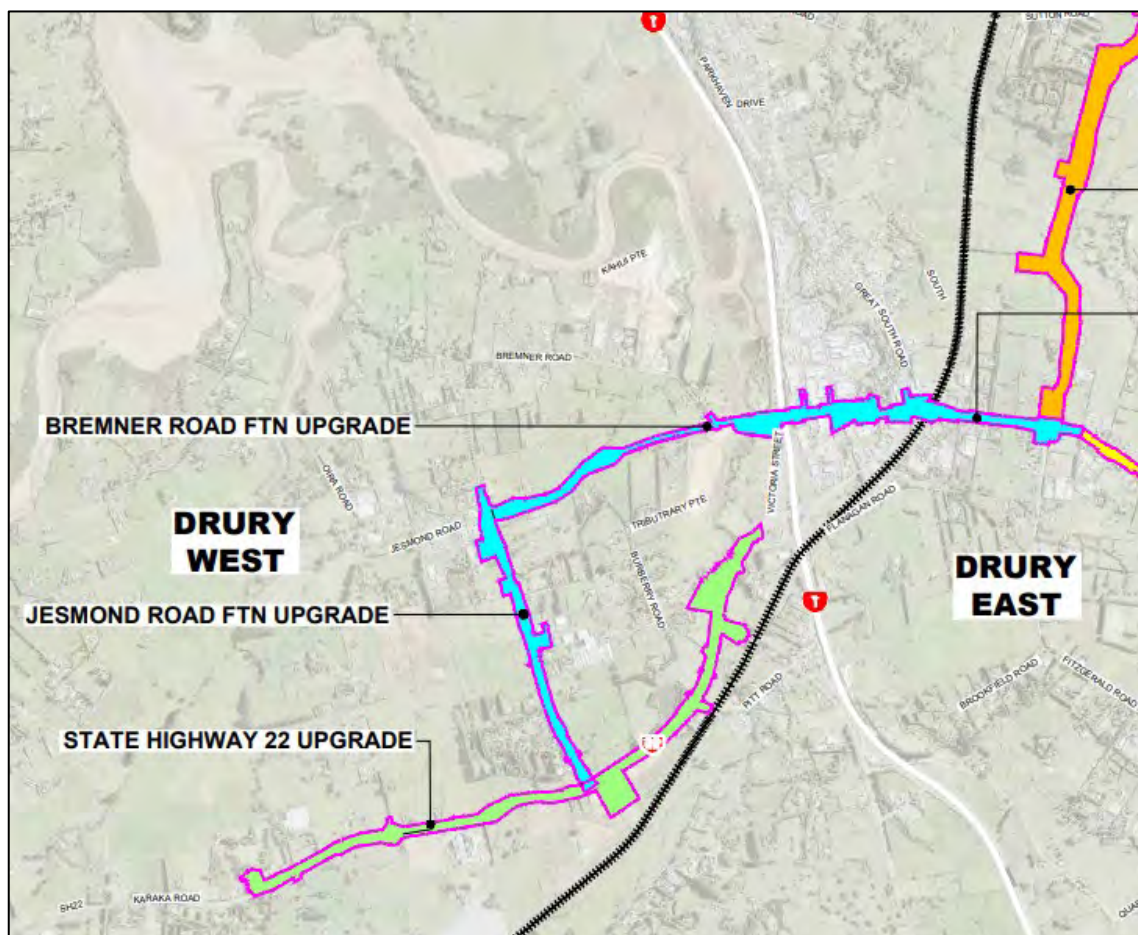


Figure 6: Drury Arterials NoR's D1 (Green route) and D2 (Blue Route)

54. The purpose of the NoRs is to reserve land for future implementation of the required strategic transport corridors needed to support urban development in the area. The NoRs note that although developer plans aim to accelerate growth in Drury, funding of the Drury Arterial Network is currently uncertain and construction staging, and timing has yet to be confirmed. As such the proposed transport corridors need to be protected so that they can be implemented in the future when required. The currently assumed construction start date is by approximately 2028, and construction timeframe is estimated at 2 to 2.5 years.

55. Project D1 in the Drury Arterials Network package seeks to alter Designation 6707 to provide for widening of the existing State Highway 22 (from State Highway 1 (SH1) to Oira Creek) to a four lane arterial with active transport facilities along each side of the road corridor. The NoR project description states that it will provide an appropriate urban form and movement function to respond to the expected growth, while also providing a much safer road environment for all road users.
56. The proposed designation boundary of the NoR is shown in **Figure 7** below and includes land within PC61. The requiring authority will need to acquire the PC61 which is proposed to be zoned THAB and OSIR.



**Figure 7: Overview of SH 22 Upgrade**

57. Two intersections along SH22 are proposed to be upgraded. The general arrangement plans indicate an upgraded intersection between Oira Road and Karaka Road in the form of a two-lane roundabout (see **Figure 8** overpage), and a signalised intersection between Jesmond Road and SH22 (see **Figure 9** overpage). At the Jesmond Road/SH22 intersection, the NoR Assessment of Environmental Effects ('**AEE**') states that a signalised intersection is preferred for several reasons which include providing active mode modal priority in close proximity to the future train station, and to provide high-quality bus priority in North-South and East-West directions.

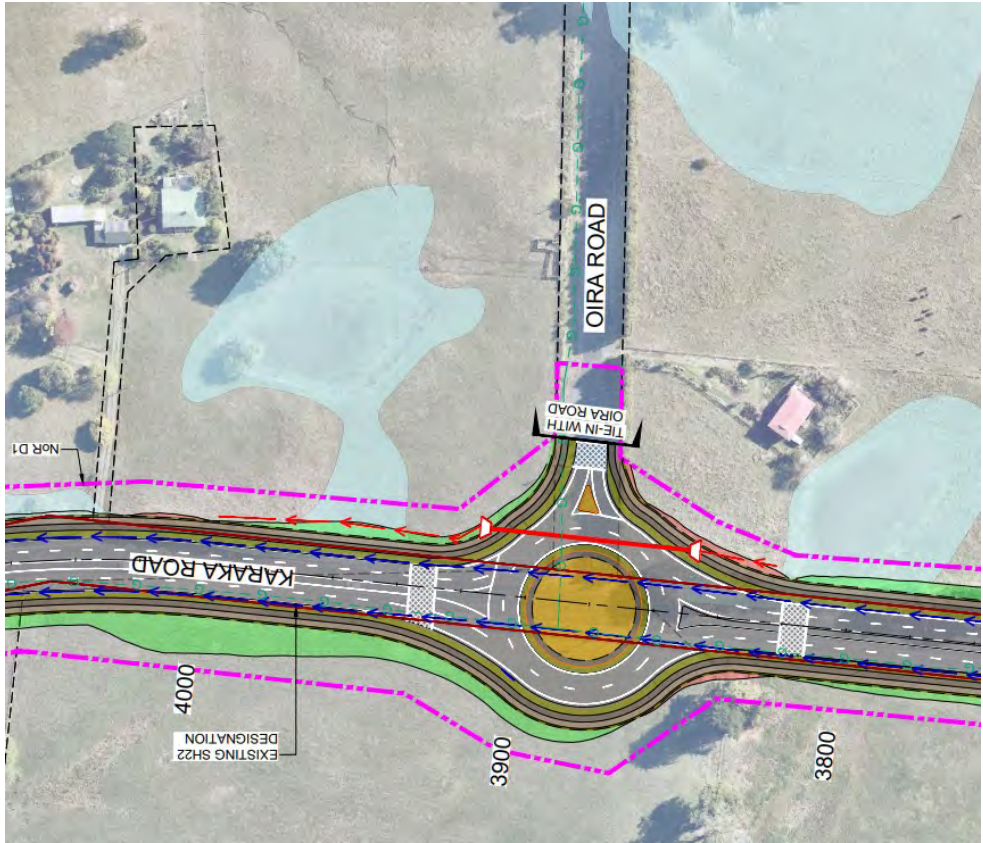


Figure 8: General arrangement plan – intersection of Oira Road/Karaka Road (SH22)

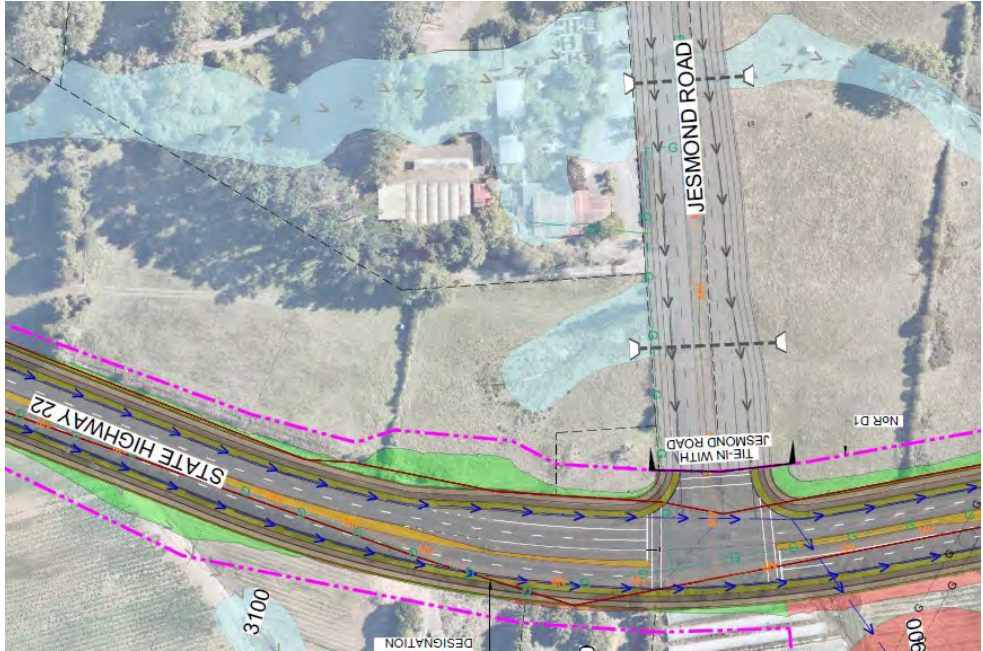


Figure 9: General arrangement plan – intersection of Jesmond Road and Karaka Road (SH22)

58. The indicative construction programme and sequencing for Project D1 states the following:

*The Project is estimated to take 2 to 2.5 years to construct. The implementation timeframe for the Project has yet to be confirmed and will respond to timing of urban development as well as funding availability. However, it is currently anticipated that it will be implemented by approximately 2028.*

59. Project D2 in the Drury Arterials Network seeks to provide for the widening of Waihoehoe Road from the Norrie Road/Great South Road intersection to Fitzgerald Road to a four-lane Frequent Transit Network ('FTN') urban arterial with separated active transport facilities. The NoR AEE notes that it will provide greater accessibility via a north-south link that connects Bremner Road to the proposed Drury West Station and centre, forming a key public transport and active mode spine through Drury West.

60. The proposed designation boundary is shown in **Figure 10** below and includes land within PC61. The requiring authority will need to acquire the PC61 which is proposed to be zoned MHU and THAB.



Figure 10: Jesmond Road FTN Upgrade



61. The indicative construction programme and sequencing for Project D2 (Jesmond Road FTN Upgrade Section) states the following:

*The Jesmond Road FTN Upgrade is estimated to take 1 to 1.5 years to construct.*

*The implementation timeframe for the Project has yet to be confirmed and will respond to timing of urban development as well as funding availability. However, it is currently anticipated that it will be implemented by approximately 2028.*

62. A lapse period of 15 years is proposed for NoR D2 as the project is predicted to be implemented in the FULSS first decade of development, by 2028.

63. Both NoR D1 and D2 will provide for active modes along SH22 and Jesmond Road as part of a future east-west and north-south walking and cycling network (See **Figure 11**).

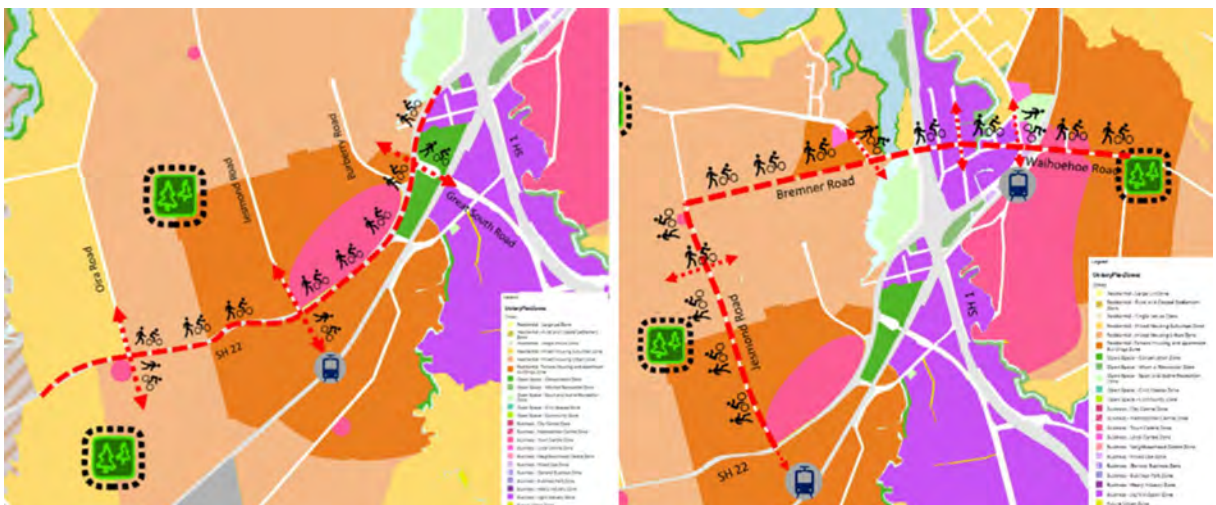


Figure 11: Corridor form and function for Jesmond Road FTN Upgrade (extract from Drury Arterials NoR D2)

64. The corridor cross-sections for Project D1 (**Figure 12**) and D2 (**Figure 13**) shows that SH22 and Jesmond Road will provide for separated active mode (walking and cycling) facilities. Jesmond Road is also shown as having dedicated bus lane which fits with its FTN function.

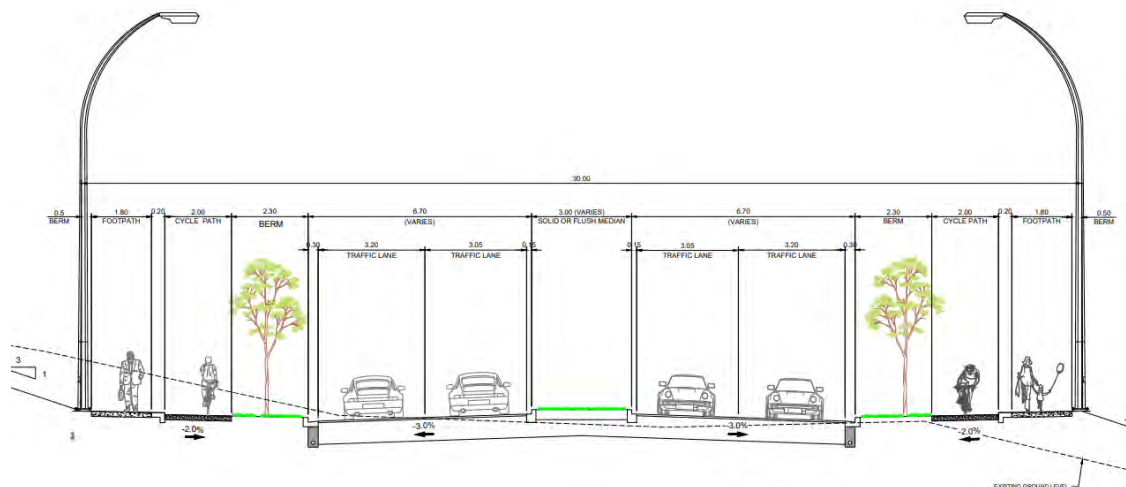


Figure 12: Typical cross section of Karaka Road (SH22) (extract from Drury Arterials NoR D1)

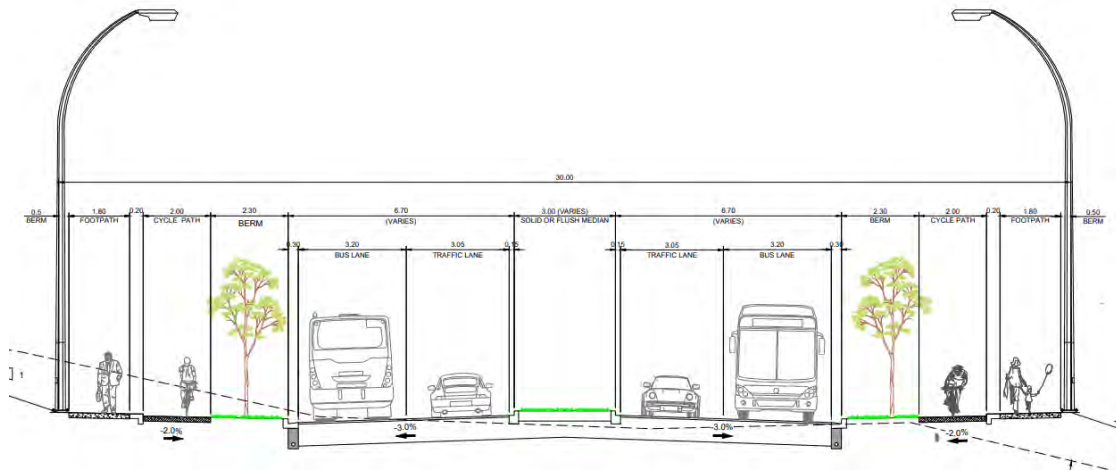


Figure 13: Typical cross section of Jesmond Road (extract from Drury Arterials NoR D2)

### 3.5 Other Transport Infrastructure

65. KiwiRail is progressing plans for new Drury West, Drury Central and Paerata train stations. The Te Tupu Ngātahi / Supporting Growth Alliance ('SGA') preferred location for the Drury West station is about 450m south-west of the SH22/Jesmond Road intersection – see **Figure 14** overpage. This is further south-west than the location that was indicated on the Drury-Opāheke Structure Plan.
66. The train station is to be funded through the New Zealand Upgrade Programme ('NZUP'). The latest NZUP update in June 2021 continues to fund this work, and notes that further work is required before lodging consents / NoR for the Drury West station. The Drury Central and Paerata stations, also funded by NZUP, are further into the consenting process with construction expected to begin late 2022-early 2023 (applications for fast-track applications have been made to the Minister for the Environment). The estimated timeframe for the Drury West station is not specified in the latest NZUP update, however the timing shows 'Three Drury train stations completed' by 2025.



Figure 14: Preferred Drury West Train Station location – Te Tupu Ngātahi, Feb 2021

67. **Figure 14** suggests that large areas adjoining the train station will be used for park and ride facilities. Based on the indicative station footprint, it suggests that the future NoR for the Drury West train station will include connections between the station and the Karaka Road (SH22)/Jesmond Road intersection via an extension of Jesmond Road. However, the extent of the NoR and layout details will not be known until the application is made.
68. While the final form of the Drury West train station is not yet fixed, I understand that there are significant operational reasons for its proposed location based on the SGA engagement update (New Stations for Drury and Paerata, Feb 2021). Reasons include:
- It sits within the largest catchment of developable land with the highest residential development potential, so is best placed to integrate with future development.
  - It is well located to integrate with the rest of the transport network via the proposed SH22 north connection (Jesmond Road extension).
  - It leaves enough distance to the next station (Drury Central) and the future power feed location, such that trains can run efficiently.
  - It has the least impact on the Ngākorora Stream tributaries.
  - It is located on a straight piece of railway track, meaning that costly track realignments associated with other options can be avoided.<sup>2</sup>

<sup>2</sup> SGA Project Info sheet “New train stations for Drury and Paerata” dated February 2021

69. NZUP also includes funding for electrifying the railway track between Papakura to Pukekohe with space for additional lines for future growth; and widening SH1 from Papakura to Drury and building a cycleway alongside it. The Auckland Transport Alignment Project 2021-2031 also identifies \$243 million funding for transport infrastructure in the Drury and Paerata growth area to support the NZUP investment. This has been included in the recent draft Regional Land Transport Plan 2021-2031, identifying almost \$250 million to support the accelerated development of the Drury growth area through public transport links, including to the new Drury rail stations.

### **3.6 National Policy Statement on Urban Development 2020**

70. The National Policy Statement on Urban Development 2020 ('NPS-UD') seeks to ensure that New Zealand's towns and cities are well-functioning urban environments that meet the changing needs of diverse communities. It also seeks to remove barriers to development to allow growth 'up' and 'out' in locations that have good access to existing services, public transport networks and infrastructure.

71. The NPS-UD reinforces the need for RMA plans to provide sufficient capacity to accommodate the next 10 years' growth, taking into account what is feasible and likely to occur. Infrastructure must be co-ordinated with this capacity, with 'infrastructure-ready' land being land where there is funding in place to provide for the anticipated growth.

72. Auckland Council is categorised as a tier 1 local authority and therefore at least sufficient development capacity is required to meet expected demand for housing and business land over the short to long term.

73. A recent Environment Court decision (Eden-Epsom Residential Protection Society Incorporated v Auckland Council [2021] NZEnvC 082) held that Objectives 2, 5, 7 and Policies 1 and 6 are relevant to the merits of a private plan change request, and other objectives and policies that do not refer to 'planning decisions' do not have to be given effect to at this point in time. These "other objectives and policies" include Objective 3 and Policy 3 in relation to building heights and density requirements for certain locations. While not needing to give effect to these, I consider the Commissioners can have regard to the direction of Objective 3 and Policy 3 for PPC61, as a private plan change on Future Urban zoned land.

74. I understand that the Council is undertaking a comprehensive approach to giving effect to the NPS-UD intensification requirements, in accordance with the timeframes specified for this by the Government (i.e. by July 2022 being two years after the commencement date of the NPS-UD), and is currently investigating whether there is further scope for urban intensification. To support this work, Council's planning committee has endorsed a definition of "walkable catchments" as being areas "around 800m" from Rapid Transit Network stops and Metropolitan Centre zones, subject to modifying factors such as topography. The 800m distance is said to cater for most people in terms of a distance the average person will walk to access a centre or Rapid Transit Network ('RTN') stop.

#### 4. EXISTING PLAN PROVISIONS

75. The current zoning of the site and surrounds is depicted in **Figure 15** below. The purpose of the FUZ is to indicate the suitability of land for future urban development and to facilitate future urbanisation in the most efficient and orderly manner possible. The Future Urban zone provides for a range of interim rural activities typical of those undertaken in rural area, with some exceptions, prior to urban development of the land being enabled.

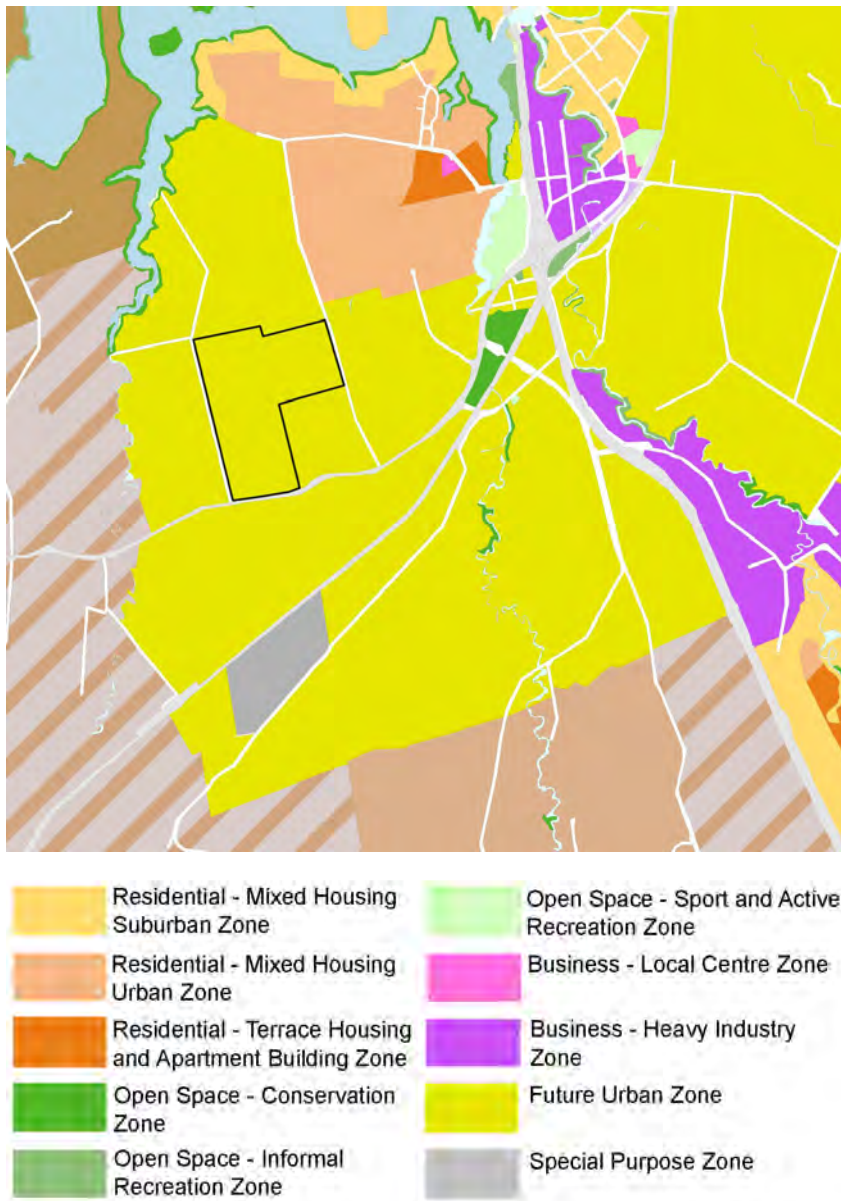
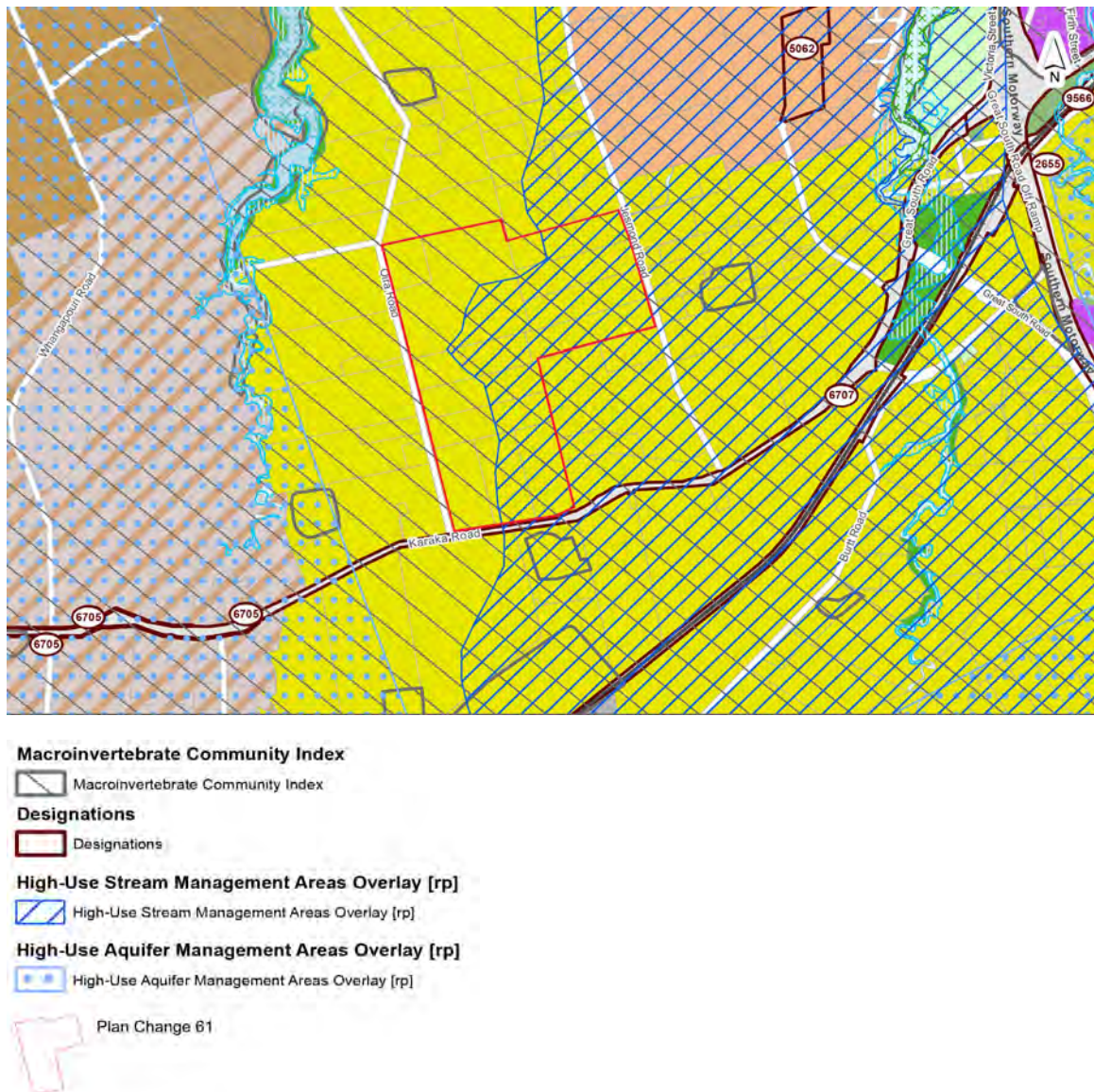


Figure 15: Existing AUP zoning of PPC61 land and surrounds

76. The plan change area is subject to the following overlays and controls (**Figure 16**):

- Controls: Macroinvertebrate Community Index – Rural
- Controls: Arterial Roads (Karaka Road is an arterial road)
- Overlays: High-Use Stream Management Areas Overlay

Figure 16: AUP overlays, controls and designations



77. The High-Use Aquifer Management Areas Overlay applies to highly allocated aquifers that are either currently adversely affected by pumping or are likely to become highly allocated over the life of the AUP. The overlay applies rules for taking, using damming and diversion of water and the application of biosolids.

78. The Quality-Sensitive Aquifer Management Areas Overlay contains aquifers that are susceptible to pollution from surface sources such as excess fertiliser application or discharges of contaminants such as stormwater or sewage. The overlay applies rules for the application of biosolids.

79. The Macroinvertebrate Community Index are guidelines for the condition of streams and rivers, primarily used as a reference point for discharges, subdivision, use and development that affects freshwater systems.
80. The SH22 designations 6705 (Land for road widening) and 6707 (State Highway 22) adjoins the site.

## 5. PROPOSED PLAN CHANGE PROVISIONS

81. The approach of the proposed plan change is to rely largely on standard zones and Auckland-wide provisions to manage the way in which the plan change area is used and developed. The plan change seeks to introduce a precinct to “enable local differences to be recognised by providing detailed place-based provisions which can vary the outcomes sought by the zone or Auckland-wide provisions and can be more restrictive or more enabling” as per A1.6.5 of the AUP.

### 5.1 Proposed Precinct, Zones and Overlays

82. The proposed zoning layout is shown on **Figure 17** overpage. PPC61 seeks to rezone 56 hectares of Future Urban zoned land for urban development, which will comprise:
- 2.02 ha of Business: Neighbourhood Centre zone;
  - 27.52 ha of Residential: Terraced Housing and Apartment Building zone;
  - 21.20 ha of Residential: Mixed Housing Urban zone; and
  - 4.79 ha of Open Space: Informal Recreation zone for parks and stormwater reserves.
83. The BNC zone is applied in residential neighbourhoods to enable commercial activities of a range and scale that meets the local convenience needs of residents as well as passers-by. The BNC zone is proposed to apply in the centre of the precinct.
84. The Open Space - Informal Recreation (**OSIR**) zone is applied to open spaces that are used for a variety of outdoor informal recreation activities and community uses. The OSIR zone is proposed to apply to one suburb park, one civic park, two neighbourhood parks and two pocket parks.
85. The THAB zone is a high-intensity zone providing for urban residential living in the form of terrace housing and apartments, predominantly located around (Local and Town) centres and close to high quality public transport. Buildings are enabled up to 5-7 storeys. The THAB zone is proposed to be applied around the BNC, and on land adjacent to Jesmond Road and Karaka Road (SH22).
86. The MHU zone is a reasonably high-intensity zone enabling development up to three storeys in a variety of sizes and forms, including detached dwellings, terrace housing and low-rise apartments. The MHU zone is proposed along the northern and western edges of the precinct, and between the northern and southern THAB zones.

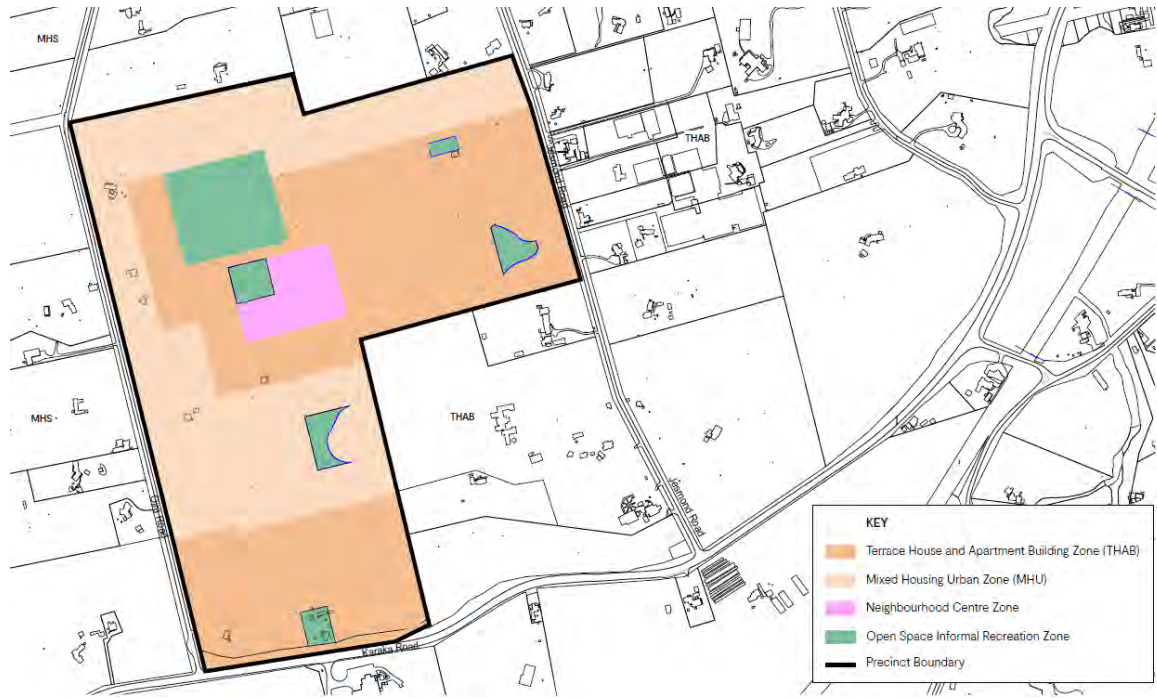


Figure 17: PPC61 proposed zoning and precinct boundary

87. A homestead at 140 Jesmond Road is also proposed to be scheduled, its location with the recommended extent of place is shown in **Figure 18** below.



Figure 18: Recommended extent of place (taken from Historic Heritage Evaluation report by Plan.Heritage, September 2020)



88. A new 'Waipupuke Precinct' is proposed to be applied to the plan change area, with corresponding plan provisions added to Chapter I of the AUP, as set out in Appendix 1 of the plan change documentation. The precinct provisions are discussed in section 5.2 of the section 32 evaluation report.
89. The Waipupuke precinct is described as providing for the development of a new, comprehensively planned and integrated community, based around the proposed Southern Auckland Medical Centre. Waipupuke seeks to ensure a strong cultural narrative is reflected throughout the development and also enhance waterways and integrate several open spaces, riparian margins and protected streams to create a blue green network. There will be a Neighbourhood Centre at the core of the precinct, adjacent to open spaces and anchored by the future medical centre. High density residential will be located to the east along Jesmond Road, around the centre and along SH22 to the south.
90. Three precinct plans are proposed and the purpose of each is discussed below.
91. Height Variation Controls of 18m and 27m are proposed for the northern and southern areas of the BNC zone respectively. The areas subject to the controls are shown on Precinct Plan 1 below.



Figure 19: Precinct Plan 1 – height controls

92. It is proposed to apply the SMAF:1 overlay to the entire plan change area. As well, the locations of two streams and stormwater control areas are also identified on Precinct Plan 2 below.



Figure 20: Precinct Plan 2 – stormwater and streams

93. The layout of the collector road network is shown on Precinct Plan 3 below.

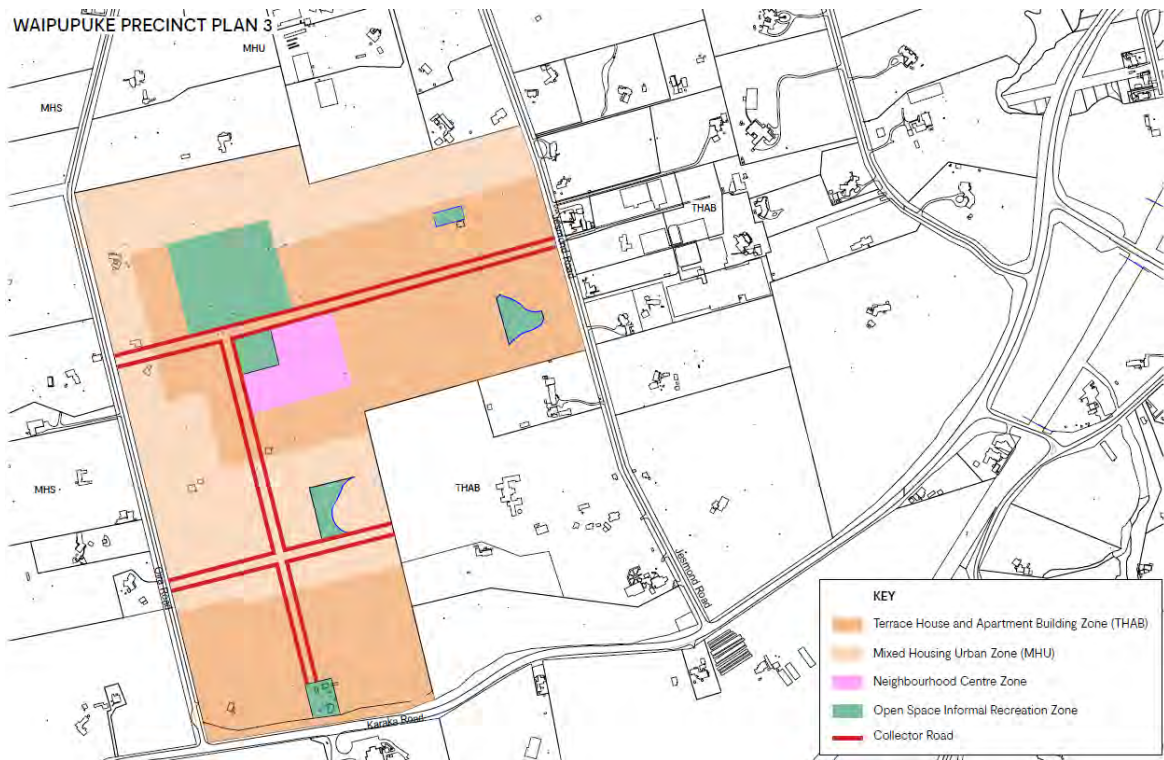


Figure 21: Precinct Plan 3 – transport

94. Some of the key elements of the proposed Waipupuke Precinct are:

- a) More permissive provision of office, retail and other services and activities within the BNC zone;
- b) Provision for a 'Medical and Specialist Facility' as a permitted activity in the BNC zone;
- c) Provision for temporary activities and 'Mana Whenua cultural identity markers' as permitted activities within the precinct;
- d) The reclamation of streams, other than the identified protected streams, becomes a permitted activity within the precinct;
- e) Provision for 2 pocket parks, 2 neighbourhood parks, 1 suburb park and 1 civic park;
- f) Provision for 7 stormwater reserves/control areas;
- g) A collector road network within the precinct;
- h) A range of bespoke standards and activity rules to override the existing operative AUP zone and Auckland-wide provisions; and
- i) The addition of 140 Jesmond Road into the Historic Heritage schedule.

## 6. PLAN CHANGE REQUEST CONSULTATION

95. Consultation undertaken for PPC61 is outlined in section 11.2 of the Section 32 evaluation report.

### 6.1 Mana Whenua

96. The Mana Whenua groups identified on Auckland Council's mapping whose rohe covers the plan change area include:

- Ngāti Tamaoho
- Ngāti Te Ata
- Te Ākitai Waiohua
- Ngāi Tai ki Tāmaki
- Waikato – Tainui
- Ngāti Maru
- Te Ahiwaru - Waiohua

The Navigator Mana Whenua Engagement Report (Appendix 2) notes that the following iwi expressed an interest in being involved:

- Ngāti Tamaoho
- Ngāti Te Ata
- Te Ākitai Waiohua

The Navigator report confirms that correspondence was received from the following iwi stating that they did not wish to be involved:

- Ngāi Tai ki Tāmaki
- Waikato – Tainui
- Ngāti Maru

97. The Navigator engagement report documents the correspondence with Mana Whenua. Hui minutes, details of meetings and feedback received from Ngāti Te Ata, Ngāti Tamaoho and Te Ākitai Waiohua were also included.

98. The engagement process has been clearly set out in the application. Several hui were held with iwi to discuss key issues such as stormwater, open space and urban design. They also helped to set the expectations and commitments to ongoing engagement. The requestor provided representatives from Ngāti Te Ata, Ngāti Tamaoho and Te Ākitai Waiohua with plan change documentation prior to lodgement with Auckland Council.

99. Efforts to develop deep and meaningful engagement with Mana Whenua were documented in the Navigator engagement report. It is clear that the requestor wanted iwi involved with PPC61 to part of the collective project team, to facilitate the 'one team' approach. Positive working relationship between the requestor and Ngāti Te Ata, Ngāti Tamaoho and Te Ākitai Waiohua was noted, and the requestor has indicated that they intend for this relationship to continued past the plan change stage.

100. On 28 January 2021, Auckland Council sent letters (via e-mail) to seven iwi to inform them that PPC61 is to be publicly notified. The letter included a description of PPC61, a copy of the public notice and a link to the plan change documentation and submission page on council's website. No submissions from Mana Whenua on the notified plan change were received.

## 6.2 Local Boards

101. Franklin Local Board's views on PPC61 were set out in meeting minutes dated 27 April 2021. The Local Board:

- i. note that the majority of public submissions do not support this plan change*
- ii. concur with public concerns around the funding and timing of infrastructure upgrades required to support urbanisation of these sites, particularly transport and note that these concerns reflect concerns consistently raised by communities within the Franklin Local Board area regarding green-field development*

102. Papakura Local Board's views on PPC61 were set out in meeting minutes dated 5 May 2021. The Local Board has provided the following comments:

### Council ability to provide infrastructure for development

- 1) The local board believe the land should be released for development in line with Auckland Council's Future Urban Land Supply Strategy to ensure council can manage the costs associated with the development of infrastructure to support growth. The local board has an advocacy point in the Local Board Plan 2020 regarding infrastructure to be in place before development happens.*

### Wider view of development in the immediate area

- 2) The Local Board Plan 2020 contains a number of advocacy points pertaining to planning for good community outcomes as intensification occurs, including the following points:*
  - The provision of greenspace within or nearby intensive developments*
  - A reduction in the threshold criteria for walking distances to local parks or reserves*
  - Provision of onsite parking*
  - Provision of visitor on-street parking*
  - Road widths that allow access for public transport, utility and emergency vehicles*
  - Provision of shared pedestrian / cycleways.*
- 3) A holistic approach is needed that aligns with the Drury-Opāheke Structure Plan.*
- 4) These plan changes are intensive green field developments which will change the amenity of the immediate areas. They must align with the already consulted on Drury-Opāheke Structure Plan.*

### Green Space / Play Space

- 5) *It is imperative that green space is considered as a whole for both passive and active recreation. Planning needs to take into account how passive and active recreation spaces relate to the wider parks and reserve network in these private plan changes. It is not the time to limit green space because of council's constrained budget or a fear that council will not be able to pay for the upkeep of these parks. This is the time to make space for the green areas, thinking about the number of people who will be residing in the area and the needs they will have. Council has a policy to get people being more active. Provision needs to be made for the spaces to support people being active in all sorts of ways.*
- 6) *Parks and reserves need to be close by where children have an area to kick a ball around and utilise play equipment.*
- 7) *While the concept plans look nice with tree lined streets and courtyard areas these are not a substitute for parks and reserves that are vested in council and thereby protected from a change in purpose. The plan changes appear to have very limited green space, apart from plan change 61.*
- 8) *Providing green space alongside a river has nice amenity but again is not a substitute for parks and reserves. They are not always suitable for kids to kick a ball around or a family game of volley ball etc.*
- 9) *The board believes the threshold for walking distance to green spaces should be reduced in intensive developments. More green space should be planned for to ensure suitable amenity for those living in these developments.*
- 10) *The local board has an expectation that the developer would provide reserve areas that included multi-generational opportunities such as adult fitness equipment or exercise stations as well as play equipment as these developments are not close to any other facilities. This reflects the Local Board Plan 2020 advocacy point relating to developers funding the development of playgrounds in line with council standards.*
- 11) *Ensure there is a green space for local community gardens that has room for a shed for storage of community tools.*
- 12) *The board has received advice that the tree canopy in Papakura is sitting below the region's average at 13 per cent. The Local Board Plan 2020 details an initiative supporting the Urban Ngahere programme (increasing the tree coverage and creating vegetation corridors for native bird flight paths). The board would like to see significant planting of trees to support this initiative within these developments.*

### Connectivity

- 13) *Plan for connected pathways that link to reserves and key infrastructure.*
- 14) *This is also the time to look at how reserves connect to support the urban forest corridors concept.*
- 15) *Reserves should be linked by shared off road cycleways to encourage active travel modes.*

### Parking and road widths

- 16) *The board has concerns about the lack of off-street parking in new developments in general. The design of the developments needs to allow for onsite parking for each lot to minimize cars that will be parking on the berms as there is nowhere else to park.*
- 17) *A minimum of two onsite parking spaces for every unit should be a requirement in the consent conditions.*
- 18) *On street visitor parking should also be made available and be a required in the consenting process.*
- 19) *The board has fielded complaints from other subdivisions in relation to narrow road widths and the inability for emergency and service vehicles to access. There are already issues within the Addison development with narrow roads not being wide enough for emergency vehicles or rubbish trucks to enter. The Police have also approached the board about this issue.*
- 20) *Please ensure input on this development is sought from the fire, ambulance and police services. The services have complained to the board in the past about the narrow widths of new subdivision roads.*

### Public transport

- 21) *While current thinking is everyone should be using public transport (PT), the reality is that the PT option does not work for everyone. PT does not necessarily run near where the people need it to go or within the timeframes people need it. PT tends to be linear and in a north to south orientation. Even if people can take public transport to work, they still need to have vehicles for:*
  - *the weekly shopping*
  - *accessing medical services*
  - *transporting of dependents to and from school, sports and other cultural after school activities*
  - *attending community and other leisure and cultural events, or*
  - *visiting friends or relatives.*
- 22) *Public transport is demand driven and will not be in place until development increases. Hence the need to be planning to cater for cars initially.*
- 23) *Public transport options need to be available nearby so people can get to where they need to go. The public transport services need to adequately cater to the population including older people, ie: a kneeling bus.*

### Mana whenua input

- 24) *The board encourages consultation with mana whenua and implementing recommendations proposed into the design of the development.*

### Stormwater

25) *The board recommend appropriate stormwater treatments in line with the latest three waters legislation requirements. All efforts should be made to retain and treat stormwater to ensure the optimum to the receiving environment.*

26) *Rain harvesting and the recycling of stormwater should be a requirement given the latest drought in Tāmaki Makaurau.*

## **7. HEARINGS AND DECISION MAKING CONSIDERATIONS**

103. Clause 8B (read together with Clause 29) of Schedule 1 of RMA requires that a local authority shall hold hearings into submissions on a proposed private plan change.

104. The Regulatory Committee has delegated to the Hearings Commissioners authority to determine Council's decisions on submissions on PPC61, under section 34 of the RMA. Hearing Commissioners will not be recommending a decision to the council, but will be issuing the decision directly.

105. This report summarises and discusses the likely effects of PPC61 and discusses submissions received on the plan change. This report identifies what amendments, if any, are recommended to be made to address matters raised in submissions. It makes recommendations on whether to accept, in full or in part; or reject, in full or in part; each submission. Any conclusions or recommendations in this report are not binding to the Hearing Commissioners.

106. The Hearing Commissioners will consider all the information in submissions together with evidence presented at the hearing.

107. This report relies on the reviews and advice from the following experts on behalf of the council and specialist Auckland Council officers. These assessments are attached in Appendix 4 to this report.



Table 1: PPC61 topic experts for council

Matter	Reviewing specialist
Urban Design, Landscape and Visual	Rebecca Skidmore, Urban Designer and Landscape Architect, R.A. Skidmore Urban Design Ltd
Freshwater Ecology	Christina Bloom, Specialist, Auckland Council
Terrestrial Ecology	Carl Tutt, Ecologist, Auckland Council
Transportation	Wes Edwards, Traffic engineer, Arrive Limited
Economics	Tim Heath, Director, Property Economics Ltd
Heritage/archaeology	Robert Brassey, Principal Specialist Cultural Heritage, Auckland Council
Stormwater and Flooding	Jack Turner, Director and Hillary Johnston, Environmental specialist, Tektus Consultants
Parks	Robin Rawson, Parks and Recreation Consultant, Xyst Ltd
Contamination	Ruben Naidoo, Specialist, Auckland Council
Geotechnical	James Beaumont, Senior Geotechnical Engineer, Riley Consultants Ltd

## 8. STATUTORY AND POLICY FRAMEWORK

108. 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 of the RMA (clause 22(1), Schedule 1, RMA). Clause 29(1) of Schedule 1 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)*”.

109. The RMA requires territorial authorities to consider a number of statutory and policy matters when developing proposed plan changes.

110. The key directions of the RMA with regard to consideration of private plan changes are set out in Table 2 overpage.

**Table 2: Sections of the RMA relevant to private plan change decision making**

<b>RMA Section</b>	<b>Matters</b>
Part 2	Purpose and principles of the RMA
Section 31	Sets out the functions that territorial authorities shall have for the purpose of giving effect to the RMA in the territorial authority district
Section 32	Sets out the requirements for preparing and publishing evaluation reports
Section 72	Sets out 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 RMA
Section 73	Provides that there must at all times be a district plan for the district prepared in the manner set out in the relevant Part of Schedule 1. Sets out the manner in which the district plan can be changed, and when it must be changed.
Section 74	Sets out the matters that must be considered by a territorial authority when preparing and changing its district plan. This includes its functions under section 31, the provisions of Part 2 of the RMA, a direction given under s25A(2), its obligation (if any) to prepare an evaluation report in accordance with s32, its obligation to have particular regard to an evaluation report prepared in accordance with s32, a national policy statement, a New Zealand coastal policy statement, a national planning standard, and any regulations. It also sets out the documents that a territorial authority shall have regard to (which are in addition to the requirements of s75(3) and (4)).
Section 75	Outlines the mandatory and optional requirements for the contents of a district plan, specifies which documents a district plan must give effect to, and specifies which documents a district plan 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 the 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 and private plan change applications

111. 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). Subsequent cases have updated the Long Bay summary, including *Colonial Vineyard v Marlborough District Council* [2014] NZEnvC 55, reflecting amendments to the RMA since the Long Bay decision. This is outlined in Box 1.

**Box 1**

**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:*  
*have regard to any proposed regional policy statement;*  
*not be inconsistent with any operative regional policy statement.*
4. *In relation to regional plans:*  
*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*  
*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.*

**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.*

***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:*

*the benefits and costs of the proposed policies and methods (including rules); and*

*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.*

***Rules***

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

***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.*

112. Appendix 5 provides a full list of relevant RMA matters that need to be taken into account in decision making. I specifically refer to these where relevant within my analysis in sections 9 and 10 below, with an overall assessment against the statutory framework provided in section 11.

## 9. ASSESSMENT OF EFFECTS ON THE ENVIRONMENT

113. 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 Schedule 4 of the RMA.

114. An assessment of actual and potential effects on the environment (“**AEE**”) is included in the Section 32 report. The submitted Plan Change request identifies and evaluates the following actual and potential effects:

- Urban design
- Cultural effects
- Open space and recreational effects
- Landscape and visual effects
- Economic effects
- Transport effects
- Infrastructure effects
- Stormwater effects
- Ecological effects
- Arboricultural effects
- Geotechnical effects
- Contamination effects
- Archaeological effects
- Heritage effects

115. A review of the Section 32 report and supporting documents, taking into account further information provided pursuant to Clause 23 to Schedule 1 of the RMA, is provided below.

### 9.1 Urban design, landscape and visual effects

#### Application

116. A Masterplan and Urban Design Assessment (‘**UDA**’) and Masterplan has been prepared by Buchan (Attachment B and C to the application) to support the plan change.

117. A Landscape and Visual Assessment has been prepared by Boffa Miskell and is included as Attachment G to the application.

118. Additional information regarding the proposed land uses in the Neighbourhood Centre was requested by Council and as part of the Clause 23 response, concept designs of the proposed centre prepared by Buchan was provided to council. It is included in the further information responses at Appendix 3.

119. Section 8.1 of the Section 32 report summarises the opportunities and constraints, and supporting principles developed for Waipupuke through the Urban Design Assessment, the Landscape and Visual Assessment and the Masterplan.

120. A rationale for the zoning layout within Waipupuke is provided in the Boffa Miskell Landscape and Visual Assessment:

*The plan change seeks to provide a sequence of zones that grade the height and density of future residential development around the central BNC [Business: Neighbourhood Centre] zone and the arterial road to the south. The purpose of the plan change is to facilitate residential housing and employment within The Site and*

*at the same time enable higher densities of development closer to centres, arterial routes and public transport networks.*

*The plan change will enable greater density and diversity of development within The Site in terms of the scale and form of built development and the mix of activities provided for.*

*The THAB zoning broadly reflects that anticipated in the Drury – Opāheke Structure Plan, although it is also proposed that the THAB zone is located in the southern portion of The Site adjacent to SH22. This is considered appropriate in order to facilitate higher development densities in proximity to regional arterial transport routes.*

*The inclusion of the BNC zone / a neighbourhood centre is not anticipated in the Drury – Opāheke Structure Plan however it is proposed to form part of a community hub in the heart of The Site suitable to the proposed densities enabled by the plan change.*

121. Additional support for the location of the THAB zones is provided in the Urban Design Assessment:

*The rationale for the location of the THAB zone is as follows:*

- *Closer proximity to SH22 – a major arterial which is to be upgraded and in proximity to the proposed rail station.*
- *Proximity to public transport routes (Jesmond Rd and the internal east west collector road within Waipupuke).*
- *Proximity to the Jesmond Road public transport route, which leads to the proposed Drury West rail station.*
- *Proximity to the proposed Waipupuke Neighbourhood Centre.*

122. As noted in the Urban Design Assessment, the Neighbourhood centre is proposed at the junction of two key proposed collector roads running east-west and north-south. Open spaces will be located adjacent to this centre to enable a wide variety of activities and co-location benefits. The centre is to be a community hub for the future residents of Waipupuke and will enable employment, retail and social activities within walking distance of the entire plan change area.

123. The Waipupuke Precinct has proposed to provide for more open spaces than what is set out in the DOSP. The open spaces will support a quality compact urban form and allow future residents easy access to enhanced amenity and recreation opportunities. The open spaces will also contribute to forming a blue green network across the plan change area.

124. Waipupuke seeks to ensure that a strong cultural narrative is reflected throughout development and that Mana Whenua spiritual and cultural identity is reflected in public built forms including buildings, parks, walkways, stormwater parks, plantings and place names. Enhancement of existing ecological features, sculptural nodes and walkways are also proposed.

125. The layout of internal roads is intended to provide for convenience, choice and efficiency. The two key north-south and east-west spine collector roads provide clear structure, legible streetscapes and movement hierarchy within the precinct.

126. With respect to visual effects, the application notes that urban development is expected by the FUZ and the structure plan so any visual changes will fit comfortably within the evolving urban form in Drury West. The Landscape and Visual Assessment has made the following assessment of visual effects regarding the proposed BNC, given that it was not anticipated through the structure plan:

*The proposed neighbourhood centre will be located in the central portion of the site and will have a sufficient setback from any neighbouring viewing audience to manage visual dominance. Moreover, the proposed zoning will allow for a transition in height across the site for existing viewing audiences in the most proximate locations to these buildings (being those to the north, east and west). Observed alongside THAB and MH-U zones, the neighbourhood centre will be seen as a central node of greater intensity and will provide an element of visual interest and urban legibility within the outlook of the viewing audiences in the immediate vicinity.*

127. With respect to landscape effects, it is noted that earthworks across the site is expected to be extensive and may reduce the slightly undulating nature of the topography, as well as requiring removal of a significant amount of existing vegetation across the plan change area. However, development of the site will enable the following:

- An enhanced level of soft landscape, including street trees, trees in parks and open space, wetlands and residential gardens;
- Public open space and stormwater management parks will ultimately support appropriate riparian vegetation which will reinforce and support the network of waterways;
- Retaining the natural character of the landscape through retaining elements such as streams and riparian margins;
- A proposed landscape buffer will be maintained along the southern boundary of the Site between the THAB zone and Karaka Road;
- The central ridge line will remain acknowledged and reflected through proposed open spaces along the centre of the Site and proposed BNC zoning; and
- The BNC is expected to act as a focal point for the community and surrounding areas and will act as an urban maker. The variation in height and form proposed in the BNC will create interest, diversity, and legibility in built form amongst the future urban landscape.

128. The Section 32 report notes that the DOSP vision and neighbourhood design statement have informed the overall masterplanning and design for PPC61, and that the precinct is consistent with the RPS as growth and development is provided in a manner that provides a quality-built environment and a quality compact form.

129. It is proposed that the precinct will largely rely on the AUP framework to manage the visual and landscape effects arising from realising the intent of the precinct:

*Much of the design intent within the master plan relies on future resource consents guided by the provisions of the AUP. All relevant provisions of the Auckland wide and zone provisions of the AUP that relate to landscape and visual effects apply, other than the additional height provisions requested in the plan change.*

Peer Review and Planner Comments

130. Rebecca Skidmore, R.A. Skidmore Urban Design Ltd, has reviewed the above assessments and her report is included in Appendix 4.

131. Having reviewed all the relevant plan change material, Ms Skidmore considers that the following matters should be further addressed:

- 1) *Reconsider the residential zone distribution in the southern area of the Site. This could result in amending the extent of THAB zone to better reflect a walkable catchment to the Drury West train station. Consideration should be given to limiting the release of Stage 3 land (as depicted in the staging plan on p. 10 of the masterplan document) until the train station is open and suitable pedestrian connections to the station are provided.*
- 2) *Strengthen the policy framework and assessment matters for development to ensure adverse amenity effects of development in relation to Karaka Road is avoided and a positive interface is created.*
- 3) *Remove precinct provisions enabling service stations and fast-food outlets fronting SH22 as restricted discretionary activities.*
- 4) *Reduce the scale of the BNC zone and remove precinct provisions relating to this zone, relying on the underlying zone to provide a suitable neighbourhood centre;*
- 5) *Remove the Open Space Informal Recreation zone and replace with indicative locations of open space on Precinct Plan 3, identifying the different categories of space. Include additional policy and assessment guidance about the scale and qualities to be delivered by these spaces through the subdivision process.*

132. Comments from Ms Skidmore and me regarding each of above matters are set out below.

**1) Reconsider the residential zone distribution in the southern area of the Site.**

133. Ms Skidmore is of the view that there has not been a clear urban design rationale provided to demonstrate how the land-use pattern enabled by the plan change integrates with the public transport network, particularly in terms of connectivity and accessibility.

134. The distribution of THAB zoning in the southern area of the site is not anticipated by the structure plan. This zoning proposal should address more clearly how integration between high density residential land use and public transport can be achieved, and thus give effect to policy requirements of ensuring intensification is accommodated in a quality, compact urban form and reliance on private vehicle use is reduced.

135. Ms Skidmore states that the UDA does not provide an adequate analysis to show that the proposed southern THAB zone will be within a walkable catchment of the future Drury West train station. This is important given that the Arrive transport assessment has indicated the lack of a frequent bus service in this area to support high density residential development. Similarly, the surety of providing high amenity, legible and convenient connections to public transport has similarly not been well considered.

136. In addition, Ms Skidmore notes that there are several uncertainties with respect to access to the Drury West train station from the southern THAB zone which makes it difficult at this stage to support the zoning. These uncertainties include:

- The provision of key pedestrian connections to the train station



- The timing of upgrades to Karaka Road (SH22) to support active modes
- The timing and development of the land to the south-east of PPC61

137. The additional of more THAB relative to the DOSP has been addressed in more detail in the transport section of this report considering Ms Skidmore's comments around walkable catchments, suitable extent of THAB zoning, land-use patterns and connections to the Drury West train station.

138. Generally, I agree with Ms Skidmore that the distribution and extent of THAB should be reconsidered to achieve better integration with the public transport network. The Arrive transport report has addressed this in more detail in section 9.4 of this report.

## **2) Manage adverse amenity effects of development in relation to Karaka Road**

139. Ms Skidmore recommends that precinct provisions should be expanded to provide specific policy guidance and development assessment criteria, to ensure development of land immediately adjoining Karaka Road (SH22) will have a positive street interface with the corridor and does not result in poor amenity outcomes. Karaka Road (SH22) as an arterial road will have access restrictions so avoiding development backing onto the street and the potential for adverse visual effects will be a key challenge.

140. The NoR (Project D1) submitted as part of the Drury Arterials Package indicates that Karaka Road (SH22) will serve an important role for active modes in the future. As such, future development should support the creation of strong amenity for future users of this space. Ms Skidmore does not think the retention of a linear belt of macrocarpa trees within the road reserve sufficiently addresses this issue, given the future widening and upgrading of Karaka Road (SH22) and the transformation of the area to an urban environment.

141. Irrespective of the zone fronting Karaka Road (SH22), I agree with Ms Skidmore that additional provisions should be incorporated into the precinct to ensure adverse amenity effects of development in relation to Karaka Road is avoided and a positive interface is created.

## **3) Remove precinct provisions enabling service stations and fast-food outlets fronting SH22 as restricted discretionary activities.**

142. Service stations and fast-food outlets (including drive through facility) fronting SH22 are proposed to be restricted discretionary activities in the precinct. In the AUP THAB zone, a service station on an arterial road is a discretionary activity while the 'Fast-food outlets' activity is not defined in the AUP. Therefore, fast-food outlets (including drive-through restaurants) are activities not provided for which makes them a non-complying.

143. The following assessment has been provided by Ms Skidmore on the potential effects of the proposed activities:

*These are car-based activities and I consider are likely to be inappropriate to create a high amenity environment along the street corridor. Such car-based activities have the potential to diminish the amenity of the pedestrian connections to the train station to the south.*

*The Clause 23 request sought further analysis about the potential amenity effects of these activities on the surrounding residential environment. The response noted that residential amenity matters such as noise and lighting effects are addressed through the operative AUP provisions. It also noted a number of THAB provisions that would apply, including minimum landscape areas (30%), maximum building coverage (50%), maximum impervious area*

(70% of net site area) and yard controls. The response also included an amendment to the provisions to add a boundary interface assessment matter, being “residential amenity on adjoining or nearby sites” and associated criterion “measures to mitigate effects on residential neighbours including sufficient separation distances, boundary landscaping, screening of outdoor storage and refuse areas and boundary fencing.

I note that in some instances these commercial activities can be accommodated adjacent to residential activities in a manner that maintains reasonable residential amenity. However, the function and character of service stations and fast food outlets are generally not compatible with a higher density residential environment. In my opinion, the activity status for these activities in the underlying zone should be maintained and additional precinct provisions deleted.

144. I agree with Ms Skidmore’s assessment that the underlying zone provisions should be maintained. A discretionary activity status for service stations will enable all effects to be considered and enable a notification assessment to be undertaken. Existing provisions already provide for food and beverage type activities in the THAB zone. Cafes and restaurants up to 100m<sup>2</sup> (gross floor area per site) are restricted discretionary activities. I do not consider a new ‘fast-food outlet’ activity is necessary.

#### 4) Reduce the scale of the BNC zone and rely on the underlying zone provisions

145. Ms Skidmore is supportive of the establishment of the BNC in its current location, provided that it is of a scale and function more closely aligned with the AUP zone purpose. As currently proposed however, Ms Skidmore recommends that the extent of the BNC zoning is reduced and the precinct provisions that relate to the zone is removed. The recommended change to the extent of the BNC zone is shown on **Figure 22** below.



Figure 22: Recommended change to BNC zone extent

146. The rationale for Ms Skidmore's recommendation is set out below:

*The zone description for the BNC zone notes that this zone applies to single corner stores or small shopping strips located in residential neighbourhoods. They provide residents and passers-by with frequent retail and commercial service needs. The zone typically enables buildings up three storeys high and provides for residential use at upper floors. Rather than providing a visual focal point, development in the zone is expected to be in keeping with the surrounding residential environment.*

*In my opinion, the extent of the zone, and the precinct provisions, including the mix of activities enabled and the height variation control of 18m and 27m is at odds with this description and is not appropriate in this location. In my opinion, it is suitable to locate a neighbourhood centre (as described in the zone description) embedded within and serving the immediately surrounding residential neighbourhood, and located adjacent to an open space and on a collector route. In my opinion, the extent of the zone should be reduced to have a single frontage to the east-west collector road. I also recommend that the precinct provisions relating to the zone are removed, so that the small centre functions as intended by the zone description.*

147. As well, it is Ms Skidmore's view that the activities proposed by the precinct is better suited in alternate zones:

*... the mix of activities and scale of use proposed by the precinct would be better accommodated in a different zone (Business Local Centre or Business Town Centre) and in a location that is better integrated with the public transport network, providing better access to the wider urban catchment.*

148. I agree with Ms Skidmore's assessment that the scale and intensity of development, and the mix of activities proposed for the BNC is not appropriate in this location. The economics section of this report (section 9.3) has addressed this issue in further detail.

149. Additional height is proposed in the BNC as shown **Figure 23** below.

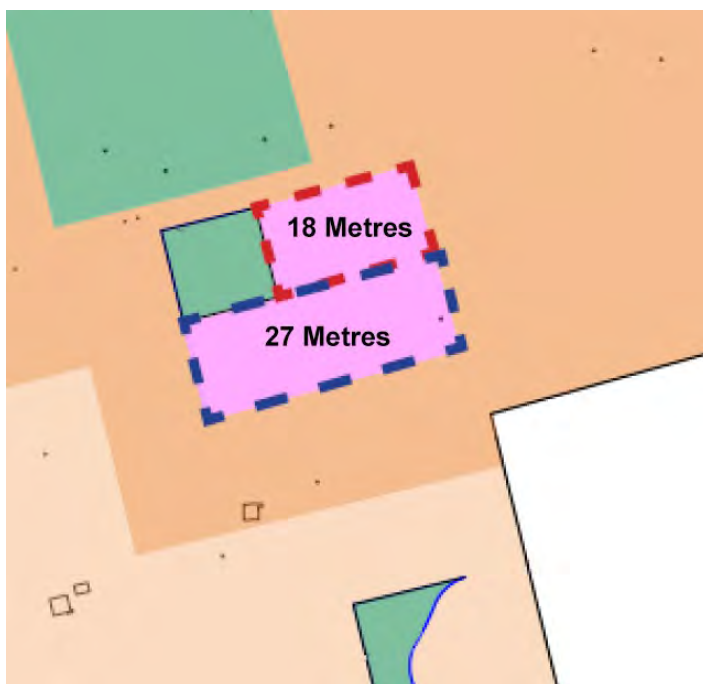


Figure 23: Proposed height variation controls

150. The additional height is intended to enable a higher intensity of development and to provide for envisaged types of activities such as apartments and hotels. The Landscape and Visual Assessment provides the following rationale for the additional heights:

*It is proposed that development in this zone would predominantly enable development up to 18m in height (5 storeys), with one site enabling development up to 27m (8 storeys). This additional height is requested through the plan change in order to provide greater variation in built form and to accentuate the location of the proposed neighbourhood centre, assisting in way-finding within the greenfield urban development. Specific standards within the plan change are proposed to facilitate this desired outcome.*

151. Additional justification is provided in the conclusion of the Landscape and Visual Assessment:

*The proposed BNC with additional height sought, will create an apparent visual landmark and identifiable focal point to the community, creating a sense of place.*

152. Ms Skidmore has made the following finding in respect of the proposed height variation:

*The proposed height variation control, particularly the area of 27m, will enable a considerable height differential in relation to the surrounding residential context (11m in the MHU zone and 16m in the THAB zone). The zone location in an elevated portion of the Site will exacerbate that differential in relation to the southern area of the Site. In my opinion, given the local function of the BNC zone, creating such a visual focus in this area is not necessary. In my opinion, suitable variation in the built environment will be created through the varied topography and the different typologies and building scales in the MHU and THAB zone and the form of development in the BNC zone.*

153. The permitted height for buildings in the BNC is 13m, which generally allows for buildings of up to 3-4 storeys. In my view, this is sufficient for meeting the needs of activities and land uses anticipated in the BNC zone. I do not consider a clear rationale has been provided for allowing significantly more height and scale in this location, particularly given that the proposed extent, mix of activities and intensity proposed in the BNC is inconsistent with what the AUP anticipates for the zone.

**5) Remove the Open Space Informal Recreation zone and replace with indicative locations of open space on Precinct Plan 3.**

154. The master planning process and open space framework has identified a series of open spaces that are responsive to the natural features of the site. While Ms Skidmore considers the provision of a network of open spaces across Waipupuke will contribute to the amenity and character of the neighbourhood, she has concerns about finalising the spatial extent and zoning of the open spaces at this time.

155. Ms Skidmore recommends that the zones underlying the open spaces are retained and that the spaces are indicatively shown on the precinct plans without indication of zoning. The boundaries and zoning of open spaces should be determined through the subdivision process. This same issue was raised by council's expert on parks and open space and is addressed in detail in section 9.2 of this report.

## 9.2 Provision of open space

### Application

156. An Open Space Framework report (Attachment F to the application) has been prepared by Boffa Miskell to support the plan change. The Open Space Framework report has considered the following:

- The wider Open Space network
- Opportunities and constraints
- A set of Open Space provision principles to guide the masterplan and the proposed open space provision
- Proposed Open Space provision for PPC61
- A vision and potential uses for each of the proposed Open Spaces

157. The framework proposes the following network of open space:

- A 3 ha Suburb Park on the northern part of the site
- A 0.44 ha Civic Space park located adjacent to the Neighbourhood Centre
- A 0.3 ha pocket park at the entrance to Karaka Road
- A 0.25 ha pocket park on the eastern side of the site
- A 0.35 ha Neighbourhood Park adjoining a stormwater reserve on the eastern side of the site
- A 0.39 ha Neighbourhood Park adjoining a stormwater reserve on the southern side of the site
- Seven stormwater reserves

158. The location and layout of the above parks and reserves are shown on **Figure 24** below.



Figure 24: Proposed Open Space (extract from Boffa Miskell Open Space Framework)

159. The rationale for the provision of the parks is set out in the Open Space Framework report:

*Two pocket parks are located to provide a break in the THAB zoning areas providing visual relief, socialising space, cultural interpretation opportunities and play opportunities within the immediate locality and in the case of the southern pocket park a convenient and logical walking and cycling connection for the site in general to Karaka Road.*

*Two small sized neighbourhood parks have been proposed adjacent the proposed stormwater infrastructure to provide a walkable, local open space within 400m for the south and eastern parts of the site and future connections along the riparian corridors. These are integrated with the stream and margins of the proposed stormwater reserves to provide opportunities for both contemporary and traditional Māori recreational elements.*

*The proposed suburb park is sized 3ha in line with the Structure Plan and Council Officer's advice providing for the recreational needs of the wider catchment of future residents. The location takes advantage of the relatively flat topography and is spaced outside of the identified walkable catchments for the neighbourhood parks and pocket parks.*

*The civic space relates to the adjacent neighbourhood centre and provides for spill out space for commercial activities, transition space for public transport users and general amenity for the neighbourhood centre*

160. The seven proposed stormwater parks are located at existing discharge points for watercourses at the edges of the site.

161. The requestor has consulted with council's parks team. In the clause 23 response regarding open space provision, the requestor stated the following:

*Initial discussions were undertaken with Council Parks Department and through that process it was confirmed that the officers would support (subject to Council and Local Board support) one 3ha suburban park and one other neighbourhood park of approximately 0.5ha in size). As a result, the remaining 4 public open spaces will most likely remain in private ownership.*

Peer Review

162. Robin Rawson from Xyst has reviewed the applicant's assessment on behalf of Council. Ms Rawson's report is included in Appendix 4. The key points from that report is discussed below.

163. The proposed 3ha Suburb Park is located approximately 200m to the west of the indicative Suburb Park in the DOSP (**Figure 25**). At the proposed location, it will provide good coverage for areas to the west, but the indicative park in the DOSP provides more optimal cover for the wider area. The location and size of the proposed Suburb Park is generally consistent with the DOSP and the Open Space Provision Policy.

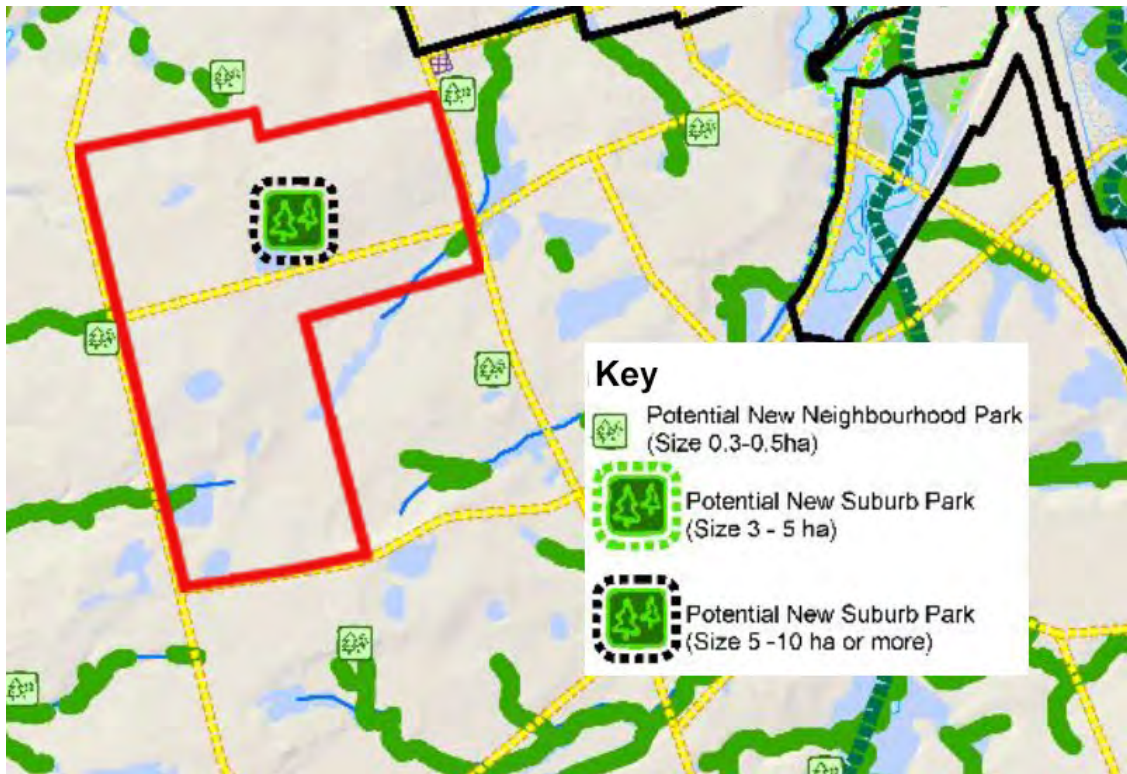
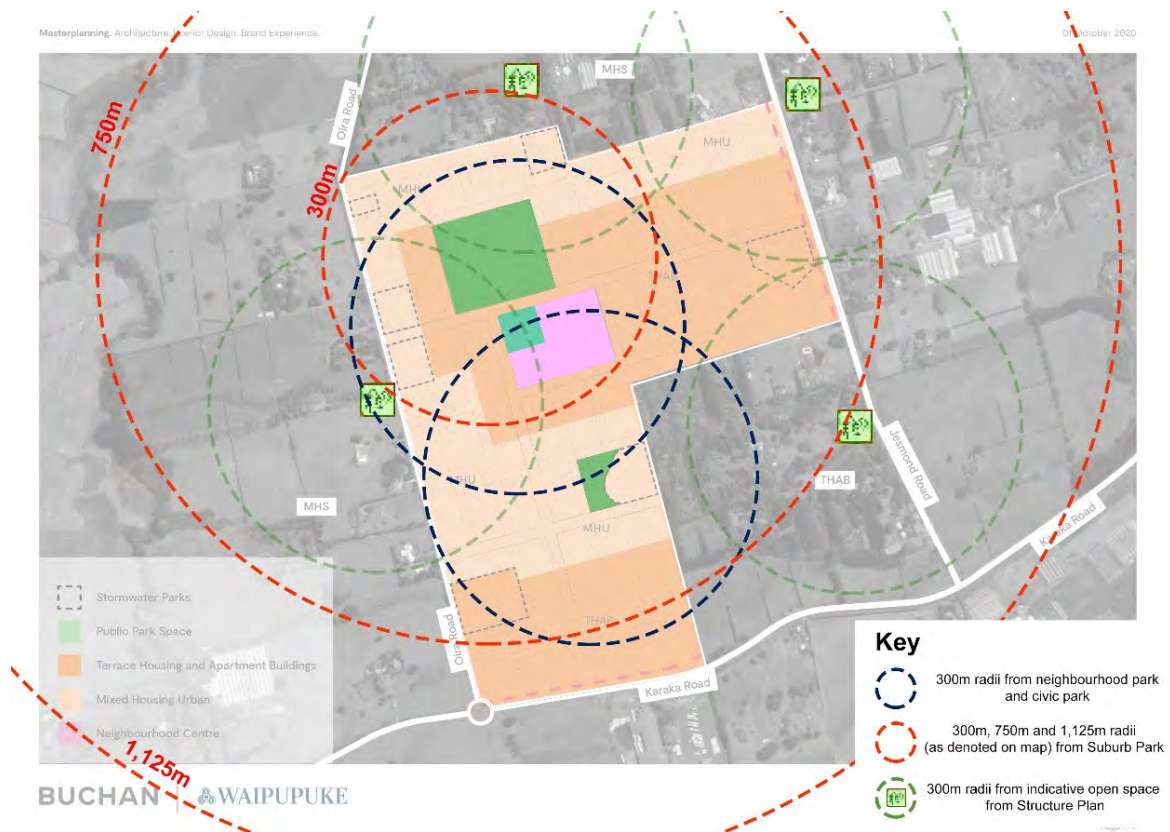


Figure 25: DOSP Blue-Green Network Map

164. Council's Open Space Provision Policy anticipates that neighbourhood parks will be provided within a 400m walk (approximate 300m radial distance) and that suburb parks will be provide within a 1000m walk (approximate 750m radial distance) of residences. Access circles (300m for Neighbourhood parks and the Civic Space Park) for the proposed Neighbourhood parks and the indicative Neighbourhood parks included in the DOSP have been provided in **Figure 26**. The access circles for the proposed Suburb Park (300m and 750m) are also provided. A Suburb Park provides for neighbourhood park activities and does not need to be duplicated with additional neighbourhood parks within its catchment area.

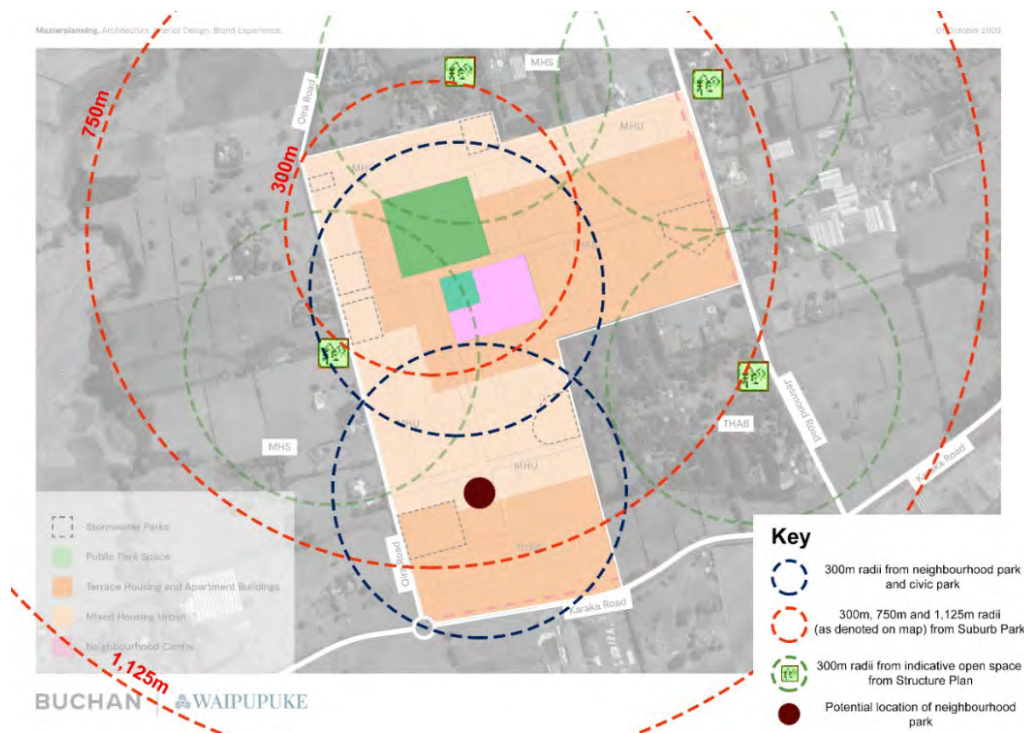


**Figure 26: Coverage map of proposed PC61 open space and DOSP open space network**

165. As shown **Figure 26** above, there are high levels of overlap between the access circles which highlights an over-supply of parks. Additional provision of Neighbourhood parks provides only marginal benefit that is not expected to meet Council's acquisition or maintenance priorities. Additional areas of open space not expected to form part of council's parks network are not supported.

166. The southern Neighbourhood Park adjoining the stormwater reserve would provide reasonable coverage to the south of the site. An alternative location slightly further south-west (see **Figure 27**) would provide a more optimal coverage with less overlay to the neighbourhood reserve function provided by the suburb park.





**Figure 27: Alternative location for neighbourhood park (approximate location indicated by red dot)**

167. The provision of one Neighbourhood Park located in a suitable location towards the southern end of the site, in addition to the suburb park would be consistent with the Open Space Framework identified in the DOSP and council's Open Space Provision Policy.
168. The Civic Spaces park at 0.44 ha is not supported by council's Open Space Provision Policy. A more appropriate size is considered to be around 0.1 hectares. At this size, council acquisition could be considered. An Open Space - Civic Spaces ('OSCS') zone would be a more appropriate zone than the OSIR zone given its function is more akin to that of a civic space/plaza adjoining a centre.
169. Aside from one Suburban Park, one Neighbourhood Park and potentially a smaller civic park, the creation of any additional open space will be in excess of the recreational needs identified by the Open Space Provision Policy. Council has noted that it will not be acquiring any excess open space, nor be expected to manage them. The requestor has stated that open spaces greater than Council's requirement could be privately owned and managed.
170. The proposed pocket park near Karaka Road is not supported either in private or public ownership.
171. The pocket park associated with the homestead at 140 Jesmond Road is not expected to meet Council's acquisition requirements and is not supported.
172. The Suburb Park, neighbourhood park and civic park should be shown indicatively on the precinct plan. Indicative zones can also be shown. Rezoning to Open Space zones should occur after subdivision and/or acquisition by council and is not supported at the plan change stage.
173. The proposed 'Mana Whenua Cultural Identity Marker' activity in the OSIR zone is supported by Ms Rawson. Apart from this, it is recommended that there is no further

departure from the existing AUP activity tables for the zone. The other amendments sought to the activity table for the zone are not supported.

Comments

174. I agree with Ms Rawson that a Suburb Park and a neighbourhood park (the 'southern neighbourhood' park) are appropriate to support the recreational needs of future Waipupuke residents. A civic space adjacent to the BNC is also supported with the exact size to be determined at the consenting stage.

175. In my view, there are merits to the applicant's proposal to zone the Suburb Park and the southern Neighbourhood Park to OSIR for following reasons:

- The applicant has provided an Open Space Framework, Masterplan and has integrated the design and location of parks with other components of the plan change (i.e. walking and cycling, ecology, stormwater management). As a result, the applicant has provided a comprehensive assessment and given consideration to a logical and desirable pattern of open space delivery.
- The plan change process has provided an opportunity to develop an open space network around the natural features of the site when it is unfragmented and under a single owner.
- The inclusion of open spaces in the precinct plan and the Informal Recreation zoning provides long term certainty around the location and sizes of open spaces, as well as the uses, shape, and the road frontages. While E38 Subdivision does provide policies for the provision of open space, subsequent developers may not have the ability to consider site-wide opportunities and constraints.

176. Council has indicated that it may consider acquiring a Suburb Park and neighbourhood park. However, council is opposed to the proposed OSIR zoning as it may prejudice council's discretion to receive or acquire the open spaces in future and predetermine its suitability for acquisition. As well, council has indicated through its submission that a more detailed evaluation is required against its Open Space Provision Policy 2016 before any commitment can be made. Therefore, though I believe there are merits to zoning the proposed open spaces as OSIR, I accept that rezoning prior to subdivision and vesting or acquisition creates an expectation for council to purchase or receive the proposed open spaces. This would also not be consistent with council's standard processes for acquiring land for open space.

177. As such, the Suburb Park and the southern Neighbourhood Park can be shown on the Precinct Plans as being indicative, with the final zoning and boundaries of the two open spaces to be determined after subdivision occurs and land is either vested or acquired.

178. I support the recommendation of Ms Rawson that the proposed Civic Space would better suit an OSCS zone rather than the proposed OSIR. The OSCS zone description in the AUP states that it is for squares and plazas in centres and provides opportunities for recreation, social interaction and community gatherings and events. Markets are also permitted activities in the zone. I would support an indicative 'civic space' being shown on the Precinct Plans.

179. I share Ms Rawson's view that the remaining parks are not supported and should not be shown on the Precinct Plans. They represent an excess supply of open space and Council has indicated that there is no interest in acquiring them in the future.

180. With respect to Open Space, the recommended amendments to the Precinct Plans (including key) are shown below in **Figure 28** below.



**Figure 28: Recommended amendments to precinct plan with regards to open space**

181. I support the recommendation of Ms Rawson that there should be no general departure from the existing AUP activity status for the OSIR zone. In my view, the AUP provisions are suitable for managing open spaces in the plan change area and there are no convincing reasons why they should be amended. With respect to the introduction of the 'Mana Whenua Cultural Activity Markers' activity to the zone activity table, this is addressed in section 9.12 of this report.

### 9.3 Economic effects

#### *Application and Peer Review*

182. The economic effects of PPC61 are summarised in section 8.5 of the Section 32 report and discussed in more detail in the assessment prepared by Insight Economics ('IE') (Attachment H to the application).

183. Tim Heath, Property Economics ('PE') has reviewed the economics aspects of the plan change and his report is included in Appendix 4.

184. Mr Heath supports the proposed residential zoning and the higher dwelling yields enabled by the increased THAB provision in PPC61. Mr Heath notes that at a general level, there are positive effects of higher density development which include more efficient use of land and supports the achievement of compact urban form. With the current housing shortage and affordability issues in Auckland, higher density residential developments also provide an increased choice of housing typologies and price points for buyers.

185. The DOSP has made provision for centres as shown in the map overpage (**Figure 29**). PC61 proposes a 2ha neighbourhood centre roughly at the centre of the plan change area. As shown below, a 600m radii shows that the neighbourhood centre is well located within walking distance for future residents. The coverage and access provided by the proposed centre is also not impeded by arterial roads or highways.

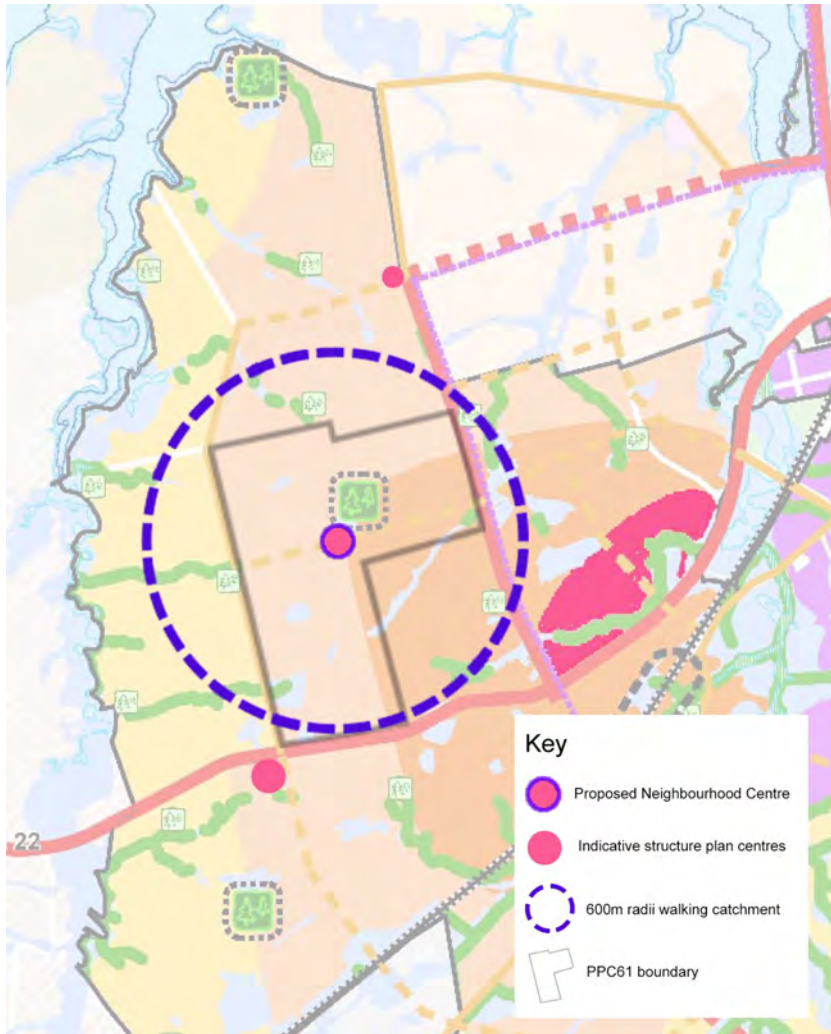


Figure 29: Proposed PPC61 centre and DOSP centres

186. In considering the proposed centre zoning, Mr Health states that any potential effects of the proposed BNC on other existing centres such as Papakura and Pukekohe are likely to be no more than minor for the following reason:

*PC61's location means mass volumes of shoppers are unlikely to travel longer distances to the centre due to the fact they have their own convenience centre provisions in closer proximity*

187. In Mr Heath's view, the real potential effects are those associated with future centres; PPC48 (Drury Centre Precinct) has proposed a Metropolitan Centre to the east of SH1 and PPC51 (Drury 2 Precinct) has proposed a town centre to the west of SH1. Mr Heath states that in effect, the proposed BNC in PC61 is a neighbourhood centre by name and not by scale, function and land uses, which in reality makes it a higher order centre. This means it could have a material effect on the proposed higher order centres which are envisaged to play a broader role in the market and provide for land uses that the BNC in PC61 also wants to provide for (i.e. hotels and medical centres). The PE report notes that the proposed PPC48 and PPC51 centres are better placed to be the larger centres servicing the wider non-convenience retail and commercial demand of the future Drury Catchment based on their location and accessibility (by road and rail).

188. With respect to the size of the neighbourhood centre, the IE report states that a 1ha neighbourhood centre can be supported:

*...we consider the proposed future provision of about one hectare of neighbourhood centre zoned land to pose no material risk of adverse retail distribution effects on other centres*

189. Mr Health has considered the size of the proposed neighbourhood centre, and notes that a centre of this size is too large to be termed a BNC under the AUP and will attract custom from outside the local area:

*...a neighbourhood centre zone is for single corner stores or small shopping strips located in residential neighbourhoods. This commonly includes your local takeaway shop, dairy and convenience services like hairdressers. These centres provide frequent retail and commercial service needs to local community and passers-by and as such are scattered through the residential areas. Ideally, residents are able to walk or have to drive only a short distance to their local Neighbourhood Centre and they are not designed to rely on public transport*

190. So while Mr Health agrees with the IE report that a small convenience-oriented retail centre is appropriate, the current proposal is oversized for the role and function of a neighbourhood centre and would better fit the definition and size of a Local Centre under the AUP.

191. It was queried in the Clause 23 request why the centre was 2 hectares despite the IE report noting that a 1 hectare centre was supported. In the response to the Clause 23, the requestor stated that a 2-hectare centre is appropriate as 1-hectare of the centre will likely be taken up by land uses such as the medical centre, a hotel, at-grade parking and apartments, thereby reducing the capacity for typical centre land uses. As stated earlier, Mr Health considers that these activities (i.e. medical centre, hotel) are not appropriate for a BNC and are better suited to a Town Centre or Metropolitan Centre, both of which are proposed within close proximity to the plan change area. Furthermore, activities such as the medical centre and hotel rely on attracting a large proportion of custom from well beyond the PC61 area to be sustainable and is therefore not suitable for what the BNC zone is intended for.

### Comments

192. I support the establishment of a BNC zone in the Waipupuke precinct, as it will provide a local destination to support the convenience needs of future residents. The BNC is well located in its current location being adjacent to open spaces and being central to the surrounding residential areas. The neighbourhood centre will likely be within a 10-minute walk for all the proposed residential areas in Waipupuke.

193. However, I agree with Mr Health's assessment that modification to the proposed neighbourhood centre is required. In my view, the size of the neighbourhood centre, the mix of activities and the intensity enabled, the height variation controls, and the permissiveness of the activities are a significant departure from what the BNC zone provides for. The AUP objectives as they relate to the BNC zone clearly set out its intended role and function:

#### *H12.2 Objectives*

*(6) Commercial activities within residential areas, limited to a range and scale that meets the local convenience needs of residents as well as passers-by, are provided in neighbourhood centres.*

(7) Neighbourhood centres are developed to a scale and intensity in keeping with the planning outcomes identified in this Plan for the surrounding environment.

### H12.3 Policies

(15) Provide for small scale commercial activities to meet either local or passers-by convenience needs, including local retail, business services, food and beverage activities.

(16) Discourage large-scale commercial activity that:

(a) would adversely affect the retention and establishment of a mix of activities within the neighbourhood centre;

(b) would significantly adversely affect the function, role and amenity of the Business – City Centre Zone, Business – Metropolitan Centre Zone or Business – Town Centre Zone, beyond those effects ordinarily associated with trade effects on trade competitors; and

(c) does not appropriately manage adverse effects on the safe and efficient operation of the transport network including effects on pedestrian safety and amenity.

194. In my view, the Neighbourhood Centre as proposed in the precinct is not consistent with the above policies.

195. A comparison between the activity tables for the PPC61 BNC, the AUP BNC and the AUP LC is provided in **Table 3** below. Based on the comparison, it is my opinion that the PPC61 BNC is more akin to a AUP LC and is not in keeping with the scale and intensity of development anticipated in neighbourhood centres.

**Table 3: Comparison of PPC61 BNC against AUP BNC and AUP LC**

Waipupuke BNC proposed activity	Waipupuke BNC proposed activity status	Equivalent AUP BNC activity and activity status	Equivalent AUP LC activity and activity status
Activities not provided for	<b>D</b>	<b>NC</b>	<b>NC</b>
<u>Offices up to 1,500m<sup>2</sup> GFA per site</u>	<b>P</b>	Offices up to 500m <sup>2</sup> gross floor area per site <b>P</b>	Offices up to 500m <sup>2</sup> gross floor area per site <b>P</b>
<u>Offices greater than 1,500m<sup>2</sup> GFA per site</u>	<b>RD</b>	Offices greater than 500m <sup>2</sup> gross floor area per site - <b>NC</b>	Offices greater than 500m <sup>2</sup> gross floor area per site - <b>RD</b>

<u>Retail (excluding supermarkets) up to 3,500m<sup>2</sup> GFA per site</u>	<b>P</b>	Retail up to 450m <sup>2</sup> gross floor area per tenancy <b>P</b>	Retail up to 450m <sup>2</sup> gross floor area per tenancy <b>P</b>
<u>Retail (excluding supermarkets) greater than 3,500m<sup>2</sup> GFA per site</u>	<b>D</b>	Retail greater than 450m <sup>2</sup> gross floor area per site tenancy <b>P</b>	Retail greater than 450m <sup>2</sup> gross floor area per tenancy <b>RD</b>
<u>Medical and Specialist Facility</u>	<b>P</b>	No equivalent activity <b>NC</b>	No equivalent activity <b>NC</b>
Recreation Facility	<b>P</b>	<b>D</b>	<b>P</b>

196. Having regard to the above and to Mr Health's comments, I am of the view that the BNC provisions of the AUP are more appropriate for this zone and the size of the BNC should be reduced. Therefore, I recommend that the activity table for the Waipupuke BNC is deleted, and the BNC zone is reduced in size.

#### 9.4 Transport effects

##### Application

197. Transport effects of PPC61 are summarised in section 8.6 of the Section 32 report and discussed in more detail in the Integrated Transport Assessment ('ITA') prepared by Commute Transportation Consultants (Attachment I to the application).

198. As part of the Clause 23 response, traffic modelling and a further assessment on local traffic effects was prepared by Commute and is included in Appendix 3.

199. The Commute ITA has provided an overview of the existing and future transport network, having particular regard for the effects arising from the proposed Waipupuke development.

200. The Commute ITA has relied heavily on the SGA's Drury-Opāheke and Pukekohe-Paerata Structure Plan ('DOPPS') ITA, having drawn the following conclusions:

- PC61 is broadly in accordance with Council's structure plan for the area, with the exception of increased THAB and the BNC zone.
- The yield predicted from the proposed PC61 zoning is said to be consistent with that assumed in the Macro Strategic Model ('MSM') (I11.5 Scenario) for zone 562.

- The development timing of PC61 is broadly in line with the MSM model assumptions for zone 562.
- The PC61 transport network is largely consistent with the proposed transport network in the DOPPSP ITA.

201. To illustrate the broadly consistent estimated yields between the SGA DOPPSP ITA and PPC61, the Commute ITA have made several estimates and comparisons as summarised below.

- The plan change area is located in Zone 562 of the MSM. The boundaries and growth forecast for zone 562 under this model is shown in **Figure 30** and **Table 4** below.

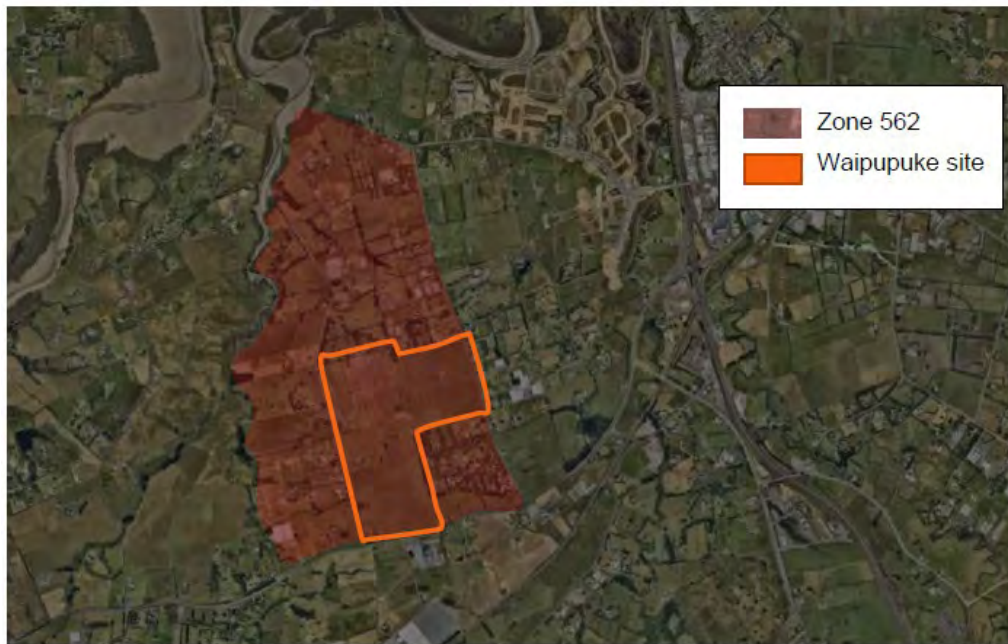


Figure 30: MSM Zone 562 and PC61 boundary

	HOUSEHOLD FORECASTS					POPULATION FORECASTS					EMPLOYMENT FORECASTS				
	2016	2028	2038	2048	SGA48+	2016	2028	2038	2048	SGA48+	2016	2028	2038	2048	SGA48+
Zone															
562	60	363	1,936	3,235	3,991	175	965	4,955	8,000	9,868	144	158	523	762	955

Table 4: MSM growth assumptions (I11.5 scenario)

- Based on assumed rates for household density by zone, **Table 5** overpage provides an estimated number of households enabled by the zoning sought for Waipupuke. The remaining land within Zone 562 has structure plan zones applied to provide an estimated number of households. The total households enabled by the Waipupuke zoning and the remaining structure plan zoning is similar to that estimated by the MSM regional transport model for Zone 562 (i.e. 3,612 versus 3,991 households).



Zone 562 areas	Estimated number of households	Estimated number of jobs
Waipupuke	1392	160 jobs
Remaining land	2220	522 jobs
Total	3,612 households	682 jobs
<b>Existing Scenario i11.5 model</b>	<b>3,991 households</b>	<b>955 jobs</b>

**Table 5. Summary of number of households and jobs predicted with Zone 562**

- The applicant has provided their development timeframe and compared it against the MSM growth assumptions (**Table 6** below). The Commute ITA notes that the development timing and yield of Waipupuke is broadly in line with the assumed growth in the zone but does not take into account growth in the remaining land in Zone 562.

	2020	2023	2028	2033	2038
<b>Applicants development schedule</b>	Plan Change	Subdivision	Waipupuke 400 dwellings total	1400 dwellings total	
<b>MSM model assumptions</b>	60	-	363	-	1936

**Table 6: Indicative buildout of Waipupuke vs MSM modelling assumptions**

202. The Commute ITA has noted the modelling and infrastructure assumptions of the DOSPPSP ITA that allow it to achieve the mode share and yields assumed for the structure plan area (i.e. high uptake of public transport and active modes and high quality public transport and services). Applying these assumptions to the Waipupuke development, alongside the need to address local effects, the Commute ITA has identified the following deficiencies in the surrounding transport network:

- Provision of mode choice (public transport, walking and cycling)
- Active mode connections to Drury West station
- Safety and efficiency of access onto Karaka Road (SH22)
- Upgrades to Karaka Road (SH22)
- Upgrades to Oira Road and Jesmond Road

203. To address these deficiencies, the Commute ITA has proposed the following implementation plan (**Table 7**) which lists several projects that are directly relevant to PPC61 and which are to be progressively implemented to align with development in the Plan Change area. It would appear that the implementation plan considers the first three projects as being required to meet the needs of wider growth area, and are not 'triggered' by the development of the PPC61 area. The projects the developers are responsible for are the Oira Road upgrade, new collector roads (within the site) and intersection upgrades.

Project	Responsibility
Jesmond Road upgrade as an urban arterial	SGA (Waka Kotahi and AT)
SH22 upgrade	Waka Kotahi as part of the RLTP
Drury West Train station and connections to the station	New Zealand Upgrade Programme
Oira Road upgraded as an urban Collector Road	Developer – shared between properties fronting Oira Road
New Collector Road through the site (DW-EW-03) including intersections with Jesmond and Oira Road.	Developer

Table 7: Implementation Plan for PPC61

204. The recommendations on staging are as follows:

*It is recommended that the new East-West Collector Road through the site be completed by the developer as part of Stage 1 of Waipupuke (2023-2028). It is also recommended that the landowners fronting Oira Road work with Auckland Transport in order to upgrade Oira Road as part of Stage 1 of the Waipupuke project. Alternatively, that Lomai Properties upgrade their half of Oira Road along their frontage.*

*In terms of Jesmond Road, SH22 and the Drury West Train Station and Connections, it is understood that these projects will be implemented as development progresses in Drury-Opaheke. The Drury West train station works are part of the NZUP programme and will likely be implemented prior to stage 1 development of Waipupuke.*

*The upgrade of Jesmond Road is anticipated within the first decade (2018-2028) and therefore is likely to align with the development of stage 1 of Waipupuke.*

*In terms of the Jesmond Road or SH22 upgrade, should there be any significant delays in the implementation of these works then it is recommended that the development programme for Waipupuke be reviewed to align with implementation of these upgrades.*

205. As part of the further information request, confirmation was sought on the anticipated dwellings given the economics report and s32 evaluation alluded to a 2,800 dwelling 'high' yield scenario.

206. The Commute Local Traffic Effects report received in response to council's Clause 23 request acknowledges that a much higher yield of 2,800 dwellings may be possible in the plan change area; this yield is referred to as the 'full build-out' or 'full development'. If the 2,800 dwelling potential is inserted in the table previously shown in **Table 5** above, the development potential enabled by the zoning sought through PPC61 is clearly higher than that modelled in the MSM (refer to **Table 8** below). This is also conservatively assuming the estimated number of households in the remaining land does not change. The estimate in jobs has also been updated.

Zone 562 areas	Estimated number of households	Estimated number of jobs
Waipupuke	<b>2,800 (updated)</b>	<b>368-468 jobs (updated)</b>
Remaining land	2,220	522 Jobs
<b>Total</b>	<b>5,020 (updated)</b>	<b>890-990 jobs</b>
Existing Scenario i11.5 model	3,991 households	

**Table 8: Summary of estimated households and number of jobs assuming high yield scenario**

207. Council's further information request also sought to better understand the local traffic effects, particularly the intersection performance at Oira Road/Karaka Road (SH22) and Jesmond Road/Karaka Road (SH22):

*“Please provide information around the likely future operation of the SH22/ Oira and SH22/ Jesmond intersections with and without implementation of the Pukekohe Expressway (and any other relevant future transport projects)”*

208. In response, Commute provided the results of SIDRA modelling under three scenarios to ascertain the performance of intersections under different land use and transport network assumptions. A summary of the scenarios from Commute's report is provided below and in more detail in **Table 9** overpage:

- *The assessment of Scenario 1 provides an indication as to the level of development up to full build out supported by provision of only Oira Road and upgrade of Oira Road / SH22.*
- *Scenario 2 provides some indication if full development can be achieved on the Waipupuke site prior to implementation of the Pukekohe expressway.*
- *Scenario 3 provides an assessment if the structure plan ITA network can accommodate an increase in yield in the Waipupuke area.*

Scenario	Land use assumed	Transport network assumed
<b>Scenario 1: Interim development</b>	Various levels of buildout on Waipupuke site tested  (400, 800, 1200, 1600, 2000, 2400, 2800 dwellings)  No further development in MSM Zone 562	Upgrade of Oira Road and SH22 intersection to a two lane roundabout
<b>Scenario 2: Waipupuke full buildout in 2028</b>	MSM Zone 562 assumes a total of 380 dwellings in the zone in 2028.  Waipupuke development has been added to the above at 3 levels:  1600, 2000, 2800 dwellings  Some allowance for neighbourhood centre trips on at the intersections with SH22.	As per 2028 ITA network: <ul style="list-style-type: none"> <li>• Upgrade of Oira Road as a collector</li> <li>• Upgrade of SH22</li> <li>• Upgrade of Jesmond as an arterial</li> <li>• Jesmond Road extension</li> <li>• Drury West Rail station and connections</li> </ul>
<b>Scenario 3: Wider area full buildout 2048</b>	Waipupuke 2800 dwellings  Rest of zone 562 as per SGA ITA / MSM assumptions	As per 2048+ SGA ITA assumptions  Includes the Pukekohe Expressway

Table 9: Assessment scenarios used in traffic modelling

209. The key conclusions reached from the modelling (emphasis added) is as follows:

- *The current performance of some movements at the State Highway 22 / Oira Road intersection is LOS D/E and has delays well over 2 minutes. This intersection needs to be upgraded prior to any development of Waipupuke.*
- After the upgrade of the SH22 / Oira Road intersection, the performance of the intersection will be an improvement up until approximately 2000 units.
- *Scenario 1 and 2 indicate that once development density exceeds approximately 2000 units there will be a need to re-assess the performance of the intersections of State Highway 22 with Oira Road and Jesmond Road.*
- The results from scenario 3 modelling conclude that both intersections operate within acceptable parameters in 2048, assuming 2,800 dwellings and the full provision of the transport network as set out in the 2048+ Scenario (DOPSP ITA).

210. Commute's response to the above findings is to introduce the following provisions to the Waipupuke precinct:

- *... it is recommended that a restricted discretionary activity resource consent be included in the plan change for any residential dwelling resource consent application (excluding superlot subdivision applications) after 2,000 dwellings have been consented on Waipupuke.*

- *The assessment criteria for such resource consent applications should include:*
  - o *An assessment of traffic numbers and directional movements at the SH22/Oira Road and SH22/Jesmond Road intersections*
  - o *Levels of service of these intersections*
  - o *Any Travel Demand Management measures*
  - o *Roading/Transport improvements planned or proposed*
- *It should be noted however that if the following upgrades are provided prior to the 2,000 dwelling number being reached that there is no need for the restricted discretionary activity resource consent:*
  - o *Oira Road widening and SH22 intersection upgrade.*
  - o *Jesmond Road widening and SH22 intersection upgrade.*
  - o *SH22 improvements*
  - o *Jesmond Road Extension*
  - o *Drury West rail station construction*
  - o *Rail network upgrade*
  - o *Bremner Road works*
  - o *Pukekohe Expressway*

#### Peer Review

211. Wes Edwards, Arrive has reviewed the transportation aspects of the proposal and his transport assessment is included in **Appendix 4**.

212. The key transport issues identified in the Arrive report are summarised as follows:

1. *The provision of transport infrastructure including funding, responsibility, and timing, and the integration of development with infrastructure, potentially including staging of development and infrastructure triggers.*
2. *Consistency with transport planning policy.*
3. *The form of development including:*
  - a. *The location of zoning enabling more intensive development*
  - b. *The location and design of transport connections within the plan change area*
  - c. *The availability of transport connections outside the plan change area.*
4. *Effects on the transport environment and the assessment provided by the applicant.*

213. Mr Edward's comments on each of the above issues is summarised below.

### 1) The provision of transport infrastructure

214. Since lodgement of PPC61, the following updates in planning for the strategic infrastructure within the Drury Area has been received:

- The Regional Land Transport Plan 2021 – 2031 was adopted. More surety has been provided for the funding status of transport projects in Drury.
- The SGA Drury Arterials NoR package was notified, which include NoR's for arterials (Jesmond Road and Karaka Road (SH22)) adjoining the plan change area.
- The application for the Drury Central station has been lodged under the COVID-19 Recovery (Fast Track Consenting) Act 2020 to enable work to start as soon as possible. Construction is expected to start in 2023, with completion expected to be in 2025.
- It is expected that NoR's will be lodged for the Drury West station. The timeframe for construction and completion is the same as the Drury Central station.
- The existing proposal for Mill Road has been deferred. Mill Road will become a smaller scale project, with a focus on addressing safety issues.

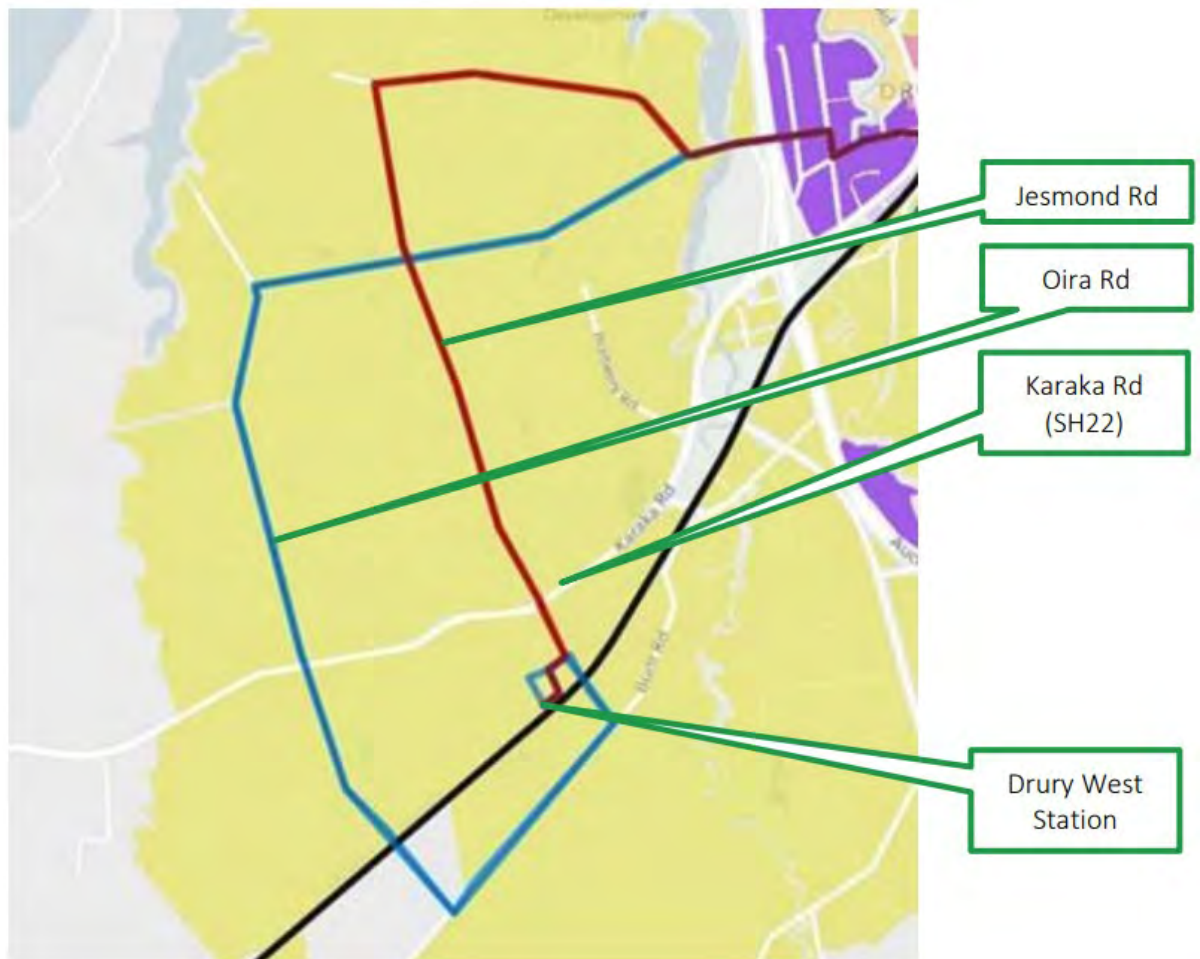
215. Section 3 of the Arrive report discusses the transport infrastructure of particular relevance to PPC61. Ms Edwards notes that PPC61 is reliant on third parties delivering several significant projects in the local and wider area in order to ensure safe and efficient network performance, particularly given the yield proposed. The timing and ultimate delivery will have a significant influence on what PPC61 is able to realise in terms of dwellings and business activity.

216. In terms of future public transport infrastructure and services, Mr Edwards considers that the Commute assessment of these matters is not accurate and requires correction. A discussion is provided below.

217. Mr Edwards has consulted with AT to gain more insight into the future network since the lodgement of PC61. The Arrive report has included the following comments received from communications with AT:

*AT's Network Planning and Integrated Network Planning teams have considered the future bus service routes in the context of the various plan changes across the wider Drury area. This is shown below as a subsequent iteration to the Supporting Growth Alliance map. This iteration may be subject to further changes and implementation is subject to funding availability. The future bus network route planning in Drury West will be influenced by the timing of the Drury West train station. With an operational Drury West station, both Oira Road and Jesmond road would be expected to function as feeder bus routes to the train station. This could be in conjunction with the east-west collector proposed as part of PPC61 in the absence of the proposed local connector between the western end of the Bremner Road and the northern section of Oira Road.*

*At this stage based on current information, AT anticipates Oira Road supporting future public transport services on the assumption that the Drury West station is implemented in conjunction with an east-west collector connection or Bremner Road/Oira Road connection. At present, there are no details on the frequency, timing or level of service.*



**Figure 31: Future bus route planning in Drury West**

218. As shown on **Figure 31** above, no services are shown to run along Karaka Road (SH22). The DOPPS ITA does show a potential collector route running along Karaka Road at full build-out (beyond 2048). Mr Edwards makes the following comments:

*Based on the information provided in the DOPPS ITA and the SH22 NoR documentation, it is expected that a connector or local bus service may use Karaka Road in the future, but based on the information in the AT submission, it is unlikely that there would be any bus stops on Karaka Road to service this development, at least not in the short to medium term*

219. The AT submission makes the following note regarding bus routes on Karaka Road (SH22):

*Bus routes along State Highway 22 are generally not ideal given the high traffic volumes (including heavy vehicle movements) and constraints around pedestrians crossing this corridor. It is therefore unlikely that the proposed Terrace Housing and Apartment zone fronting the northern side of State Highway 22 will be directly serviced by bus services.*

220. Based on the above information, a summary of future public transport services around the plan change area is as follows:

- A local/collector bus services could run along Oira Road though the frequency, timing or level of service is unclear.

- A FTN service is envisaged to run along Jesmond Road, with connections to the proposed Drury West Station.
- No services on Karaka Road (SH22) in the first decade, though future local/connector services could be possible.

## 2) Consistency with transport planning policy.

221. Mr Edwards is of the view that the provisions as notified are inconsistent with regional and national level policy, as discussed in Section 4 of the Arrive transport report.
222. Mr Edwards does not consider PPC61 as notified is consistent with Policy 2 of the NPS-UD as PPC61 is not considered to be infrastructure ready for the short and medium terms.
223. Mr Edwards notes that PPC61 as notified does not give effect to with several RPS provisions, such as Objective B3.3.1(1)(e), Policy B3.3.2(5) and Policy B2.4.2(6). Some of the reasons for these inconsistencies include:
- *The provision of infrastructure to adequately service the development is uncertain with respect to timing and funding. As such, PPC61 is unable at this stage of ensuring that infrastructure is funded and staged to integrate with the growth enabled by it.*
  - *By enabling extensive development of the land to precede the provision of the RTN and FTN services, PPC61 would increase the demand for private vehicle trips.*
  - *PPC61 locates the higher-intensity zones and higher trip-generating activities in locations outside the RTN and FTN walkable catchments, not allowing them to be efficiently served by key public transport services.*

## 3) The form of development

224. Mr Edwards does not agree with the indicative walking catchment shown in the Commute ITA (Figure 2-2), nor the assumptions behind its establishment (i.e. 1.5km walking distance as a practical limit). This was considered an important issue as the walking catchment and access to the public transport network has been used to justify the THAB zoning on the southern end of the plan change area.
225. Mr Edwards states that the THAB zone should be applied in areas within a walkable distance to either a frequent or rapid transit network. This is supported by the zoning principles. As well, the traffic modelling uses low-traffic generation rates which inherently assumes a high public transport mode share, either by train or bus. It is therefore essential to ensure the zoning pattern and form of development integrates transport with land-use or otherwise risk a car dependent suburb
226. Mr Edwards considers that a walkable catchment is typically 400-800m in optimal conditions (i.e. flat terrain, straight line). This is equivalent to a 5-10 minute walk. Mr Edwards cites the Ministry for the Environment guidance notes which recommends a minimum walkable catchment to be 800m. The following diagram (**Figure 32**) is from the Arrive report showing the walking distance from indicative future rapid and frequent transit routes, with an accompanying explanation:

*The locations of bus stops along Jesmond Road are not yet known; however, they would typically be located around 400-600m apart, so a catchment distance of 500m from Jesmond Road has been used to provide an approximate 800m walking distance from bus stops. A greater walking distance from the rail station*



has been used given the higher accessibility provided by the rail services. At the time of writing the location of the Drury West station has not been confirmed, and the currently preferred location has been used with 800m and 1200m distances shown.

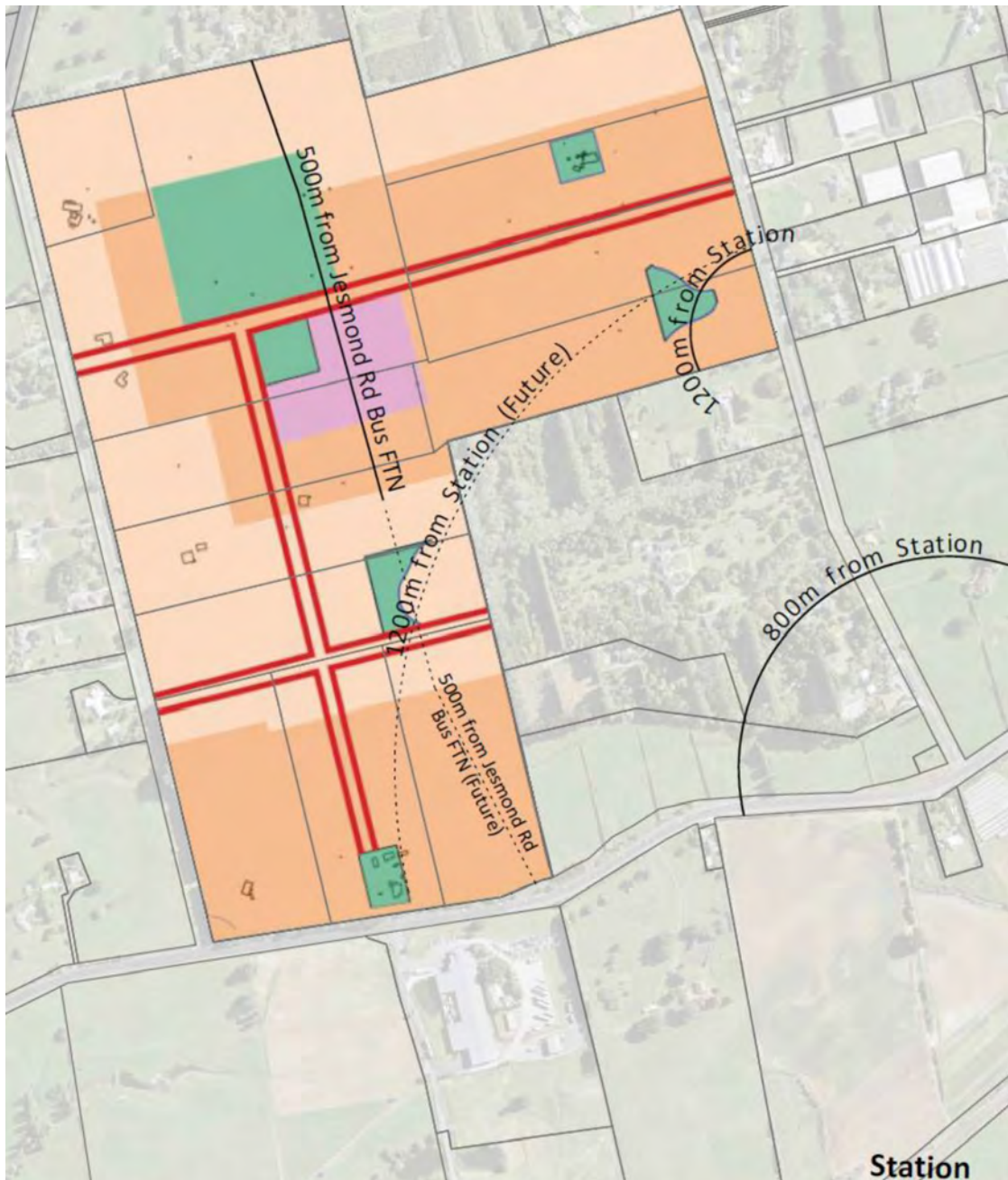


Figure 32: Walking distances from FTN (rail) and FTN (bus) services

227. For access to the future FTN on Jesmond, **Figure 32** above shows two separate extents of a 500m walking distance from Jesmond Road. The solid line shows the distance assuming the neighbour site to the south-east of PPC61 is not developed. The dotted line shows the distance assuming that the neighbouring site is developed, and urban paths have been formed.

228. For access to the Drury West Station (RTN), **Figure 32** above shows walking distances (800m and 1,200m – solid lines) to the station assuming the neighbouring site to the south-east of PC61 is not developed. The dotted line shows the distance (1,200m) assuming

that the neighbouring site is developed, and urban paths have been formed. It is assumed that a connection over SH22 is available under both scenarios.

229. The following conclusions has been made following analysis of the above map:

- *Little of the PPC61 area is within the walkable catchment of the rail station (RTN), although some parts of the area could be within 1200m walking distance of the station at some point in the future.*
- *Approximately half of the proposed neighbourhood centre is outside the Jesmond Road FTN.*
- *Much of the northern THAB area is more than 500m from the Jesmond Road FTN.*
- *None of the southern THAB area is within the initial walking catchment; however, once the SH22 footpaths are constructed and the neighbouring land is developed, a small part of the southern area may be within the RTN walking catchment.*
- *The north-eastern part of the PPC61 area is within the FTN walkable catchment but is zoned MHU rather than THAB.*

230. Given the above points, the following recommendations in respect of the zoning proposed for PPC61 is as follows:

- All land within 500m of Jesmond Road can be zoned THAB
- All land not within 500m of Jesmond Road to be zoned MHU
- All land within 1200m of the rail station can be zoned THAB
- Move and reduce the BNC zone so that the entire zone sits within 500m of Jesmond Road

#### *Design and location of proposed collector roads*

231. Mr Edwards has provided an assessment of the proposed collector roads indicated on the precinct plans. The northern east-west road proposed as part of PPC61 is approximately 80 metres north of the collector proposed under the DOPPS ITA. The remaining collectors proposed in PC61 were not indicated in the network under the DOPPS ITA. The recommendations for these collector roads, based on the reasons set out in Section 5.1.1 of his report are:

- The relatively small change in location of the northern east-west road should not pose a significant issue provided that connectivity further east is maintained.
- Remove the north-south collector road, or move it further east so that it is about halfway between Oira Road and Jesmond Road and extend it northwards to connect with the neighbouring land.
- The southern east-west road can be removed, if the southern part of the Plan Change area is not zoned THAB.

232. The precinct provisions have proposed the inclusion of an indicative cross-section for collector roads with accompanying standards. Mr Edwards recommends that the cross-section and standards are deleted for the following reason:

*Unless there are exceptional site-specific circumstances, best-practice is to refer to regional design standards and guidelines for the width and design of roads, and*

*precinct provisions should merely indicate where essential roads are to be located. There are no exceptional circumstances for PPC61, so it is recommended the cross section and standard be deleted.*

## **5) Effects on the transport environment**

233. In Section 6 of the Arrive transport report, Mr Edwards has raised concerns over key assumptions made by the applicant, which have under-estimated the potential traffic effects of the plan change. These assumptions are grouped into sub-sections and discussed below.

### Walkable catchments

234. As discussed above, parts of the plan change area lie outside of a walkable catchment in terms of access to a FTN or RTN network. The assumed walkable catchment in the Commute ITA is considered to be overly optimistic and does not consider the availability of safe pedestrian footpaths and connections over Karaka Road (SH22).

### Residential and Business trip generation

235. The residential trip generation rates assumed in the Commute ITA and traffic modelling are on the low side, particularly when considered against the site's variable access to public transport services. The trip rates used appear to assume that the entire Plan Change area will have access to public transport of a level that appropriates the 0.65 trips per hour rate. Mr Edwards does not agree with this assumption:

*The adoption of low trip generation rates that reflect good access to public transport services is appropriate only for the eastern half of the area once Jesmond Road has been upgraded and the FTN service along with RTN services at Drury Station are operational. The trip rates used in the PPC61 ITA and the further information assessment are too low to assess the whole PPC61 area, particularly for the early years. This is exacerbated by the assumption that early development would be accessed only from Oira Road with no road link to Jesmond Road.*

236. In terms of the business trip generation rate, Mr Edwards notes that the internal capture of trips (80% of trips generated by BNC to remain within PPC61) and the proportion of trip distribution (trips to the east underestimated) rates should be revised in order to be more realistic.

237. As well, the trip generation rates from the medical centre and other activities (i.e. hotel, offices, retail) in the proposed BNC has not been adequately accounted for. It is stated that the purpose of the BNC is to serve the surrounding area and is not expected to attract trips from the wider network. However, the above activities will likely generate demand for trips from outside the immediate plan change area.

### Mode share

238. The PPC61 ITA relies on the transport assessment and modelling undertaken for the DOPPSP ITA and assumes that the utilisation of public transport will be at similar levels as that assumed in the SGA modelling. This assumption was not accepted by Mr Edwards.

239. The DOPPSP ITA predicts that in 2028 14% of trips in the DOSP area will be made by public transport, increasing to 20% by 2048. Mr Edwards notes that these rates are akin to the mode share rates in central-Auckland locations close to RTN rail services (e.g. Newmarket and Morningside). When applying these expectations to PC61, Mr Edwards notes that only the eastern part of the PC61 area is within the walking

catchment of FTN and RTN public transport services. Therefore, it is expected that the overall level of public transport usage would be lower than that assumed in the DOPPS ITA analysis while the number of private vehicle trips would likely increase.

240. As part of the council's Clause 23, the requestor was asked if an update of the ITA was required to address the effects of the high growth scenario (2,800 dwellings). The response stated that the future road network has been determined, and the capacity of that future network is fixed, with further roading upgrades being unnecessary as any additional demand will be met by public transport utilisation following the wider road network reaching capacity. It seems the requestor anticipates that any additional demands on the transport network resulting from a doubling of yield (1,400 to 2,800 dwellings) will be mitigated through additional public transport usage. This argument was not accepted by Mr Edwards for the reasons above, particularly noting that PPC61 is seeking the application of more intensive zoning to areas outside the walkable catchment of the FTN and RTN networks. Mr Edwards makes the following conclusion:

*In my view, the additional yield sought by PPC61 compared with the yield assumed in the DOPPS ITA would result in a reduction in the average public transport mode share, and a significant increase in the number of private vehicle trips on the road network.*

#### Parameters used in traffic modelling

241. As noted earlier, trip generation rates have been under-estimated and trip distribution proportions are under-estimated in certain directions. As these assumptions inform the traffic modelling of the Jesmond Road/Karaka Road and Oira Road/Karaka Road intersections, the capacity of the intersections is likely be reached with fewer dwellings than what the modelling assumes the intersections can accommodate (i.e. 2,000 dwellings).
242. Development outside of PPC61 (within the MSM Zone 562) and traffic generation from business and medical centre activities in the neighbourhood centre has not been adequately accounted for and will likely further reduce the capacity of the upgraded intersections.

#### Access to public transport services

243. The requestor has made zoning decisions based on assumptions around the availability of public transport services and provision of infrastructure required to access such services.
244. The rationale for the THAB zoning in the southern part of the plan change area largely relies on the availability of a bus service (assuming a FTN service given the THAB zoning) along Karaka Road. As discussed above, the future service along Karaka Road will likely be a local/collector service and bus stops are not anticipated in the short-medium term.
245. Due to the assumed high uptake of public transport, further consideration on ensuring infrastructure and services to support non-car-based travel is available in line with development within the precinct is required.

### Staging of development

246. The applicant has proposed one staging provision in the precinct. This provision would require RD consent for any development after 2000 residential dwellings have been consented within PPC61. The purpose of this provision is to ensure the performance of the intersections between SH22/Oira Road and SH22/Jesmond Road are performing to acceptable standards prior to the completion of wider transport infrastructure in the DOSP area.
247. Mr Edwards has recommended that this staging provision be replaced in its entirety. Mr Edwards does not believe that the provision as notified, provides for an adequate outcome and there is insufficient evidence to robustly determine the appropriate staging thresholds or triggers.
248. In addition to the uncertainties around a robust trigger, there are also significant concerns that the transport infrastructure needed to support PPC61 may not be delivered in a manner that integrates with development in PPC61. As notified, the plan change could allow a yield nearly three times that predicted by the MSM without providing any means of coordinating development with the provision of operational bus and rail services, as well as the infrastructure required to connect the plan change area to these services (i.e. Jesmond Road extension to the station and upgrades to Karaka Road to enable walking and cycling access). As a result, rather than relying on a specific trigger (i.e. 2000 consented dwellings) as proposed, the following series of thresholds has been recommended by Mr Edwards to ensure appropriate infrastructure is available to support development of the precinct:

#### Purpose:

• To integrate development with the provision of transport infrastructure to ensure the ongoing safe and efficient functioning of the transport network.

1. No subdivision or development with vehicular access to Oira Road shall occur prior to the provision of a two-lane roundabout with approach lanes at the intersection of Oira Road and Karaka Road and the upgrading of Oira Road to an urban collector standard along the frontage of the PPC61 area;

2. No subdivision or development with vehicular access to Jesmond Road shall occur prior to the intersection of Karaka Road and Jesmond Road being controlled by either a two-lane roundabout with approach lanes; or traffic signals with three approach lanes and two departure lanes on each road.

3. No subdivision or development providing for non-residential activities generating more than 100 external vehicle movements per hour or more than 500 dwellings total within the precinct shall occur prior to all the following infrastructure being provided:

a. Passenger rail services at the Drury West rail station with vehicular and pedestrian access links from Karaka Road

b. Frequent bus services along Jesmond Road

4. No subdivision or development providing for non-residential activities generating more than 200 external vehicle movements per hour or more than 1000 dwellings total within the precinct shall occur prior to all the following infrastructure being provided:

a. Four vehicle lanes and separate walking and cycling infrastructure on Karaka Road between Oira Road and Jesmond Road.

249. The above provisions also seek to address the likely safety effects on existing rural roads. Upgrades to intersections (roundabout or traffic signals) and roads to urban standards (Oira Road to a collector Standard) are requirements if development requires vehicular access to Oira Road or Jesmond Road.

250. Mr Edwards notes that in the event additional evidence is provided demonstrating a greater level of development could be accommodated, for example once the Pukekohe Expressway is operational, it may be desirable to add the following to the aforementioned provision:

5. No subdivision or development providing for more than 2000 dwellings within the precinct shall occur prior to the Pukekohe Expressway being provided.

251. Any activity or subdivision that does not comply with the threshold standards will be a non-complying activity.

*Summary*

252. Taking the above sections into consideration, the key matters which require resolution are as follows:

- Mr Edwards has concerns about the assumptions made that has been relied upon for establishing the land use pattern in PPC61 as notified. As well, the parameters used for the traffic modelling should be refined to provide more realistic results.
- Mr Edwards is also concerned about areas proposed for THAB and BNC zones which are located in areas outside of a walkable catchment for public transport services. The traffic modelling uses low-traffic generation rates which inherently assumes a high public transport mode share, either by train or bus. It is therefore essential to ensure the zoning pattern and form of development integrates transport with land-use or otherwise risk creating a car dependent suburb.
- Mr Edwards has requested additional consideration be given to the road connections between the plan change area and adjoining land. This includes ensuring the continuity of the collector road network eastwards to allow provision of the DOPPSP ITA East-West Connector.
- Mr Edwards is of the view that the plan change as notified is not consistent with the NPS-UD or AUP RPS for reasons set out in Section 4 of his report. Unresolved issues include uncertainties around the funding, staging and form of supporting transport infrastructure which is being delivered by third parties. As well, the zoning pattern does not support a high level of public transport mode share which is critical for reducing private vehicle trips and dependency.
- In terms of effects on the transport network, Mr Edwards concludes that the transport assessment does not provide evidence that the provisions sought by PPC61 can be accommodated by the planned road network. Mr Edwards notes that the assessment, even while under-estimating the effects of the plan change, demonstrates that the effects cannot be accommodated by the transport environment, irrespective of the funding and timing of the transport infrastructure that may be delivered.

253. Mr Edwards is unable to support the plan change as notified as the effects of the plan change on the transport environment has not been adequately assessed. Mr Edwards has recommended several modifications to the plan change, which need to be accompanied by further analysis and evidence to demonstrate that the modified proposal could be accommodated by the road network.

*Comments*

254. I generally agree with Mr Edward's analysis and his recommended amendments. My comments on the key issues are set out below.

*Staging*

255. The infrastructure required at full build-out (DOPPSP ITA 2048+ scenario) is clear. However, the interim network required to support development as the Drury West area is progressively built up is unclear. To help manage this uncertainty, I agree with the approach recommended by Mr Edwards that development should be limited depending on the infrastructure available at the time of subdivision/development; this will be managed in the precinct through the use of staging provisions as discussed above.

256. The provisions recommended above allow for the uncertainties around the timing, funding and delivery of transport infrastructure. It allows for some development to occur, which based on the MSN modelling, SGA ITA and traffic modelling undertaken by Commute, is predicted to be reasonably accommodated by the interim transport network. Additional development above the prescribed levels will require assessment and will need to take into account the available transport infrastructure at that time.

257. As noted by Mr Edwards, once the Pukekohe Expressway is operational, it may allow the level of development closer to that sought by the requestor. However additional assessment is required before this is confirmed.

*Location and design of collector roads*

258. Having considered Mr Edwards' comments on collector roads within in the precinct, I recommend the following modifications to Precinct Plan 3:

- Retain the northern east-west collector in its current location
- Remove the north-south collector road and replace with an indicative local road
- Remove the southern east-west collector road and replace with an indicative local road

259. As discussed above, Mr Edwards does not consider that a slight change to the location of the northern east-west collector relative to the structure plan location is a significant issue, provided an eastward connection to form a contiguous collector network is possible.

260. The feasibility of a continuous eastwards' connection has not been considered in the application. Some potential issues are discussed below:

- **Figure 33** shows the collector network in Precinct plan 3 overlaid onto the Jesmond Road FTN NoR (Project D2); it is acknowledged that this is a very rough overview as the collector roads may not be correctly scaled. It does show however that the collector road at its current location, may not be able to

directly continue eastwards due to the wetland proposed as part of the NoR being in its path.



Figure 33: Collector roads and Jesmond Road NoR

- There is some uncertainty as to how this east-west collector will connect eastwards towards the collector network in PPC51. No high-level feasibility studies have been undertaken to determine if a connection is viable between PPC61 and PPC51 collectors as they are currently proposed. **Figure 34** overpage shows PPC61 and PPC51 overlaid on the network proposed in the DOPSP ITA (with DW-EW-3 emphasized). Given that the final locations of collector roads need to be confirmed within both plan change areas before a link can be made, I consider retaining flexibility in the location of the PPC61 collector road is appropriate. Additional discussion around this is provided in section 10.2.4 of this report in response to AT's submission (submission point 22.16).



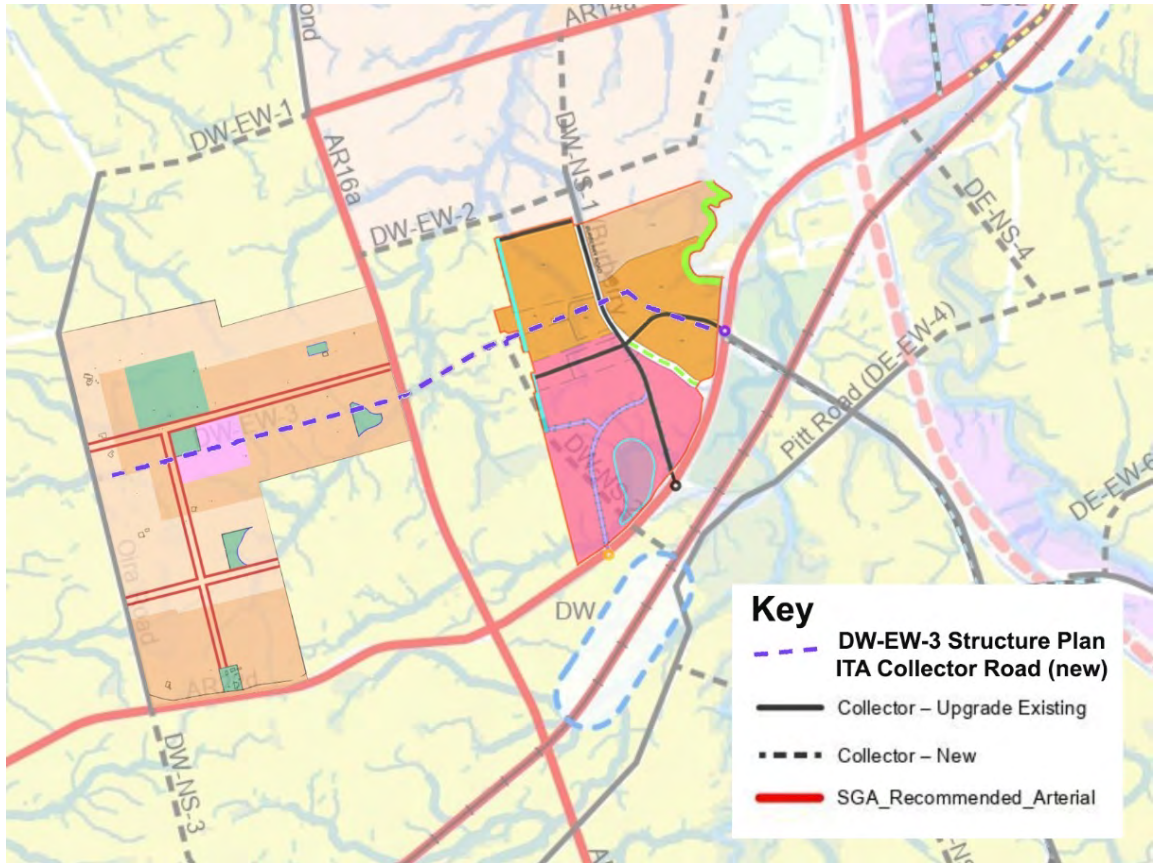


Figure 34: Comparison between DOPSP ITA collector road (DW-EW-3 in purple) and proposed networks in PPC51 and 61

261. Given the uncertainties noted above, I agree with Mr Edwards that some flexibility on the location of the northern east-west collector is required with the exact location of the road to be determined at the resource consenting stage. The key in Precinct Plan 3 should be modified to note that the location of the collector road is 'indicative'.
262. In my view, indicative local roads can be shown on Precinct Plan 3 as they do provide a structuring role within the precinct. The proposed modifications to Precinct Plan 3 are shown in **Figure 35**.

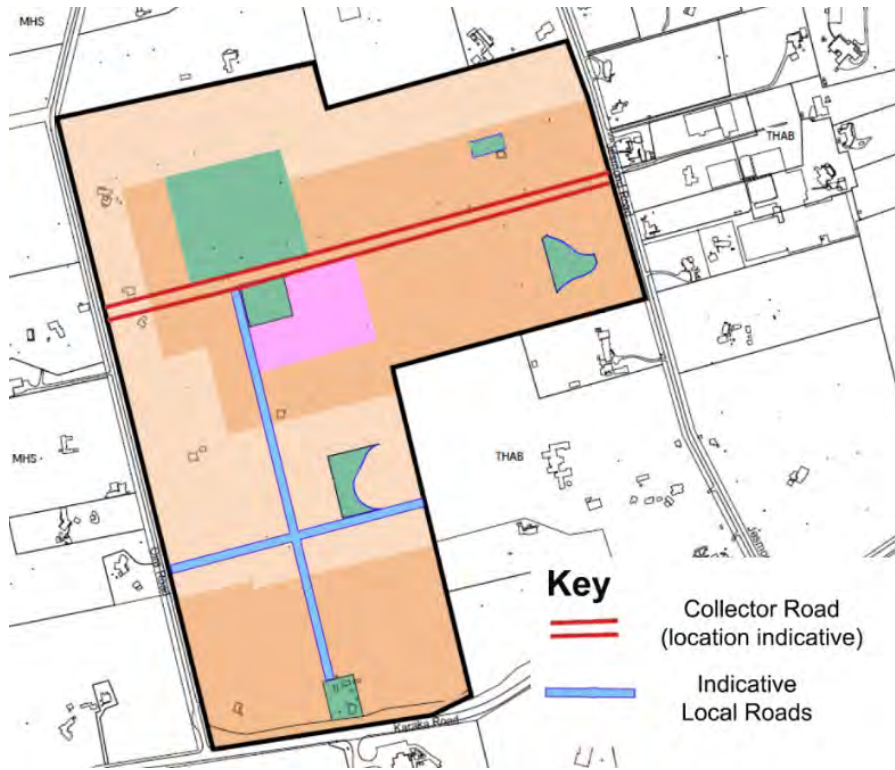


Figure 35: Road network within PC61

263. Given the flexibility required for the location of the collector road, a permitted activity status in the notified provisions for the construction of a collector road identified on Precinct Plan 3 is not appropriate. Council would need sufficient discretion at the resource consenting stage to consider the design and location of a collector road. I recommend that the delivery of a collector road is at least a Restricted Discretionary activity in the precinct Activity Table (see section 11.4 and Appendix 7 for tracked changes). The matters of discretion and assessment criteria are set out in section 11.7.

264. I agree with Mr Edwards' that the indicative cross-section for the collector roads, and associated standards proposed in the precinct be deleted. More detail is provided in the response to AT's submission (submission point 22.17) in section 10.2.4.

*Public transport and walkable catchments*

265. The following (**Figure 36**) is taken from AT's Future Connect map and shows the potential public transport network (First Decade) with Jesmond Road providing a FTN bus service, and the Drury West train station providing a rapid train service. The location of the Drury West station (indicative location), as well as indicative bus stops (taken from the Drury Arterial NoR's) have been overlaid onto the Future Connect map. Generally, the eastern parts of the plan change area look to be well serviced by public transport.

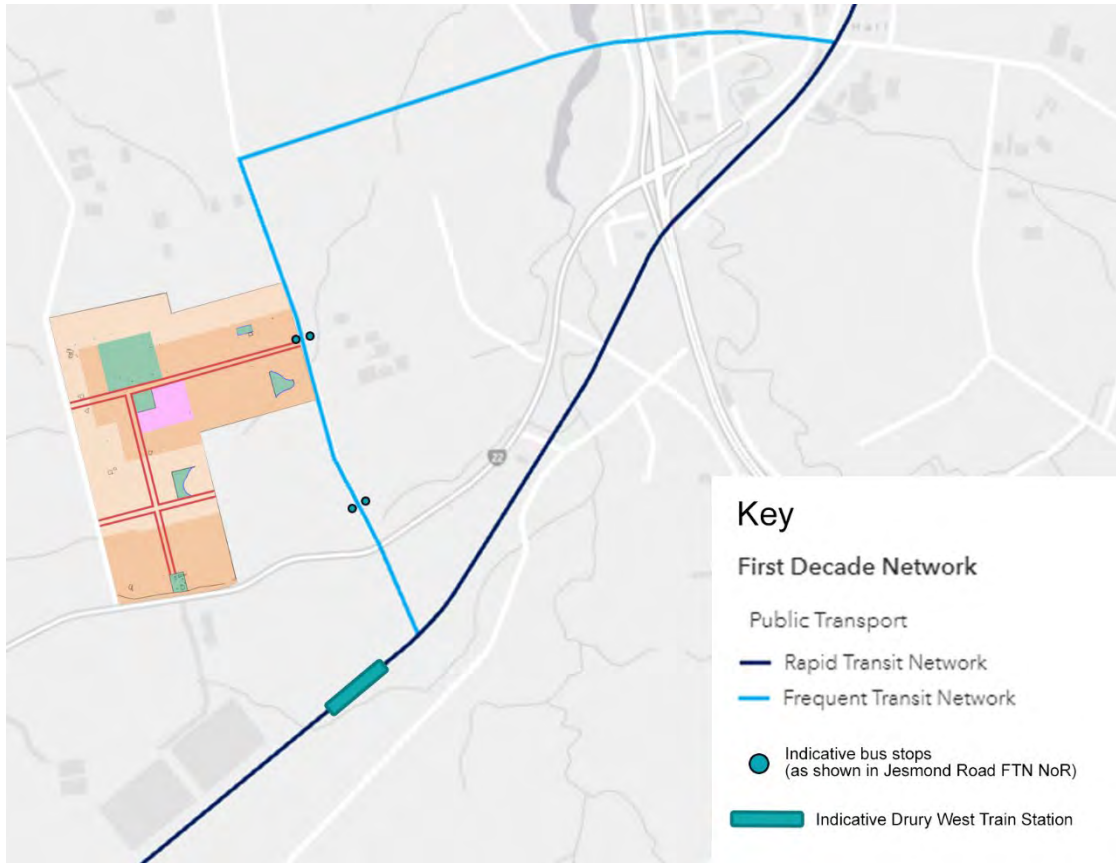


Figure 36: Map of public transport (First Decade) with indicative bus stops and train station

266. There are several positions taken by council and AT with respect to walkable catchments. For example:

- AT's Urban Street and Road Design Guide (2019) notes that a <10 minute walk to a Frequent Bus service and a < 20 minute walk to a rapid transit (bus or train) service is 'acceptable'. Assuming a 5km/hr walking speed for the average person, the equivalent distances are 830m and 1,660m respectively.



Figure 37: Acceptable travel times (extract from AT's Urban Streets and Road Design Guide)

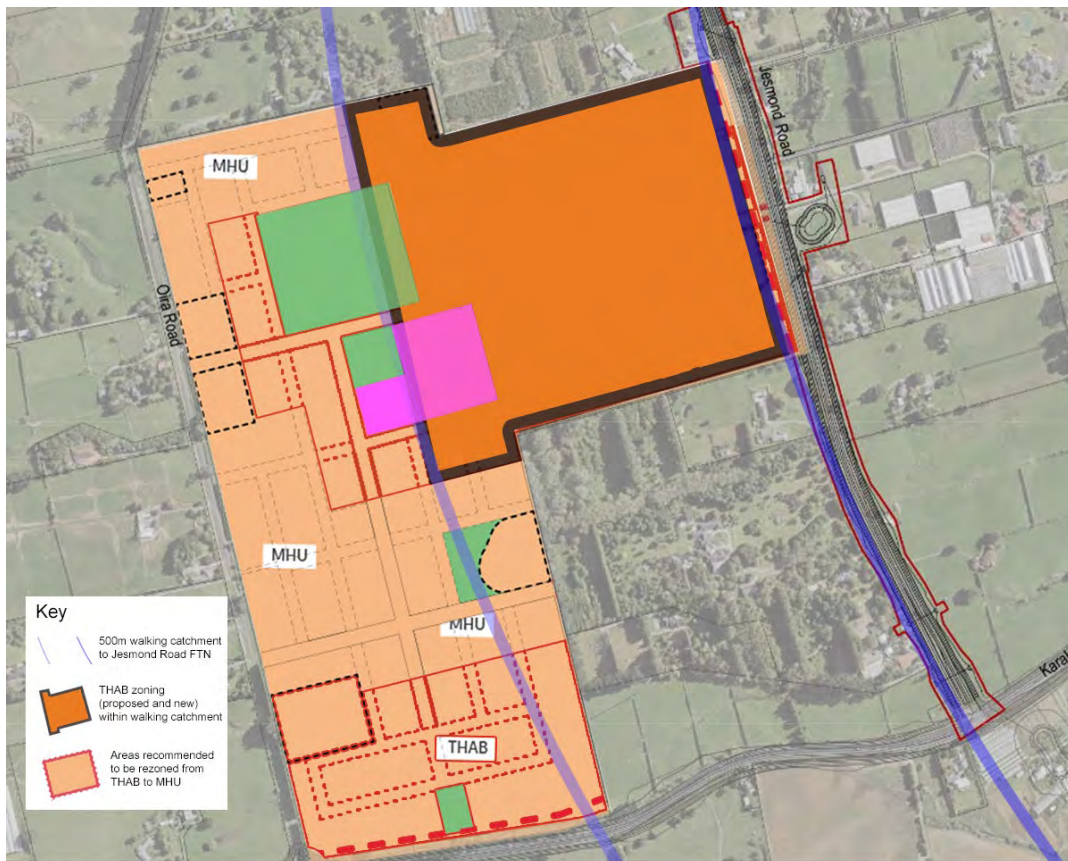
- Council’s planning committee has endorsed an 800m walking catchment from RTN’s and Metropolitan centres. The walkable catchments will be measured by actual pedestrian routes rather than ‘as the crow flies’. The 800m walking catchment is a starting point and can be modified depending on environmental and local factors.
- In AT’s evidence on behalf of Auckland Council for Topic 080 (Rezoning and Precincts), 400-500m was the walkable distance to an average public transport service and 800-1000m was the walkable distance to services of higher quality (could be referring to RTNs – ‘those that run on their own right of way’).
- Auckland Council considered 250m to be the ‘moderate walking distance’ as part of the PAUP process.

267. While council’s position on walking distances to the RTN service is clear, the distance to a FTN is less so. I will adopt the recommendations of Mr Edwards and apply the 500m walkable catchment for access to FTN bus services. **Figure 38** below shows a 500m walking catchment as measured from Jesmond Road.



**Figure 38: Walking catchment from Jesmond Road**

268. I consider that the high intensity THAB zones are best located within a walkable catchment to the FTN bus service on Jesmond Road, in line with Mr Edward’s recommendations. The proposed amendment to the THAB zone is shown in **Figure 39** overpage.



**Figure 39: Recommended modifications to zoning**

269. The walking distances from the plan change area to the Drury West train station is somewhat difficult to ascertain as the location of the station, and the access points from the roads to the station is yet to be confirmed. **Figure 40** and **Figure 41** overpage show the distances between the edges of plan change area to the station, assuming Jesmond Road and Karaka Road have walking facilities, and the Jesmond Road extension to provide access to the station has been built. The 'main gateway' into the station and the location of the station itself are also assumed.
270. The distances mapped here show that walking to the train station from the plan change area requires covering more than 1km, which is basically what Mr Edwards' assessment (shown on **Figure 32**) previously showed.
271. In terms of the NPS-UD, the plan change area would be outside the walkable catchment ('around 800m' as endorsed by council's planning committee) where implementation of increased building heights and density of urban form under Policy 3 would be required by 20 August 2022 (publicly notified plan change to the AUP).

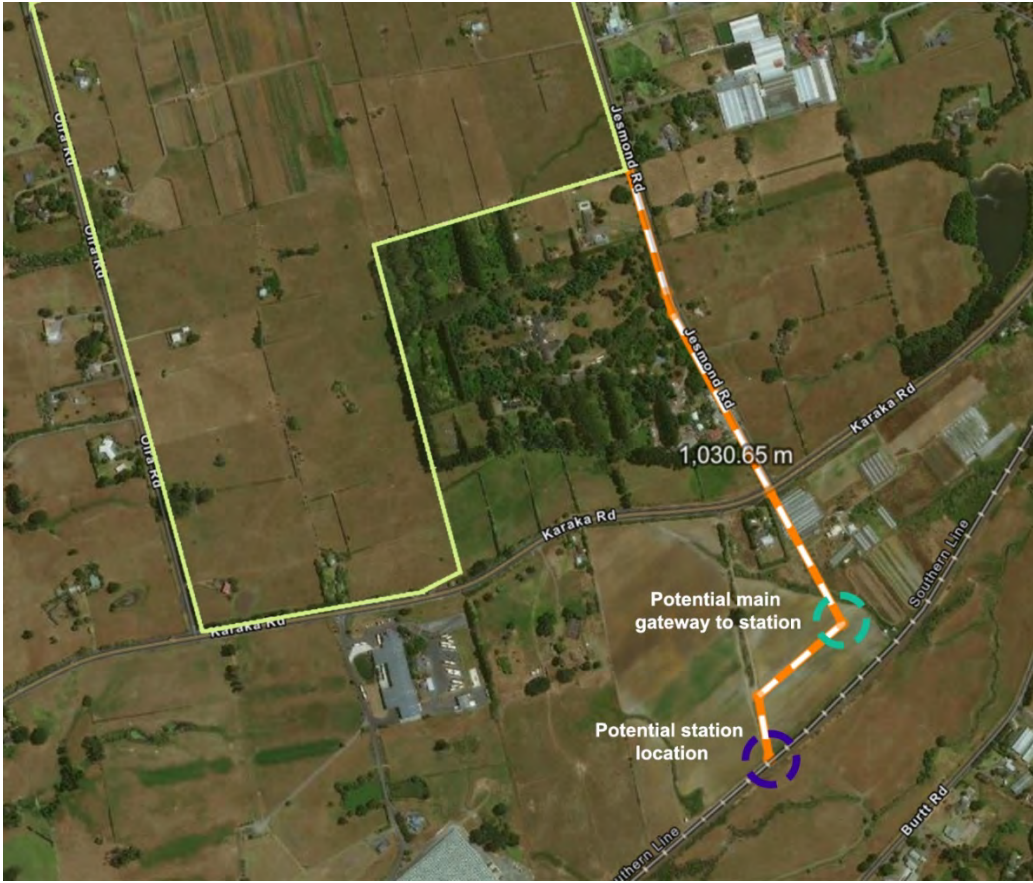


Figure 40: Walking distance along Jesmond Road to potential Drury West station location



Figure 41: Walking distance along Karaka Road (SH22) to potential Drury West station location

## Transport Infrastructure

272. To ensure infrastructure provision is integrated with development, and to ensure the safety and efficiency of the road network, I do not believe the implementation plan as set out in section 11 of the Commute report is sufficient. It may be in the interim, but not at full build out assuming the high yield scenario (2,800 dwelling). I do not believe that the implementation plan should be limited to addressing 'local effects' if the high yield scenario is to be realised because as PC61 is built up, it will be reliant on transport infrastructure planned to support the wider structure plan area.
273. The urbanisation of Drury West will require a number of transport infrastructure upgrades to support development of local transport networks and to mitigate any effects on the wider strategic network.
274. SGA have set out the final transport network required for the DOSP but work is continuing on the funding and staging of transport infrastructure, including interim solutions and also responding to plan changes in the Drury area.
275. In January 2020, central government announced the New Zealand Upgrade Programme ('**NZUP**') package of investments. The infrastructure upgrades of particular relevance to Drury West are summarised in **Table 10** below.

**Table 10 – Transport infrastructure upgrades funded by NZUP**

Upgrades	Status / Funding
SH1 Papakura to Drury South (six lanes plus shared path)	Funded by NZUP. Construction has started and is expected to be completed in late 2025.
Electrification (Papakura to Pukekohe)	Electrification of the railway track between Papakura to Pukekohe is funded by NZUP. Enabling works for electrification are underway.
Drury West and Drury Central Stations	Funded by NZUP. Expected to be completed by 2025.

276. To support the NZUP investments, the Auckland Transport Alignment Project 2021-2031 identified \$243 million funding for transport infrastructure in the Drury and Paerata growth areas. This was committed to in the Regional Land Transport Plan 2021-2031 which set out \$250 million to support the accelerated development of the Drury growth area through public transport links, including to the new Drury rail stations.
277. Aside from the projects identified in NZUP, there are a substantial number of projects identified by SGA as being necessary for enabling urban development in Drury West. Some of these projects are the subject of NoR's issued by SGA agencies (Auckland Transport and Waka Kotahi).
278. The funding and timing of infrastructure considered relevant for development of PPC61 are summarised in the following table. There are projects clearly linked to PPC61 (i.e. required to mitigate effects arising from future development within PPC61) and projects that are required to facilitate development in the wider area (i.e. urbanisation of Drury West). Those projects which are clearly linked to PPC61 should be developer funded while those required to upgrade the wider transport network are typically funded by public agencies. As noted in AC and AT submissions, delivery of infrastructure is constrained by funding. Thus, if development proceeds ahead of the indicated timing of

infrastructure delivery, developer contributions to funding should be sought as they would be the primary beneficiaries of an accelerated timeframe.

Table 11 – Transport infrastructure upgrades relevant to PPC61 and not funded by NZUP

Upgrades	Status / Funding
Upgrade of the Jesmond Road / SH22 intersection to either roundabout or signals	Interim intersection improvements already undertaken. Further improvements are required and expected to be developer funded.
Upgrade of Oira Road/SH22 intersection to either roundabout or signals	Expected to be developer funded.
Upgrade of Jesmond Road to urban standard (likely to include an interim solution prior to completion of final form).	<p>The NoR recently lodged by Auckland Transport / Waka Kotahi for the road has now provided certainty over alignment and protection of the route.</p> <p>Funding for implementation is currently uncertain but expected to be provided so that it is implemented (assumed construction start date) by 2028.</p> <p>This project is estimated to take 1 to 1.5 years to construct.</p>
Upgrade of Oira Road to urban standard	Expected to be developer funded.
Local/Collector roads within the plan change area and the intersection between new collector and Jesmond Road	Expected to be developer funded.
SH22 upgrade to four lane urban road with associated signalised intersections and pedestrian / cycling facilities (likely completed in stages and include an interim solution prior to completion of final form.)	<p>The NoR recently lodged by Auckland Transport / Waka Kotahi for the road has now provided certainty over alignment and protection of the route.</p> <p>Funding for implementation is currently uncertain but expected to be provided so that it is implemented (assumed construction start date) by 2028.</p> <p>This project is estimated to take 2 to 2.5 years to construct.</p>
Pedestrian / cycling links to Drury West Rail station	Walking and cycling links between PPC61 and the train station will require a combination of internal links, the NoR lodged for SH22 upgrade and the Jesmond Road extension to the station.



	<p>The draft 2021-2031 Auckland Regional Land Transport Plan proposes \$250 million to support links to the new Drury stations, with a priority on route protection, property purchase and infrastructure to support bus links. Some funding for active transport links on Jesmond Road extension to access the Drury West train station may be available through this.</p> <p>A NoR for the station is not yet lodged, so unclear to what extent active transport links will be provided, however the indicative footprint does go up to Jesmond Road and shows cycle and walking symbols.</p>
<p>Bus network upgrade linking Waipupuke precinct to the Drury train stations</p>	<p>NoRs lodged for protection of Jesmond to Waihoehoe West FTN project (NoR D2) which will provide bus services to the future Drury train stations. Funding for implementation is currently uncertain, but expected to be provided so that it is implemented (assumed construction start date) by 2028.</p> <p>The Jesmond Road Road FTN Upgrade section is estimated to take 1 to 1.5 years to construct.</p> <p>The Bremner Road FTN Upgrade section is estimated to take 3 to 3.5 years to construct.</p> <p>The Waihoehoe Road West FTN Upgrade section is estimated to take 2 to 2.5 years to construct.</p>

279. In summary, there is currently expected to be funding available for all of the identified upgrades by 2028 and completion of the upgrades by 2031.

280. In the longer term, the SGA's indicative strategic transport network (July 2019) identifies the Pukekohe Expressway from Drury South interchange to Pukekohe along the southern edge of the Drury West future urban area, and an arterial link road from the expressway joining up to Jesmond Road (see **Figure 42** overpage). Further technical investigations and engagement is required, with these projects yet to be prioritised for funding for delivery.

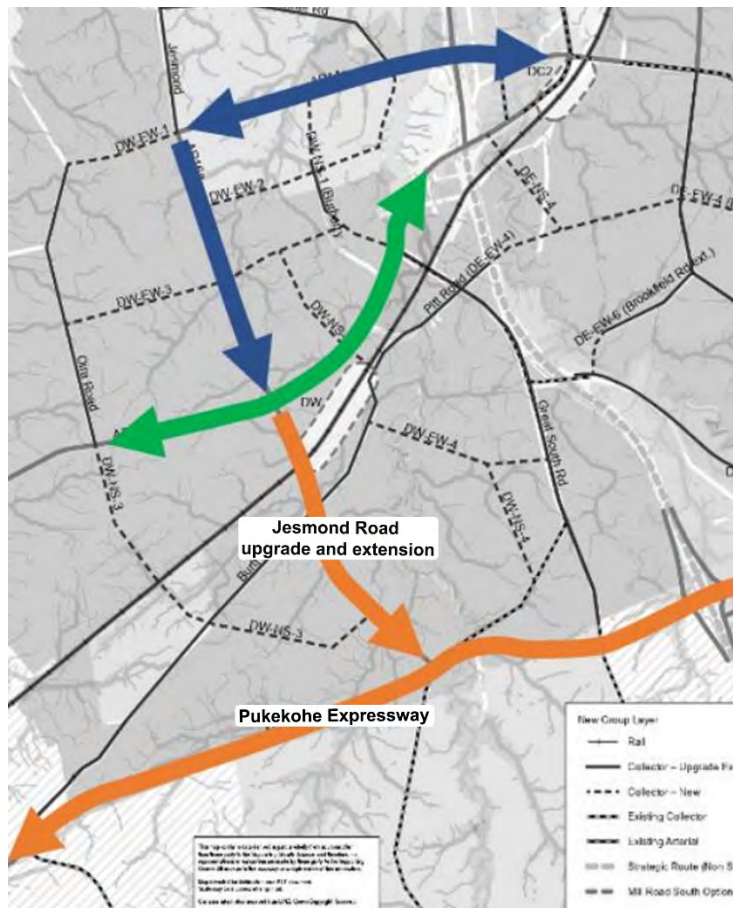


Figure 42: Jesmond Road extension and Pukekohe Expressway

281. As part of council’s Drury Infrastructure Funding and Finance (DIFF) study, a transport assessment (DIFF – Transport Assessment, August 2021, version 0.3) was undertaken to identify a potential staging schedule of transport infrastructure upgrades to support the growth proposed in the Drury area. I have compiled the following map (see **Figure 43**) using information extracted from the assessment to illustrate the potential timing of upgrades of relevance to PC61. I note that the purpose of this assessment is to assist council in considering funding and financing options and there is no commitment from council or AT/NZTA to meet the timing in the staging schedule. It does however provide an indicative timeframe of upgrades needed in response to the lodgement of the Drury plan changes.

282. The timings indicate that provision of transport infrastructure (at least an interim form) would align well with the development timing within Waipupuke (as provided by the requestor and shown on **Figure 43** below). The indicative timings of infrastructure are also comparable to timings set out in Table 10 and 11 above.

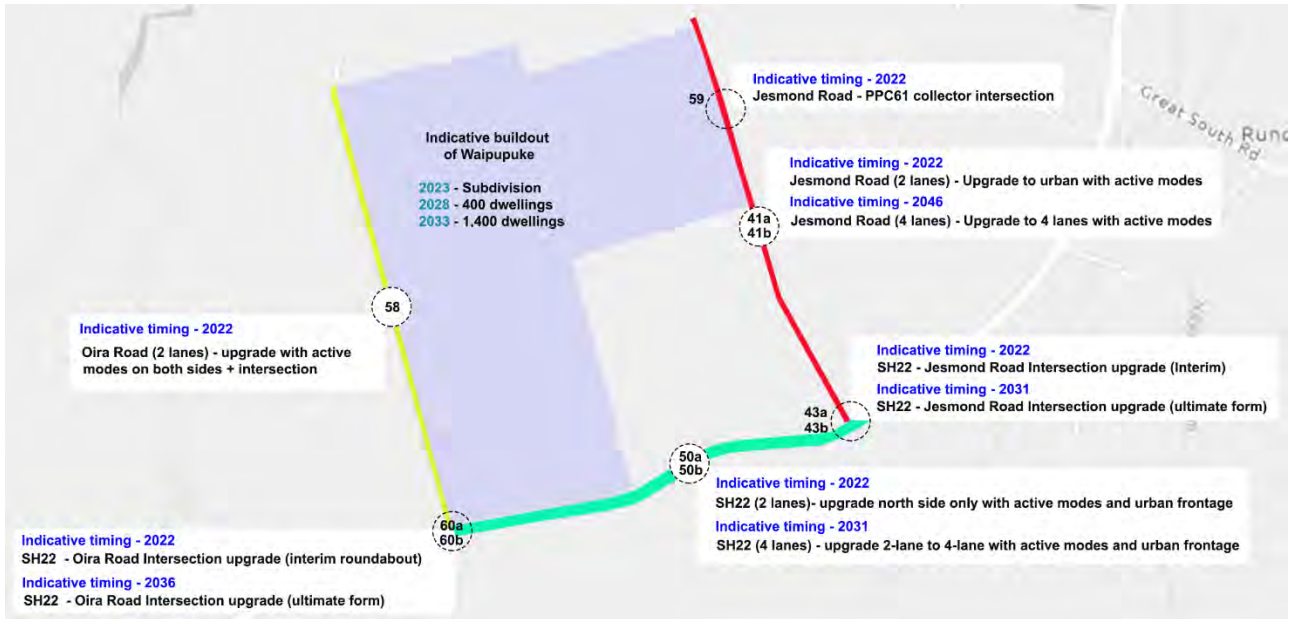


Figure 43: Indicative staging schedule and indicative buildout of Waipupuke

### *Giving effect to the Regional Policy Statement*

283. There is a strong transit-oriented development directive in AUP Chapter B2, with the following sub-clauses being particularly relevant:

*Objective B2.2.1(1) A quality compact urban form that enables all of the following:*

*(c) better use of existing infrastructure and efficient provision of new infrastructure;*

*(d) improved and more effective public transport;*

*Policy B2.2.2(7) Enable rezoning of land ... zoned future urban to accommodate urban growth in ways that do all of the following:*

*(a) support a quality compact urban form; ...*

*(c) integrate with the provision of infrastructure;*

*Objective B2.3.1(1) A quality built environment where subdivision, use and development do all of the following:*

*(d) maximise resource and infrastructure efficiency; ...*

*(f) respond and adapt to the effects of climate change.*

*Policy B2.3.2(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:*

*(a) providing access for people of all ages and abilities;*

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

284. As noted in the Arrive transport assessment, some of the proposed THAB zonings are not particularly well located from a transport accessibility and connectivity perspective. The zoning pattern as notified will not minimise potential vehicle movements and ensure future development is integrated with a safe, efficient transport system that offers mode choice.
285. For the southern THAB zone adjoining Karaka Road (SH22), the proposed location of the Drury West train station is approximately a 1km walk from the edge of the plan change area, as shown on Figure 41. This means the higher density THAB zoning is not within walking distance to the station. Karaka Road in its current form and function (priority on movement and freight) is unlikely to provide an environment conducive for bus services that will service adjacent residential development. When the Pukekohe Expressway is available (timed for 2048+), lower speeds and removal of the State Highway status is likely and this could enable the provision of bus services (local/connector level services).
286. As shown on **Figure 38** above, parts of the northern THAB zone around the neighbourhood centre is outside the walking catchment of the Jesmond Road FTN. Walking distances are also highly dependent on the development, and construction of roads in the adjacent FUZ land (in the south-east corner).
287. Noting the above, I consider that ensuring high density zones are located within a walkable catchment to the FTN network is a critical factor in determining whether the plan change gives effect to AUP RPS objectives in Chapter B2 as listed above. I concur with Mr Edward's assessment that as notified, the plan change provides limited integration with public transport infrastructure and may result in a high level of private car-based travel.
288. The notified provisions also do not adequately address safety issues on surrounding roads which will experience increased traffic from the development. Upgrades to the intersections (Oira Road/SH22 and Jesmond Road/SH22) will likely be required prior to the 2,000 dwelling trigger as recommended in the Commute transport report. Oira Road will also need to be brought up to urban Collector standards, with accompanying walking and cycling access. Standards and policies (see Section 11) are proposed to address these issues and to achieve consistency with the following RPS provisions:
- Objective B2.3.1 (3) The health and safety of people and communities are promoted.*
- Policy B2.3.2 (1) Manage the form and design of subdivision, use and development so that it does all of the following:*
- (a) contributes to the safety of the site, street and neighbourhood;*
- (b) achieves a high level of amenity and safety for pedestrians and cyclists;*
289. My assessment is that unless modifications to the notified provisions and zoning pattern of PPC61, the plan change will not give effect to the RPS provisions of the AUP.

## 9.5 Infrastructure servicing

### Application

290. The proposed servicing of the plan change area is discussed in detail in the infrastructure report prepared by Maven (Attachment J to the application).
291. The Maven report adopts an assumed 3,500 households when providing for water, wastewater and stormwater infrastructure.
292. The plan change area is not currently serviced by any public water, wastewater or stormwater networks. Stormwater drainage is currently provided via watercourses throughout the plan change area.

### Wastewater

293. Watercare assisted Council with the preparation of a Water and Wastewater Servicing Plan to support the DOSP. An indicative servicing plan for wastewater infrastructure was provided as part of structure planning process. **Figure 44** below shows that the Drury West area will connect to the proposed Bremner Road Pump Station (now constructed as part of the Auranga development), which in turn connects to the existing Hingaia Pump station. From there, flows will be carried by the southern interceptor to the Mangere Treatment Plan.

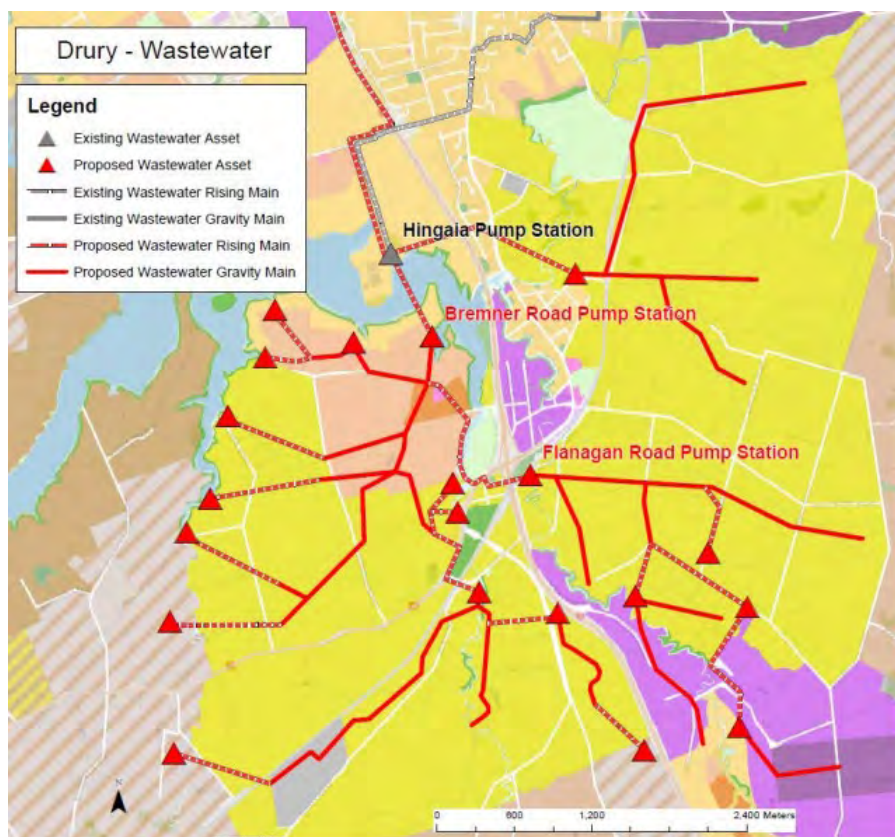


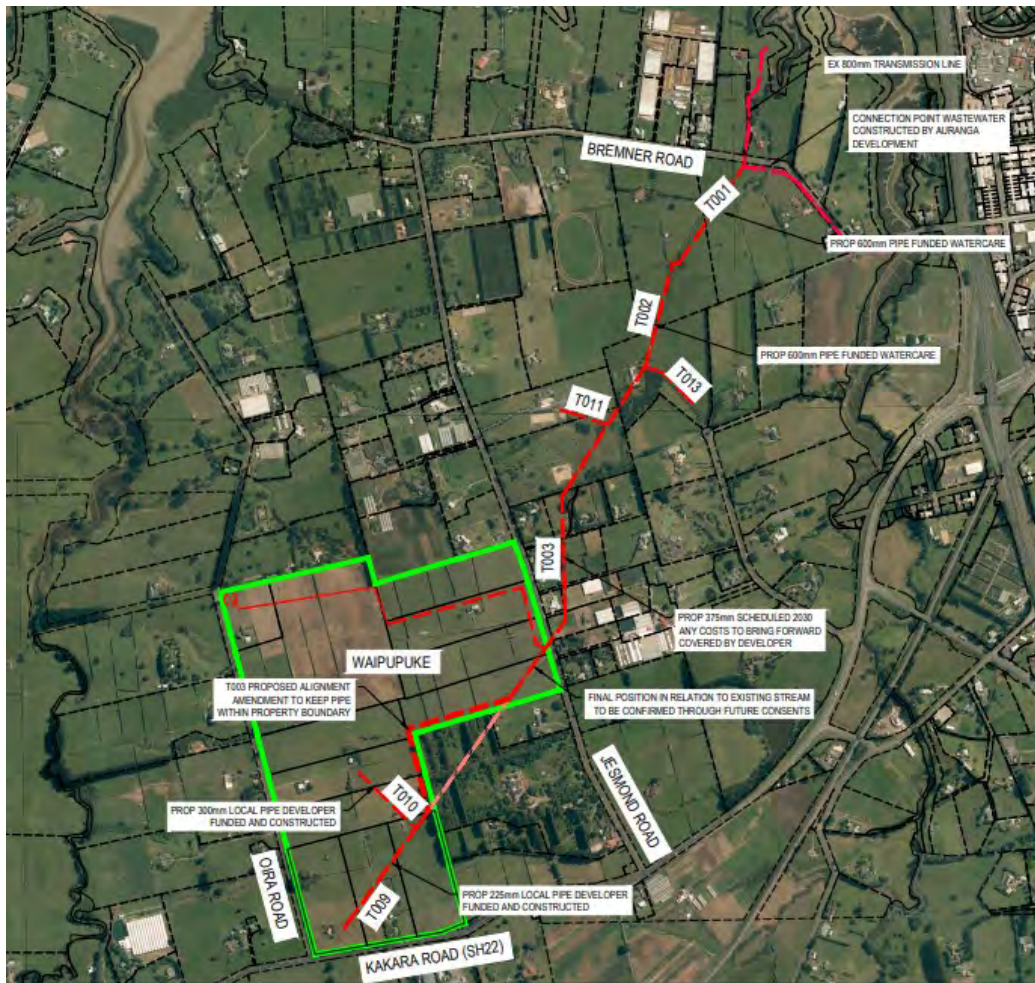
Figure 44: Wastewater servicing plan supporting DOSP

294. The infrastructure report has proposed that a transmission line largely following the alignment indicated by Watercare is extended from the Plan Change area and is connected to an existing wastewater manhole located on Bremner Road. This gravity wastewater network will consist of the following sections of pipe - T001, T002 and T003. Watercare has provided the following comments on the delivery of these sections:

The T001 and T002 sections of pipe are in the concept development phase and have been included in Watercare’s Asset Management Plan for construction in 2028; however these works are currently on hold due to capital budget restrictions imposed as part of Auckland Council’s Covid-19 Recovery Budget and construction timing cannot be confirmed at this stage. The T003 section of pipe is subject to a future workstream which is also currently on hold. Therefore, the projected 2023 timeframe is unlikely to be met.

If the applicant wishes to expedite wastewater servicing of the Plan Change Area before T001 and T002 have been constructed by Watercare, the necessary infrastructure would be required to be fully funded by the developer.

295. The proposed alignment is shown on **Figure 45** below.



**Figure 45: Proposed Wastewater Servicing for PC61**

296. Section 6.2 of the Maven Infrastructure Report notes that transmission lines T001 and T002 are funded by Watercare and will be commissioned in line with project timeframes. This may no longer be the case given Watercare’s comments. There is also uncertainty regarding the timing and funding of the T003 section as an agreement between the applicant and Watercare and Veolia is yet to be reached. The applicant has indicated that they are able to assist with the construction of the T003 section provided that cost sharing is implemented.

297. The site will discharge to the new Bremner Road pump station. The Bremner Road Pump Station will need to be upsized to cater for additional growth beyond the 6,000 Dwelling Unit Equivalents that it was originally designed for. Watercare in their submission on PPC61 has made the following comment:

*The Bremner Road Pump Station will also need to be upgraded when the overall development in the wider Drury area reaches 6,000 dwellings. This is Watercare's responsibility to upgrade; however, the timing will be subject to Watercare's funding plan.*

#### Water supply

298. An indicative servicing plan for water supply infrastructure was provided as part of structure planning process. The map (**Figure 46**) below shows the existing and proposed water supply assets.

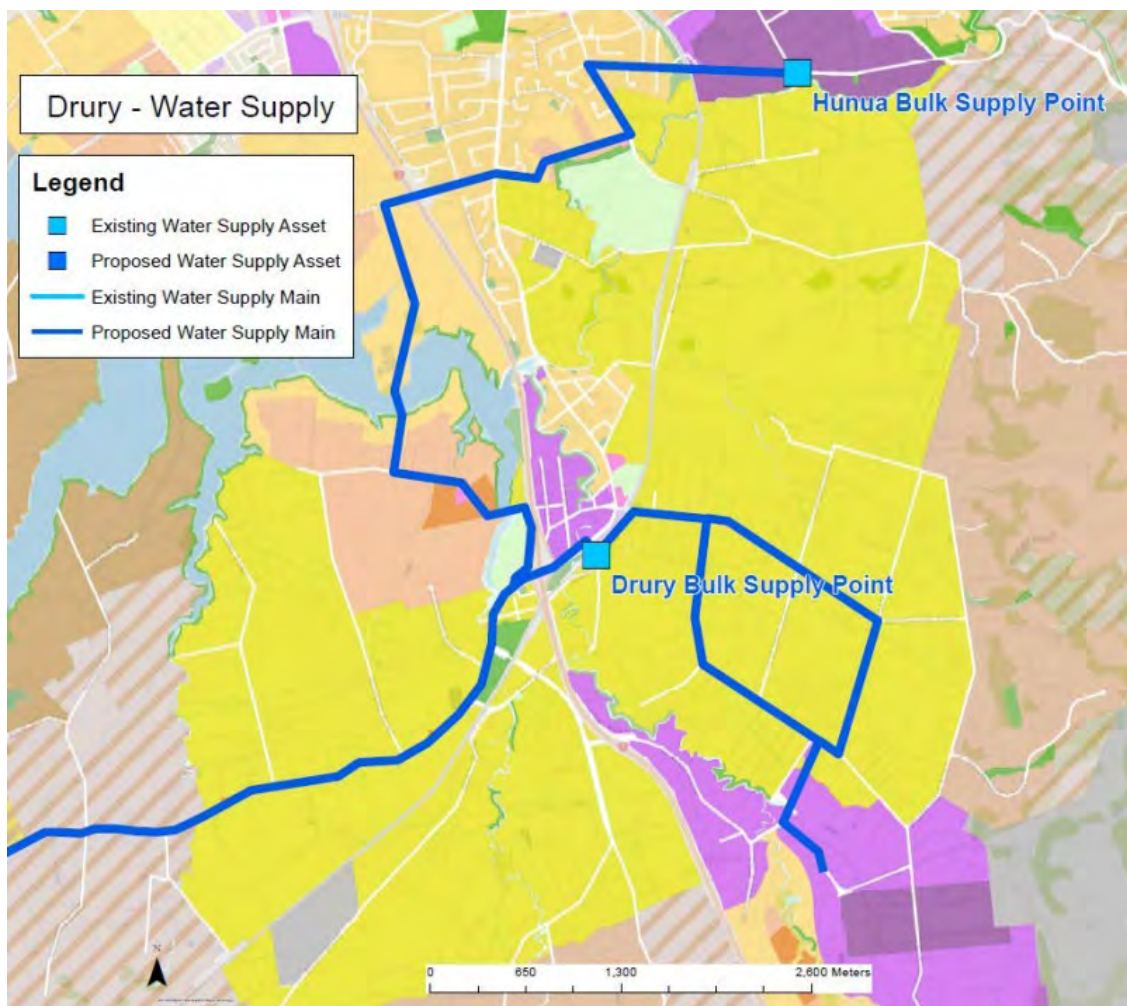


Figure 46: Water servicing plan supporting DOSP

299. The Infrastructure Report has proposed the following option (see **Figure 47**) to extend the network from the existing watermains to service the Plan Change area.

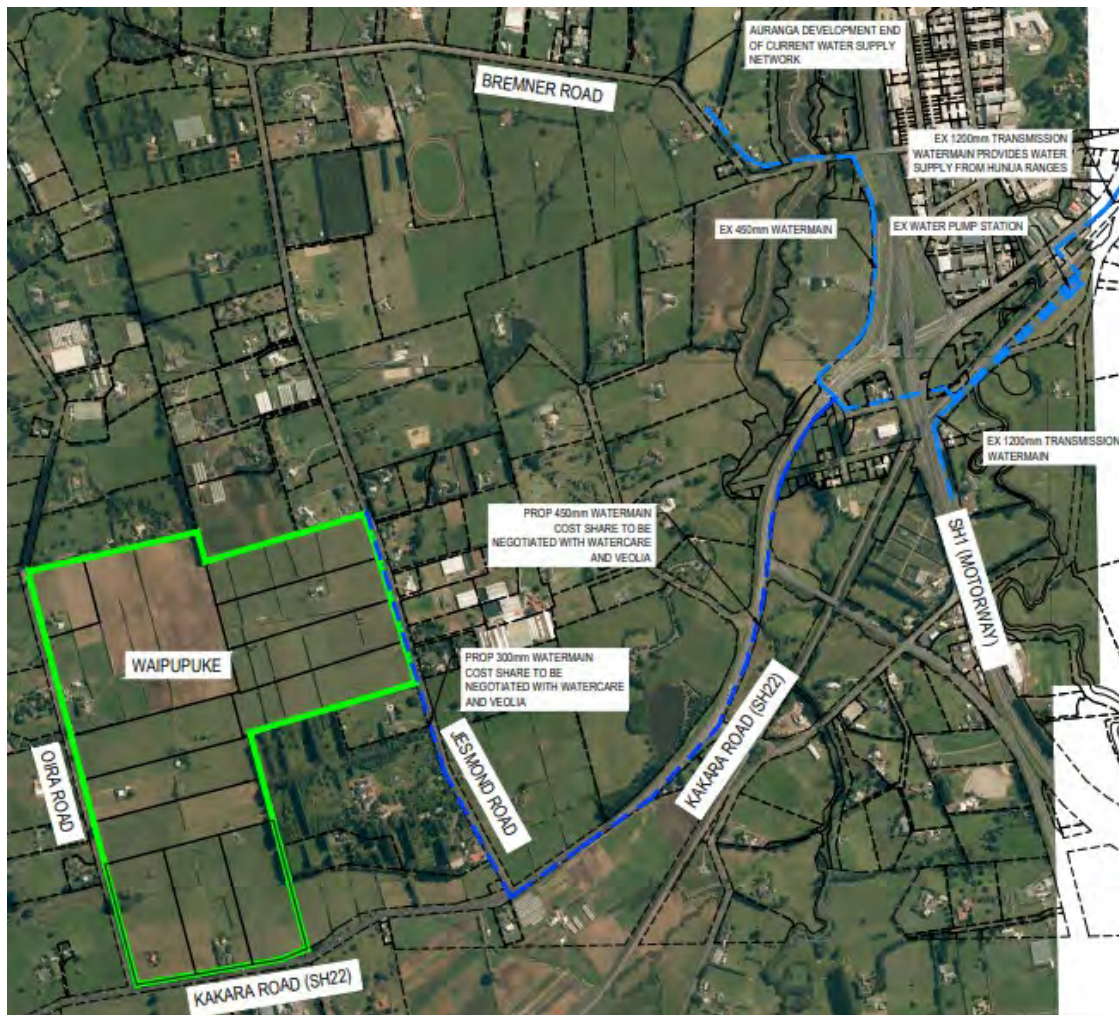


Figure 47: Proposed water servicing plan for PC61

300. Watercare has made the following comments in their submission with regard to water supply servicing:

*In 2018, Watercare constructed a new Bulk Supply Point ('BSP') at Flanagan Road. To service the Plan Change Area, the applicant will be required to construct a local watermain to connect to this BSP. An alternative connection point may be a new BSP at Quarry Road, but the timing for installation of this new BSP is not yet confirmed.*

301. As well, Watercare has indicated that design and testing for firefighting pressure and provision for fire hydrants will need to be addressed at the resource consenting stage.

#### *Flooding and Stormwater*

302. Proposals for stormwater management has been addressed in Tonkin & Taylor's Stormwater Management Plan ('**SMP**') and in section 9.6 of this report.

303. Confirmation and management of protected watercourses has been addressed in Freshwater Solution's ecology report and in section 9.11 of this report.



304. The key points in relation to stormwater and flooding are summarised below:

- Final designs of stormwater devices and conveyance networks will be subject to resource consent. The piped network will require Engineering Plan approval from Auckland Council.
- The discharge of stormwater will require consents and alignment with the requirements of the Auckland Council Network Discharge Consent and demonstrate compliance with the recommendations of an approved Stormwater Management Plan.
- Stream classifications have been undertaken and the proposed developments have largely avoided these areas.
- Within the plan change area, overland flow paths post development will be conveyed via future road carriageways and will be designed to convey 100-year flows. The details of future overland flow paths will be subject to resource consent approval.
- The existing discharge points for watercourses from the site will not be changed. Stormwater reserves are proposed at these areas to allow for provision of wetlands for flood attenuation purposes. They also provide a final opportunity for the treatment of stormwater prior to discharge from the site.
- The general flood management approach is to follow what has been outlined in the DOSP FUZ SMP (2019) for the Drury West catchments. The 'pass forward' approach will pass forward large storm event flows.
- Proposed stormwater reserves will be designed to accommodate flood attenuation measures, to ensure that potential effects of downstream flooding can be mitigated.

#### *Earthworks*

305. The infrastructure report notes that bulk earthworks and widespread recontouring across the site will be required to enable the proposed roading network and provide suitable building platforms.

306. The volume of earthworks will require consent under Auckland-wide provisions of the AUP. Consideration of the findings of geotechnical assessments, measures for erosion and sediment controls (in accordance with Auckland Council guidelines) and staging of earthworks can be detailed in future applications for resource consents.

#### *Comments*

307. The applicant's servicing strategy for water and wastewater are largely in alignment with that proposed in the DOSP.

308. The proposed servicing plans appear to be technically feasible. Detailed design of all infrastructure and final alignment will be subject to resource consent. All infrastructure will be required to comply with Watercare's Code of Practice for Land Development and Subdivision.

309. For water supply, Watercare has noted that the proposed servicing plan must be agreed to with Veolia.

310. Power, telecommunications and gas infrastructure can be achieved at the subdivision/development resource consent stage.

## 9.6 Stormwater and flooding management

### Application

311. Stormwater effects of PPC61 are summarised in section 8.8 of the section 32 report. A SMP has been prepared by Tonkin & Taylor (Attachment K to the application).

312. Flooding effects of PPC61 are discussed in section 2.7 and section 7.2.4.3 of the Tonkin & Taylor SMP. Section 3.2 of the infrastructure report by Maven has also addressed flooding.

313. The plan change area straddles the Oira Creek and Ngakoroa Stream catchments. The ridgeline through the site from north-east to south-west separates the catchments. In general, areas west of the ridgeline drain towards Oira Stream and areas east of the ridgeline drain towards the Pahurehure Inlet Tributary. Oira Stream and the Pahurehure Inlet Tributary discharge into Drury Creek.

314. The SMP notes that there are distinct sub-catchments formed by the natural topography of the plan change area, and these are shown in **Figure 48** below. It is intended that future earthworks will maintain the ridgeline and generally the existing sub-catchments.

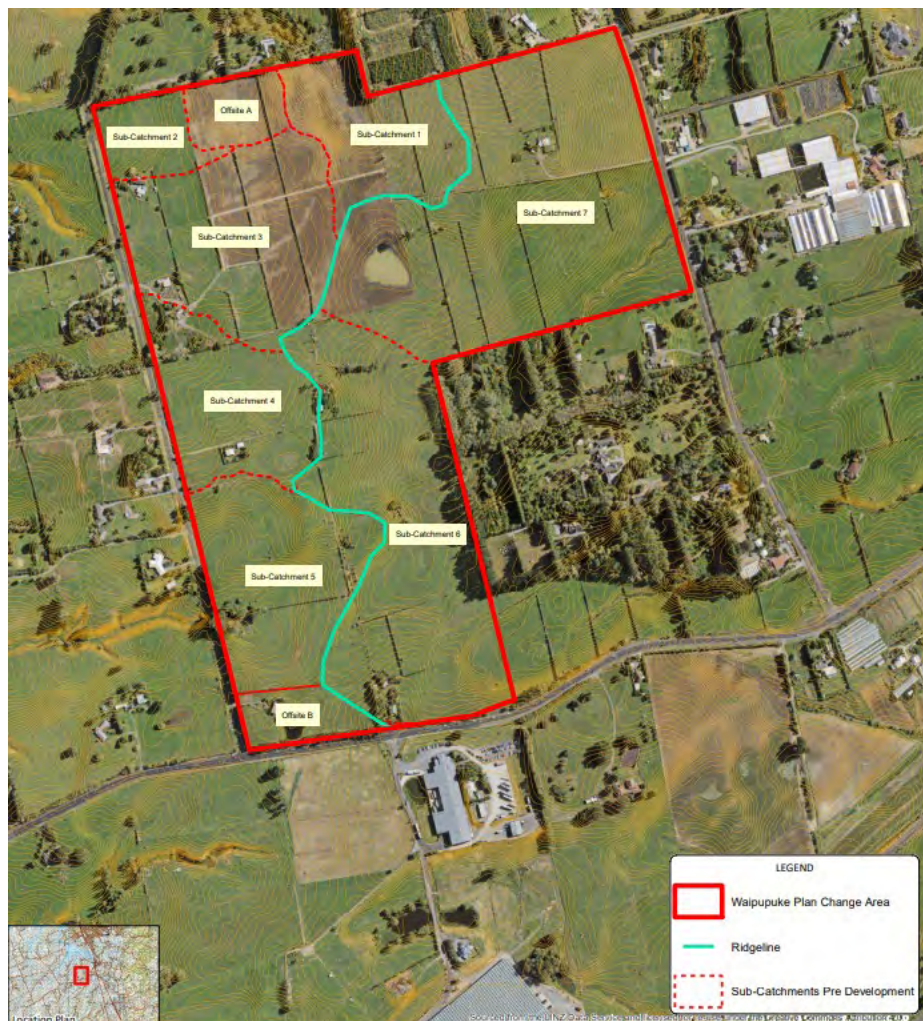
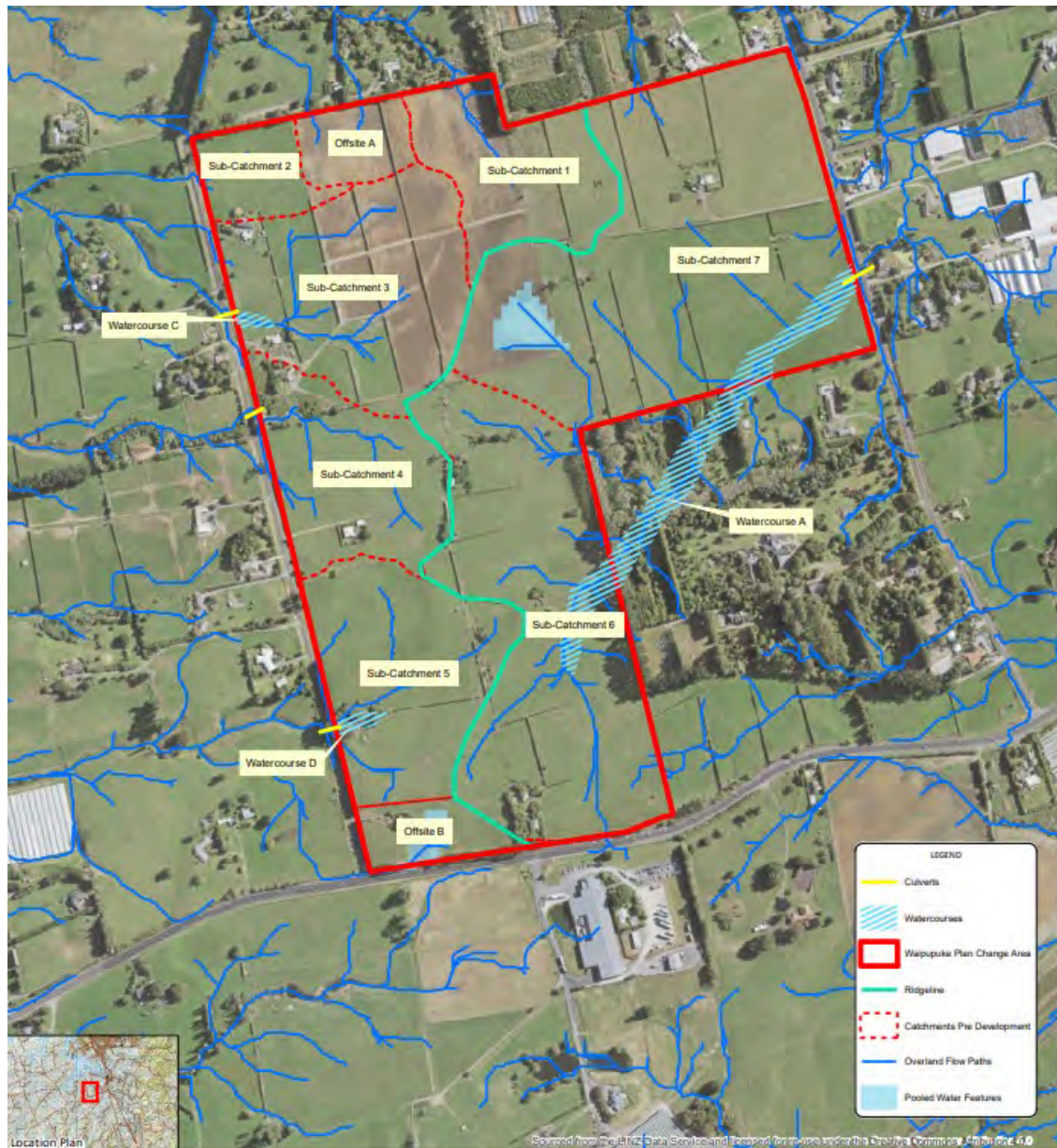


Figure 48: Waipupuke sub-catchments (pre development)

*Overland Flow Paths, flood prone areas and flood plains*

315. Tonkin & Taylor has provided the following map of existing hydrological features (**Figure 49**).



**Figure 49: Hydrological features**

316. Descriptions of the features mapped above, and the natural/artificial stormwater drainage on-site (open channels or private infrastructure) are as follows:

- *Sub-catchment 1 comprises a localised valley feature in the north of the PCA, discharging at a natural low point at the northern boundary. An excavated channel conveys runoff to this discharge point. It was noted that on the downstream neighbouring property (191 Oira Road) there is extensive landscaping across the low point in the terrain and the natural flow path.*
- *Watercourse C is an ephemeral stream located in a shallow depression within subcatchment 3.*

- *Watercourse D originates as a small ephemeral flow path within the pasture of subcatchment 5 and becomes an intermittent flow path upstream of Oira Road. This watercourse is identified on Auckland Council's Blue-Green Network in the Drury-Opāheke Structure Plan.*
- *There are three 300 mm diameter culverts under Oira Road along the western boundary of the PCA. These culverts correspond with sub-catchments 3, 4, and 5 and convey runoff beneath Oira Road and into the existing natural flow paths downstream. Generally, stormwater runoff from within the PCA is conveyed to these culverts as overland flow or in open channels, though tile drains were noted just upstream of at least one culvert.*
- *In the south-western sub-catchment (sub-catchment offsite B) there is a localised depression which is likely to be a modified head water catchment affected by the construction of Karaka Road.*
- *In sub-catchment 7 there is another local depression within a bowl-like landform. There was no downstream flow path extending below the pooled area, which suggests it is likely to be artificially created through cropping practices.*
- *Watercourse A originates in sub-catchment 6 and flows as an ephemeral stream within the neighbouring properties at 64 and 84 Jesmond Road, becoming a well-established intermittent stream flowing back into and across the south-eastern corner of the PCA. This is identified on Auckland Council's Blue-Green Network in the Drury-Opāheke Structure Plan and is the origin of Pāhurehure Inlet Tributary. The watercourse receives runoff from sub-catchments 6 and 7 and overland flows from the neighbouring properties at 64 and 84 Jesmond Road.*
- *Watercourse A discharges beneath Jesmond Road through a 450 mm diameter culvert located within the road reserve.*

317. More detailed assessments of the watercourses have been provided in Freshwater Solution's ecology report.

318. With respect the flood prone areas and flood plains identified by council's GeoMaps (outside of the immediate areas of watercourses), the SMP makes the following comment (emphasis added):

*It is noted that, from site observations, that mapped flood prone areas and flood plains in some cases appear to be minor topographical depressions rather than areas vulnerable to significant flood hazard from overflow of primary drainage paths. The Waiupupke development will not maintain these as part of the proposed earthworks plan and drainage system.*

319. The future development of the site will need to consider the existing Overland Flow Paths and conveyance post development. A summary of the proposed management approach is provided below:

- Within the plan change area, the primary drainage system will be designed to accommodate runoff from 1 in 10-year ARI storm events, and will convey stormwater through a combination of public stormwater pipes and vegetated swales to discharge to the proposed wetlands. The secondary drainage system with sufficient capacity to accommodate 1 in 100-year ARI storm events and will be conveyed using road corridors and overland flow paths.
- The development will maintain the overland flow path entry and exit points from the PCA as identified in **Figure 50**. The flow paths include:
  - Four overland flow paths flowing west from the PCA towards Oira Creek
  - The mapped overland flow path along Watercourse A
  - The overland flow route to the north



**Figure 50: Existing overland flow paths and stormwater parks**

### *Flood management*

320. The Waipupuke flood management approach is based on the ‘pass forward’ principle, so following water quality treatment, runoff will be discharged to the watercourses without attenuation. This is the recommended flood management approach for the Drury West catchments as set out in the DOSP FUZ SMP (2019).

321. The Tonkin & Taylor SMP notes that the ‘pass forward’ approach is appropriate as:

*Options to address the flooding are limited, as Drury Creek is a flow constraint which causes water to ‘back up’ the streams with a resultant rise in flood water levels in all catchments.*

*The best way to manage flooding in the future urban areas is to pass flows forward to get the water to the Manukau Harbour as quickly as possible.*

322. Given the sites position in the lower catchment, peak flows will be discharged into Oira Creek and Ngakoroa Stream before peaks arrive from the upper catchment.
323. Seven stormwater parks (see **Figure 51**) are proposed to align with existing discharge points which are located upstream of the catchment. Wetlands will be constructed within each of the stormwater parks and will provide water quality treatment and detention of runoff prior to discharge downstream. The wetlands will also provide for flood attenuation measures. The stormwater parks proposed can accommodate provisionally sized communal wetlands (location and sizes of wetlands available in Maven Infrastructure report) for each sub-catchment, to ensure that effects on downstream flooding are appropriately mitigated.



Figure 51: Stormwater parks proposed within PPC61

324. The s32 evaluation report states that standard flooding provisions in Chapter E36 of the AUP would sufficiently manage the effects of development in identified flood plains and/or overland flowpaths.

325. The flood management approach within the plan change area generally builds on what is proposed in the DOSP FUZ SMP, and is as follows:

- *All building platforms to be located outside of and set above the 100 year ARI MPD flood plain, with a suitable allowance for freeboard.*
- *Infrastructure to be located outside the 100-year ARI MPD flood plain, unless designed to be flood resilient.*
- *For events greater than a 10-year ARI storm event and up to a 100 year ARI storm event, secondary flows will be conveyed along road corridors into existing overland flow paths. All flow paths will be located within public areas (roads and parks) and not private properties.*
- *Enhancement of intermittent stream riparian margins, providing public amenity improved ecological value, and assisting flood management with capacity for secondary flows.*

326. There are three culverts under Oira Road which convey runoff beneath Oira Road into the existing natural flow paths downstream. Watercourse A discharges via culvert under Jesmond Road to existing flow paths downstream. Upgrades of culverts may be necessary in order to 'pass forward' flows.

327. Section 7.2.4.3 (Flood Management) of the SMP discusses the proposed flood management approach in more detail.

#### *Stormwater management*

328. The SMP prepared by Tonkin & Taylor aims to align with the requirements of the AUP and be consistent with the requirements of the Auckland Council Network Discharge Consent ('NDC'). The SMP is intended to be adopted with Auckland Council's NDC and will inform the stormwater management approach for future resource consent and Engineering Plan Approvals. If the SMP is certified under the NDC, the discharges from the site will be authorised that way or a separate stormwater discharge consent will need to be obtained.

329. It is noted that the requirement of the NDC to provide water quality and hydrological mitigation to all impervious surfaces is more stringent than the regulations outlined in AUP, which only require water quality treatment for high contaminant generating car parks and high use roads.

330. The SMAF1 overlay is proposed to be applied across the plan change area. The SMAF1 overlay will require hydrological mitigation measures for the effects of stormwater runoff generated by increased impervious areas. The SMP proposes to meet the SMAF1 hydrological mitigation requirements in the AUP through the methods detailed in Section 7.2.4.1 of the SMP. It is noted that given the low percolation rate due to the local soil drainage, retention may have to be made up by rainfall harvesting and re-use to compensate for reduced infiltration capacity.

331. The water quality management approach proposed by the SMP seeks to eliminate where possible, and otherwise minimise the generation of contaminants. Where contaminants are generated, water quality devices will be designed to treat runoff to a target treatment efficiency of at least 80% Total Suspended Solid removal as close to the source as possible, with a preference for using green infrastructure. The measures and devices can include:

- *Using inert building materials*

- *Providing roofs for communal waste storage areas*
- *Treat runoff from all contaminant generating impervious surfaces in the communal wetlands*
- *Using near-source water treatment devices such as grated catch pits, gross pollutant traps, vegetated swales, rain gardens, tree pits and permeable pavements further upstream of communal wetlands to improve treatment efficiency*
- *Provide riparian margins to protect and enhance existing watercourses*
- *Limiting sediment generation and control erosion during earthworks and construction*

### Peer Review

332. Hillary Johnston and Jack Turner from Tektus have reviewed the stormwater and flooding matters, as well as the SMP on behalf of council. Their memo is included in **Appendix 4**.

333. Generally, Ms Johnston and Mr Turner consider that the assessment and SMP provided in support of the plan change is appropriate. Some key points identified in Ms Johnston and Mr Turner's memo are as follows:

- The plan change area does not include any significant existing 1% AEP floodplains outside of areas surrounding the watercourses and intermittent localised depressions.
- The general management approach for passing forward large storm event flows is considered appropriate. The peak flows generated as a result of development within the Waipupuke Precinct will discharge to downstream receiving environments faster than upstream peak flows. Detention or attenuation of peak flows has the potential to worsen downstream flooding by synchronising the release of delayed discharges with the upstream peak flows.
- Whilst the flood management approach for the proposed precinct is reliant on flood flows being passed forward without attenuation, the proposed precinct includes sufficient space to accommodate flood attenuation measures, if determined to be required to mitigate the effects of downstream flooding. The requestor proposes to undertake flood modelling at the resource consent stage to confirm if on-site attenuation within communal stormwater devices is required to manage peak flows of larger events.
- There are opportunities to undertake further assessment of flood-related effects at the plan change stage, including specific assessment of potential flood peak coincidence/timing issues with the wider catchments.
- The SMP and geotechnical report has noted that retention by means of infiltration might be difficult to achieve on-site given the soil drainage properties. It is recommended that the SMP provides clarification and guidance on whether additional and more targeted percolation testing might be appropriate at the consenting stage to determine specific areas with high infiltration potential. This should be done before determining that at-source rainwater harvesting and re-use is the preferred method for achieving the required retention volume.
- The Drury-Opāheke SMP outlines that due to the highly sensitive, low energy receiving environment of the Pahurehure Inlet, increased erosion (and



associated sediment deposition) due to increased impervious areas is of particular concern. Stream bank stability and erosion is noted as a significant issue for most of the streams within the FUZ. It is noted that the Oira Creek receiving environment is highly susceptible to erosive flows. Further consideration around in-stream erosion protection measures should be clearly outlined within the SMP to manage streambank erosion and mitigate changes in hydrology in receiving streams.

- Opportunities for green infrastructure solutions for overland flow path management (as promoted through the Waipupuke SMP) appear to be limited, beyond the identified stream corridors. Such opportunities could be more clearly identified through the proposed Precinct provisions and supporting SMP.
- Due to the extensive earthworks indicated on the preliminary infrastructure report drawings, the impact of earthworks on the post-development hydrological regime should also be considered and the SMP should clearly outline the appropriate mitigation measures.

334. Amendments to the precinct are recommended to strengthen stormwater provisions, by addressing the need to mitigate changes in hydrology (rather than only water quality) and to set a clear direction that the management of stormwater should be in accordance with an approved SMP.

335. Policy 9 of the proposed plan change is as follows:

Manage the effects of stormwater on water quality in streams through riparian margin planting, and at source hydrological mitigation.

336. Ms Johnston and Mr Turner recommends the following amendment to Policy 9:

Require subdivision and development to be consistent with any approved network discharge consent and supporting stormwater management plan including the application of water sensitive design and treatment train to achieve water quality and hydrology mitigation.

337. Ms Johnston and Mr Turner also note that there are no objectives in the precinct regarding stormwater quality. They recommend that an objective is drafted to ensure that there is a complete 'cascade' of stormwater provisions.

#### Comments

338. I agree with Ms Johnston and Mr Turner's assessment that the approach set out in PPC61 for managing the potential effects of development on stormwater and flooding is, in principle, generally appropriate for the site.

339. The management of overland flow paths, natural hazards and downstream flood-related risks is generally consistent with the AUP, the DOSP and the DOSP FUZ SMP.

340. It is expected that the SMP for PPC61 will eventually be adopted into the Auckland Council NDC. Auckland Council's Healthy Waters department will review each SMP document intended to be adopted under AC's NDC to ensure the stormwater mitigation proposed for the development aligns with the objectives and outcomes of the NDC. Healthy Waters had initially reviewed the Waipupuke SMP, and I understand they are comfortable with the overall approach. Further adjustments to the SMP as a result of discussions between the requestor and Healthy Waters may be required but this involves a more detailed level of work than what is required at the plan change stage.

341. It is my view that the NDC process for adopting the SMP will sufficiently manage the stormwater and flooding effects of PPC61 and ensure that any effects are avoided, remedied or mitigated. Further assessments at the resource consent stage will confirm any requirements for flood risk management. Flooding is addressed further in section 10.2.7 in response to submissions.

342. Based on the advice of Ms Johnston and Mr Turner, I agree that an outcome regarding water quality should be included in an objective given the sensitive receiving environment. The following wording is recommended which also provides for the enhancement of the natural and ecological biodiversity values of streams:

Freshwater quality and biodiversity are improved.

343. I also agree with the proposed amendment to Policy 9 as set out above.

344. Ms Johnston and Mr Turner notes that there is an opportunity to further assess flood-related effects at this stage to provide additional certainty, and that additional provisions may be appropriate to clarify the implementation mechanism and/or triggers for providing on-site attenuation of larger lower-frequency storm events. I do not have sufficient information at this time to be able to recommend precinct provisions so perhaps the requestor can address this.

## **9.7 Arboricultural effects**

### Application

345. The arboricultural effects of PPC61 are summarised in section 8.10 the Section 32 report and discussed in more detail in the GreensceneNZ report (Attachment M to the application).

346. The Arboricultural report provides the following description of trees and vegetation in and adjoining the plan change area:

*The Waipupuke Site comprises of farmland used for grazing and crops with established linear barberry hedgerows and small groups of privet trees. Individual mature pine trees can be found along Oira Road and within the northern half of the Waipupuke Plan Change area. Mature shelterbelts of poplars and pines make up the majority of the neighbouring trees with encroaching root zones and canopies into the site. Along Karaka Road over mature macrocarpa trees form a shelter belt hedge from Oira Road to a large clump of low value semi mature privet trees surrounding a disused residential building.*

347. Following an assessment of trees within or encroaching into the plan change area, the following conclusions have been made:

- There are no scheduled trees within or encroaching into the site.
- There are no trees worthy of being recommended to Auckland Council for scheduling.
- No Significant Ecological Area overlay within or adjoining the site.
- No existing Open Space zones so the 'trees in open space zones' (Chapter E16) provision does not apply.
- There are thirty-four offsite trees which are deemed to be protected in accordance with the provisions of E17. No removal of trees within adjoining

road reserves is proposed as part of the Plan Change. Any future works around these trees are subject to A5, A6, A7, A8 and A12 of Activity Table E17.4.1 and any associated standards as set out in Chapter E17.

- No trees on the site are protected by the AUP.

### Comments

348. Oira Road will at some stage be upgraded to an urban road. This may affect trees in the road and the provisions of E26.3 and E26.4 will need to be considered. If future upgrades to Oira Road requires the alteration or removal of trees, Activity Tables E26.3.3.1 and E26.4.3.1 may be relevant at that time. Whether the plan change area is rural or urban zoned at the time of upgrades, will determine the specific provisions that apply.
349. If earthworks on the plan change area are proposed, the trees adjacent to the site on Oira Road may be affected. If any of the trees protected under E17 need to be removed, a restricted discretionary consent will be required. For any trees that are to be retained, any works that trigger A6, A8 or A12 will also require consent. It is noted that the provisions of E17 apply to the trees as long as their trunks are in the road. Undertaking any of the activities (including permitted activities) listed under Activity Table E17.4.1 requires approval from Auckland Transport.
350. There are no significant trees within the plan change area that are protected under the AUP. PPC61 will not affect the AUP's ability to manage protected trees adjoining the site. Further investigations at the resource consenting stage may be required depending on the proposed works at that time.

## **9.8 Land contamination effects**

### Applicant's Assessment

351. Pattle Delamore Partners ('PDP') has undertaken contaminated land investigations across the plan change area and have prepared the following documentation (Attachment O to the application):
- Note to Support Plan Change Application
  - Contaminated Site Action Plan and Remedial Management Plan
  - Detailed Site Investigation ('DSI')
  - Preliminary Site Investigation ('PSI')
352. To identify actual or potential ground contamination sources, PDP have conducted a range of investigations and also reviewed the DOSP, Riley's contamination assessment and the decision document for Plan Change 6 (Auranga B1).
353. Following an assessment of current and historic activities/land uses, including those listed in the Hazardous Activities and Industries List ('HAIL'), the following sources of potential ground contamination have been identified:
- *Land subject to potential impact from lead-based paint – all except one of the buildings at the site including dwellings and barns/sheds fit the construction dates associated with the use of leadbased paint (i.e. prior to 1990s) and show construction which has extensive painted surfaces; and,*
  - *Land subject to potential impact from asbestos in a degraded condition – all of the buildings/structures onsite may be subject to the inclusion of asbestos*

*containing materials in their construction (as based on construction dates prior to 1 Jan 2000). Impacts to surrounding ground may be present if ACMs are positively identified, found to be in a degraded condition, and are found to be in contact with the surrounding soils.*

354. The PSI concluded that the potential ground contamination impacts that may have arisen from the above activities/land use/contamination sources are 'likely to be discrete, localised areas immediately surrounding the source features (i.e. adjacent to/below buildings and storage areas), rather than representing broad, extensive area of potentially impacted soils (such as paddocks/fields).'
355. The areas of the site potentially impacted by land uses listed in the HAIL will be subject to the regulations of the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health ('**NES – CS**'). According to the PSI and DSI assessments, this will only be relevant to discrete pieces of the land in the Plan Change area. In addition to consideration of the NES – CS, Chapter E30 of the AUP contains rules which requires consent to be obtained for any development activities where concentrations of contaminants exceed acceptance levels. Accidental discovery of any evidence of contaminated land is managed by Chapters E11 and E12.
356. PDP have produced an advice note to summarise the findings of their contaminated land investigations in the Plan Change area. The advice note concluded:

*... the actual/potential contaminated land issues identified at the Waipupuke site are able to be addressed using standard contaminated land management practises such as, preliminary and detailed investigations, delineation of impacted areas, remediation planning and execution, and site soil validation – all conducted under AC approved site management, and AUP-OP and NES-CS consenting requirements.*

#### Peer review

357. The contamination investigations have been peer reviewed by Ruben Naidoo, Specialist Environment Health, Auckland Council (Memo included in **Appendix 4**). Mr Naidoo concludes that there appear to be no significant issues of concern with regards to contamination within the plan change area that would impede the proposed zoning.
358. Mr Naidoo notes that the requirements under the AUP and NES-CS will apply at the time of subdivision, earthworks or development on the PPC61 land, and based on his assessment will trigger requirements for consent. Mr Naidoo recommends that future applications for resource consent address the following:

*Amend the Contaminated Site Management Plan at resource consent stage to reflect the management and disposal of potentially contaminated soil within the wastewater disposal areas of the site, accompanied by validation sampling to demonstrate no risk to human health or the environment.*

359. Mr Naidoo otherwise concurs with the assessment and conclusions of the AEE, and the soil contamination reports, including the provisions of the Contaminated Site Management Plan and Remedial Action Plan. Mr Naidoo is of that the view that the risk to human health can be appropriately managed, and the site can be appropriately validated to demonstrate compliance.

## 9.9 Geotechnical effects

### Application

360. A preliminary geotechnical assessment has been prepared by Lander Geotechnical Consultants for the plan change area (Attachment N to the application).
361. A geotechnical assessment of the DOSP area was completed by Riley Consultants in 2018. The Geotechnical and Coastal Erosion Assessment noted that previous reporting had identified three main geotechnical hazards with the structure plan area, being:
- Slope stability
  - Compressible organic and cohesive soils resulting in long-term consolidation settlement; and
  - Liquefaction of fine granular soils during earthquaking shaking.
362. Based on the maps provided in Appendix A of Riley's report, the site is considered to be at low risk of slope instability potential, at medium risk of soil compressibility potential and at medium risk of liquefaction potential.
363. The report by Lander Geotechnical has addressed the above hazards and consider that with appropriate engineering, there should be no insurmountable geotechnical hazards that would prevent future residential intensification.
364. It was acknowledged that further investigation and assessment will be needed at subdivision/development stage. The preliminary assessment is sufficient at this stage and confirms that geotechnical issues can be resolved through appropriate design methodologies, commensurate with development and earthworks plans as part of the resource consent process.

### Peer review

365. The preliminary geotechnical assessment has been reviewed by James Beaumont, Riley Consultants (Memo included in **Appendix 2**), who considers that the relevant geotechnical issues for the PPC61 land has been suitably addressed by the Lander Geotechnical report and that the site can accommodate the proposal from a geotechnical perspective. Mr Beaumont states that further geotechnical input will be required to support future resource consent applications to council. This further input will need to include specific geotechnical investigations, analysis, and reporting to address the identified geotechnical risks and any geotechnical issues related to future development proposals.

## 9.10 Archaeological and heritage effects

### Application

366. The archaeological and heritage values of the plan change area are discussed in section 8.13 and section 8.14 of the section 32 report.
367. An initial review of two historical homesteads in the proposed Plan Change area has been undertaken by Clough & Associates (Attachment Q to the application).
368. A preliminary archaeological assessment has been undertaken by Clough & Associates (Attachment P to the application).

369. As part of the Clause 23 response, a heritage memo and evaluations for 140 Jesmond Road and 329 Karaka Road was undertaken by Plan.Heritage and are all included in **Appendix 3**.

Archaeological effects

370. Clough & Associates have undertaken an assessment of effects on archaeological values in the plan change area aided by desktop research and field survey. The key findings are as follows:

- *No archaeological sites have previously been recorded in the Plan Change Area and none were identified during this assessment. Recorded archaeological sites in the general area (apart from isolated find spots) are usually located near major waterways or along the coast.*
- *...there are no recorded archaeological sites in close proximity, and with its inland location and distance from Oira Creek, it is considered unlikely that unrecorded subsurface remains associated with Maori occupation and settlement will be exposed during development works.*
- *...the likelihood of encountering Maori archaeological sites during future development is considered low and is provided for under the AUP OP Accidental Discovery Rule.*

371. The report noted that further evaluation by a built heritage specialist will be undertaken for 140 Jesmond Road and 329 Karaka Road to determine potential effects on historic heritage values from future development and to determine the likely construction date.

372. The subsequent heritage evaluations for 140 Jesmond Road and 329 Karaka Road have concluded that both homesteads are likely to be pre-1900s:

- The homestead villa at 140 Jesmond Road was given a likely construction date range starting from 1894.
- The homestead at 329 Karaka Road (1920s Homestead bungalow and 1940s extension) is likely have an interior core dating c. 1890 (villa or cottage).

Peer review

373. The plan change has been reviewed by Robert Brassey, Principal Specialist Cultural Heritage, Auckland Council. Mr Brassey has prepared a memo and an addendum which are included in **Appendix 4**.

374. Having reviewed the archaeological assessment, and the heritage assessments undertaken for 140 Jesmond Road and 329 Karaka Road, Mr Brassey has drawn the following conclusions:

- No verified physical evidence of pre-1900 activity at 140 Jesmond Road with construction of the dwelling likely to have commenced in or after 1904. Mr Brassey does not consider that the farmhouse and its setting has been confirmed as an archaeological site as defined in the AUP:OP and the Heritage New Zealand Pouhere Taonga Act ('HNZPTA').
- Following a site visit to 329 Karaka Road which provided new information that was not present, or not discernible in the assessments provided by the requestor, Mr Brassey is of the view that part of the dwelling on the site is associated with human activity that occurred before 1900. In the addendum to the earlier memo, Mr Brassey

notes that a smaller villa-style building has been modified and extended to form the current farmhouse at 329 Karaka Road.

375. Mr Brassey has updated his advice on the farmhouse at 329 Karaka Road as set out in the addendum. Mr Brassey considers that as the farmhouse at 329 Karaka Road appears to predate 1900, definition of an archaeological extent for this property would have some merit. However, this is not considered to be essential as the building will likely be demolished with the site being prepped for development rather than retained and managed in the long term.

376. Mr Brassey considers that the scope and methodology of the archaeological assessment (Clough & Associates) in relation terrestrial/subsurface archaeology are appropriate at the plan change stage, and notes that here is a very low likelihood of significant unidentified archaeological sites being present in the plan change area. The HNZPTA, and the AUP Accidental Discovery Rule can be relied upon to manage unidentified archaeological or heritage effects arising from future works across the plan change area.

#### Comment

377. I have confirmed with Mr Brassey that since notification of the plan change, the homestead at 140 Jesmond Road and the farmhouse at 329 Karaka Road have been recorded as archaeological sites in New Zealand Archaeological Association's Archsite as R12/1183 and R12/1184 respectively. Also, Council's Heritage Information team has agreed to add the ArchSite records to the Auckland Council Cultural Heritage Index.

378. I understand that the farmhouse at 329 Karaka Road is to be demolished to enable development. Given its pre-1900s core, the following requirements at the consenting stage are likely:

- An authority issued by Heritage NZ must be applied for under Section 44(a) of the HNZPTA prior to any site works or demolition of the farmhouse.
- For any earthworks or ground disturbance, any modification or destruction of any pre-1900 subsurface remains will require an authority.
- A detailed assessment of the archaeological values of the farmhouse at 329 Karaka Road will be required so that it accompanies the authority application.

379. Further assessments on archaeological matters are provided in the response to submissions at section 10.2.10.

#### Historic heritage effects

##### *Homestead located at 140 Jesmond Road, Drury*

380. A homestead associated with an early farm in Karaka is located at 140 Jesmond Road, Drury (Lot 2 DP 62229), as shown on **Figure 52** overpage.



Figure 52: Location of homestead at 140 Jesmond Road (Lot 2)

381. The homestead is not included in Schedule 14.1 (historic heritage) of the AUP and no formal historic heritage evaluation has been done previously. Plan.Heritage has undertaken an evaluation and has recommended that the homestead merits inclusion in Schedule 14.1 as a Category B historic heritage place, as it is of considerable local historic heritage significance and meets the AUP criteria for scheduling. Under the AUP, Category B places refers to historic heritage places that are of considerable overall heritage significance to a locality or greater geographical area.

382. As shown on **Figure 53** overpage, the primary feature identified is the homestead villa and the proposed extent of place is determined by the field boundaries or the 'home paddock'. According to the chronological summary in the Plan.Heritage report, the likely date for the construction of the homestead villa was 1893. A date of 1904 was also provided as an alternative date for construction.





- |                                       |  |
|---------------------------------------|--|
| 01 Homestead Paddock                  | 07 Shed (Modern)                           |
| 02 Homestead villa                    | 08 c.1920's—1930's 'Cowshed' (ruinous)     |
| 03 Kitchen Extension                  | 09 Location former barn (pre-1940s)        |
| 04 Garage (Modern)                    | 10 Location former outbuilding (Pre-1940s) |
| 05 Shed (Modern)                      | 11 Cattle Race (Modern; ruinous)           |
| 06 Concrete water tank (20th century) |  |

Figure 53: 140 Jesmond Road Homestead and extent

### 329 Karaka Road farmhouse and outbuildings

383. Plan.Heritage has undertaken an evaluation for the farmhouse at 329 Karaka Road and finds that the farmhouse and outbuildings does not meet the criteria and thresholds for scheduling under the AUP. The general layout of the property is shown on **Figure 54** below.



- |   |                                   |
|---|-----------------------------------|
| 01 Homestead Paddock                              | 07 chicken coop (modern, ruinous) |
| 02 1920s Homestead bungalow c.1890s core interior | 08 c.1900's 'Cowshed' (modified)  |
| 03 1940s Extension                                | 09 c.1920s Shed (ruinous)         |
| 04 Garage (post 1959)                             | 10 1930s-1940s cowshed (pre-1942) |
| 05 Barn /Shed (post-1959)                         | 11 Cattle Race (ruinous)          |
| 06 Water tank (Late 20th century)                 |                                   |

Figure 54: 329 Karaka Road and extent

### Peer review

384. Robert Brassey has reviewed the evaluation of the homestead at 140 Jesmond Road and sought the advice of Rebecca Freeman, Senior Specialist Historic Heritage, Auckland Council.
385. Both Mr Brassey and Ms Freeman disagree with the likely range of construction dates (1893-1904) and noted that 1893 should not be considered the earliest possible date of construction. Instead, construction is likely to be either in or after 1904 based on historical research, the style of the villa and features included within the house.
386. Mr Brassey and Ms Freeman do not support the scheduling of 140 Jesmond Road as the criteria and thresholds for scheduling is not met based on the information and assessment provided. Both do not agree with the level of significance in terms of the integrity, uniqueness, and historic and local context provided by the homestead.
387. Mr Brassey considers the level of significance under the historical and context criteria; the integrity of the farmhouse; and the uniqueness and significance of its physical attributes to be overstated in the assessment provided. The same view is reflected in the memo provided by Ms Freeman to Mr Brassey.
388. Mr Brassey supports the conclusions reached by Plan.Heritage for the farmhouse and outbuildings at 329 Karaka Road.

### Comment

389. My experts do not support scheduling of the farmstead at 140 Jesmond Road as a Category B Historic Heritage Place in the AUP. I agree with the conclusions reached by Mr Brassey and Ms Freeman.

## **9.11 Ecological effects**

### Application

390. Ecological effects of PPC61 are summarised in section 8.9 of the section 32 report and discussed in more detail in the Ecological Assessment prepared by Freshwater Solutions (Attachment L to the application).
391. As part of the Clause 23 response, a wetland assessment prepared by Freshwater Solutions was provided to council and is included in **Appendix 3**.

### *Terrestrial habitats and vegetation*

392. The ecology report notes the site is characterised by pasture and crops, with exotic weedy hedging and mature exotic trees. In terms of protections under the AUP, it states the following:

*There are no Significant Ecological Areas recognised by the AUP within the site, and no areas of native vegetation that would qualify as significant according to Schedule 3 of the AUP. No trees within the site are scheduled under the AUP as notable.*

393. The closest Significant Ecological Areas to the site are marine SEAs approximately 950m to the east of the site, associated with Drury Creek and its surrounds (**Figure 55**).

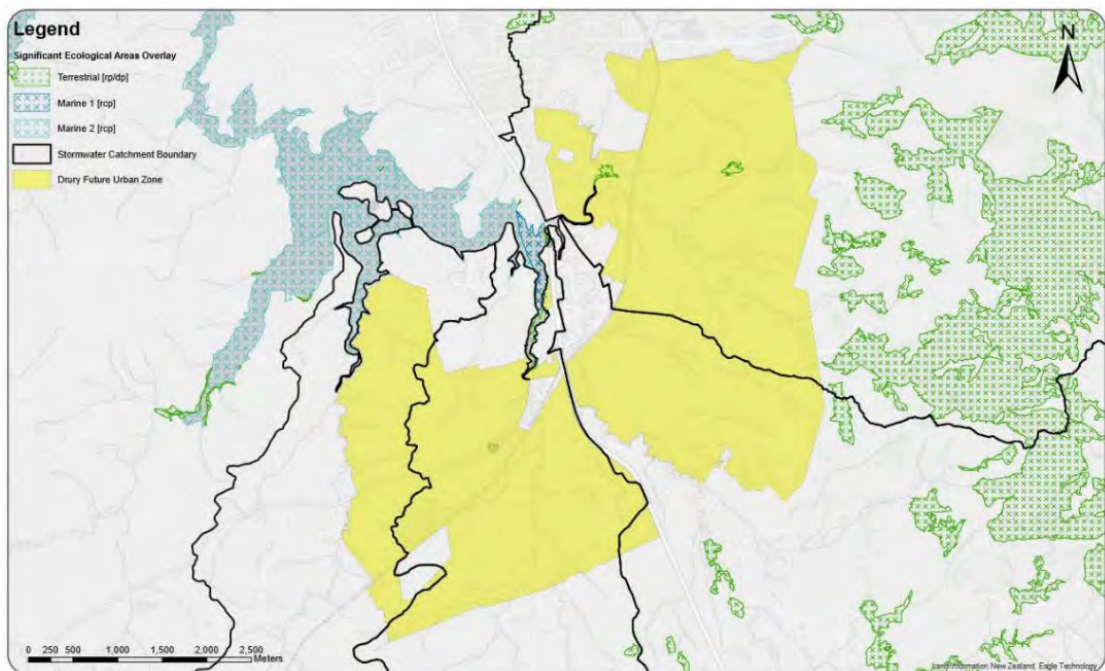


Figure 55: Significant ecological areas overlays

394. For the watercourses identified on site, it was noted that there was no riparian vegetation, with the exception of pastoral grasses and occasional mature exotic trees.

395. Following site surveys, the botanical and habitat values and the terrestrial ecological values within the site was found to range between negligible to low. This reflects the current pasture and cropping land use and the modified nature of the site.

396. The following summary for bird life and lizards from the report is provided below:

*Bird species identified within the site and most historic records in the local area comprise common species typical of rural and urban areas so are unlikely to be a constraint to developing the site. The only species of conservation interest identified in the local area are typically associated with the coast or other habitats such as wetlands, forest or lakes and ponds and are unlikely to occur within the site due to the absence of suitable habitat.*

*The site contains poor habitat for native skinks and no habitat for native gecko. It seems unlikely even the common copper skink are present within the site, due to its historical and present day grazing and cropping and general lack of refugia.*

397. A lizard management plan was not seen as necessary by the report:

*A lizard management plan is not warranted for the site due to the lack of suitable habitat and the extensive modification of the site, which has likely removed populations of even common species such as the copper skink*

398. The site is within the ranging distance of known populations of long-tailed bats and according to the report, they have been detected approximately 4km from the site. It is noted that suitable roosts for long-tailed bats may be present in the trees within the site:

*It is possible that some of the mature trees within the site with roost features are used as intermittent roosts by long-tailed bats, given the sites proximity to the mainstem of the Oira Creek.*

399. A bat survey was intended to be undertaken but was unable to be completed given COVID-19 restrictions during the survey period.

*Freshwater habitats*

400. The ecology report has confirmed the location and classification of streams within the plan change area, as shown in **Figure 56** below. The location of culverts under Jesmond Road and Oira Road are also shown.



Figure 56: Location of streams and status according to AUP definitions

401. A summary of the identified watercourses within the plan change area are provided below:

- Watercourse A – Intermittent

Watercourse A is an intermittent watercourse which enters the site on the southern boundary. It crosses the eastern corner of the site before exiting through a culvert under Jesmond Road. It will eventually discharge to Ngakoroa Stream through a series of highly modified flow paths and pools in adjacent properties.

- Watercourse B – Artificial

Watercourse B has been classified as an artificial watercourse due to its constructed channels and that it was not visible on historic aerial imagery. The report states that there was no inlet pipe or clear stream trajectory determined at the site boundary. It is assumed that the watercourse below this point has been reclaimed and the water that reaches the dug hole on the site boundary eventually soaks into the soil below.

- Watercourse C – Ephemeral

Watercourse C is classified as ephemeral and the report states that it occurred within a shallow depression in pasture, lacked a defined channel and showed no evidence of water flow. There is evidence of a tiled outlet on the property boundary where Watercourse C was historically tile drained.

- Watercourse D – Intermittent

Watercourse D is classified as intermittent with a small ephemeral flow path at its origin. Watercourse D flows in a westerly direction prior to entering a culvert under Oira Road and will eventually reach the mainstem of Oira Creek. The ecology report notes that the upper intermittent section of the watercourse has been modified through excavation and that it is extensively damaged and artificially widened by cattle. The lower intermittent section is said to have no defined channel, which is made up of a widened dirt base which extends all the way to the culvert.

402. Following Stream Ecological Valuation Guidelines (SEV) surveys completed by Freshwater Solutions, the following is a summary of freshwater ecological values:

*Watercourses within the site comprise highly modified marginal ephemeral/intermittent streams with small catchments. All watercourses have low ecological values in the current state, retain little character, contain no riparian vegetation and provide poor quality habitat for fish and invertebrates. SEV scores for intermittent Watercourses A and D ranged between 0.333 and 0.382 which reflected low values.*

403. The ecology report states that the current freshwater features on the site are highly degraded, contained no riparian habitat and were open to grazing stock. The low freshwater ecology values were reflective of current land use. The report does recognise opportunities for restoration of the two intermittent streams (Watercourses A and D).

404. The plan change proposes to include Watercourses A and D on Precinct Plan 2. Riparian margins of 10 metres wide will be planted on either side of the watercourses (see **Figure 57** overpage). With the riparian margins and native plantings proposed, it

is expected that there will be an improvement in water quality along Watercourses A and D.



Figure 57: 10m Riparian margins (in green)

405. The ecology reports notes that stormwater reserves and riparian areas (that are being retained) will be planted and protected via suitable mechanism (i.e., vested with Council or covenanted). The details of landscaping and design will be provided at the resource

consenting stage with species composition to be agreed upon between landscape designers, ecologists and iwi.

Peer review – freshwater ecology

406. Freshwater ecology effects have been peer reviewed by Christina Bloom, Specialist – Earthworks & Streamworks, Auckland Council. Ms Bloom’s assessment is included in Appendix 4.
407. Ms Bloom is of the view that the natural riverine wetland associated with watercourse A has not been correctly identified or mapped in the application material. Ms Bloom states that this area of wetland meets the definition of ‘natural wetland’ in the NES:FW 2020 and ‘natural inland wetland’ in the NPS:FM 2020.
408. As part of the Clause 23 request, an assessment of effects on the natural riverine wetland associated with Watercourse A was requested. The applicant did not consider there to be any natural riverine wetlands on-site. The requestor provided a Wetland assessment which concluded that wetlands associated with Watercourse A (see **Figure 58**) does not meet the definition of a ‘natural wetland’ according to the NPS-FM for the following reasons:

*The hydrophytic vegetation present along Watercourse A is not considered to meet the definition of a ‘natural wetland’ according to the NPS-FM. This is because a high proportion of the species composition is pasture and would also be subject to rain derived pooling during wet weather, which is excluded as item (c) in the NPS-FM definition.*

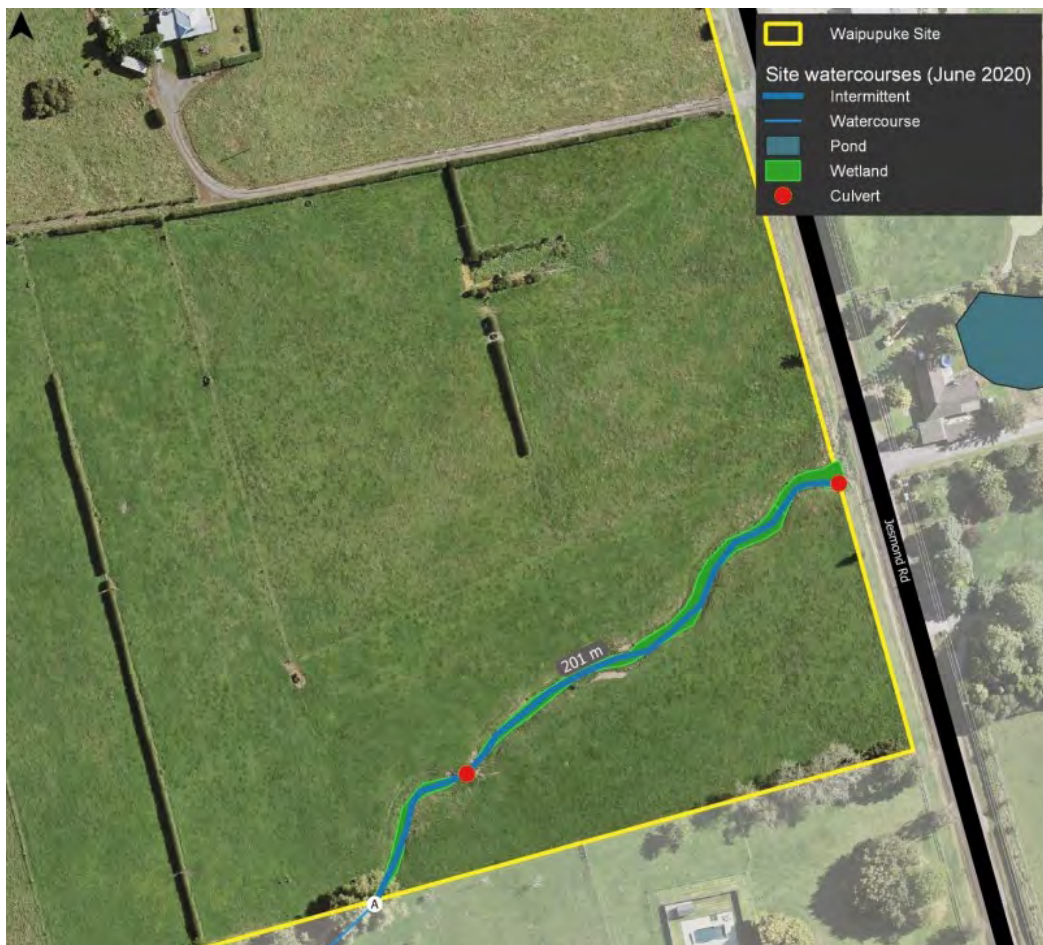


Figure 58: Wetlands associated with Watercourse A

409. The NPS-FM provides the following definitions for 'natural wetland' and 'improved pasture' (underline added).

**natural wetland** means a wetland (as defined in the Act) that is not:

(a) a wetland constructed by artificial means (unless it was constructed to offset impacts on, or restore, an existing or former natural wetland); or

(b) a geothermal wetland; or

(c) any area of improved pasture that, at the commencement date, is dominated by (that is more than 50% of) exotic pasture species and is subject to temporary rain derived water pooling

**improved pasture** means an area of land where exotic pasture species have been deliberately sown or maintained for the purpose of pasture production, and species composition and growth has been modified and is being managed for livestock grazing

410. Ms Bloom in her assessment states that the wetland is not subject to 'temporary rain derived pool' as it is naturally fed by the spring and stream and no evidence of any deliberate sowing or maintenance of exotic pasture species for the purpose of pasture production has been shown. Ms Bloom does not agree with the requestor's application of the 'improved pasture' definition for the wetlands associated with Watercourse A.

411. Ms Bloom notes that there is a possible wetland just north of the PPC61 land, within 191 Oira Road that should be considered in case any works on the PPC61 land trigger requirements for consent.

412. The approximate setbacks from areas of natural wetlands are shown on **Figure 59** below. The setbacks are relevant as some activities within them trigger the requirement for consent under the NES-FM. For example, earthworks to enable development within a 100m setback from a natural wetland that results in complete or partial drainage will be a non-complying activity.

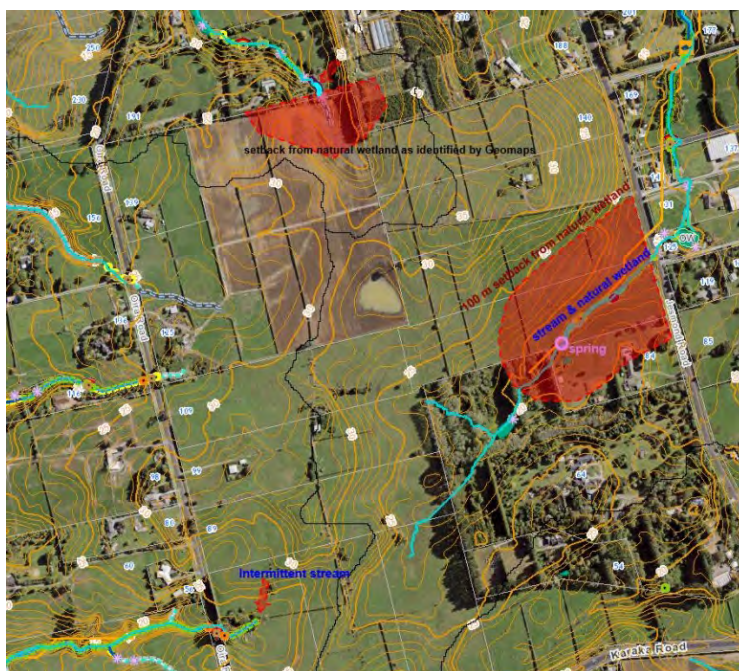


Figure 59: Annotated map showing approximate locations of watercourses and setbacks from areas of natural wetland taken from Geomaps.



413. Without correct identification of natural wetlands, the potential effects of PPC61 on the wetland's ecology and hydrology has therefore not been adequately assessed.
414. Furthermore, if the natural wetlands on, and within 100m of the plan change land are not correctly identified and delineated, the applicable rules under the regulations of the NPS-FM and NES-FW may not be correctly applied at the development resource consent stage.
415. If the wetlands are correctly identified and delineated, along with an appropriate assessment of effects and consideration of the NPS-FM and NES-FW, Ms Bloom is able to support the plan change.

#### Comments

416. The issues raised by Ms Bloom are still outstanding. I agree with Ms Bloom that the status of the wetland associated with Watercourse A should be confirmed at this stage. It would be progressively harder at the resource consent stage to deal with this, particularly as the plan change documentation has not noted the presence of natural wetlands and the Wetland Assessment has specifically stated that no wetland which meets the definition of a 'natural wetland' exists on site.

#### Peer review – terrestrial ecology

417. Terrestrial ecology effects have been peer reviewed by Carl Tutt, Ecologist, Auckland Council (Memo included in Appendix 4).

418. The key terrestrial ecological issues identified by Mr Tutt is summarised as follows:

- *A number of large exotic trees within the site which have suitable bat roost features, which could likely be used intermittently as day roosts. The removal of these trees as a permitted activity could potentially have impacts on the local bat population.*
- *The proposed precinct plan makes mention of protected stream (and riparian margins) but provides no further detail on how these areas will be protected.*
- *The plan change as notified is partially inconsistent with objectives in the RPS and Chapter E15 of the AUP.*

419. Mr Tutt acknowledges that bats have been mentioned in the ecology report and that a bat survey had been planned but was not completed due to COVID-19 restrictions over the survey period.

420. Mr Tutt notes that some of the older, larger trees on site may contain suitable day roosts for bats such as the Long-tailed bat (*Chalinolobus tuberculatus*) which has a conservation status of 'Threatened – Nationally Critical' and is protected under the Wildlife Act 1953. Their habitat requires consideration as a matter of national importance under section 6(C) of the RMA.

421. Without a completed bat survey, the habitat value of individual trees or groups of trees on-site and justification for protection and retention of vegetation if bats had been detected, was not able to be adequately assessed. As noted in the arboricultural report, while there are no trees within site that are worthy of scheduling under the AUP:OP, the removal of these trees as a permitted activity could potentially have impacts on the local bat population.

422. Mr Tutt notes that Chapter E15 of the AUP protects riparian margin vegetation, but some of the potential roost trees are outside of riparian margins. Mr Tutt considers there is no surety these trees will be considered or protected at resource consent stage, and this is inappropriate for the potential habitat of a threatened species.
423. In the absence of a sufficient assessment of bats at plan change stage, and to ensure that all ecology values are appropriately considered at the outset of development, Mr Tutt recommends that an Environmental Management Plan requiring ecological surveys of bats, birds and significant ecological values and habitats needs to be provided as part of any development/subdivision application (as a special information request).
424. The precinct has proposed new activities around weed and vegetation removal in all the activity tables (MHU, THAB, OSIR and BNC). Mr Tutt considers that these activities should be deleted as they either represent minor deviations from Chapter E15 of the AUP or the justification for the change is not supported.
425. Mr Tutt recommends amendments to several precinct provisions to include specific reference to maintaining and improving biodiversity around the riparian margins of streams, which will bring the precinct more in line with the requirements of Objective B7.2. 1(2) of the RPS and Objective E15.2(2) of Chapter E15. This includes amendments to Policy IXXX.3(7) and Standard IXXX.6.4(2).
426. Mr Tutt recommends that a riparian planting plan is required to accompany any development or subdivision of land that contains a stream to ensure compliance with Standard IXXX.6.4(2).
427. With the above recommendations actioned, Mr Tutt can support the proposed plan change from a terrestrial ecology perspective.

#### Comments

428. I agree that there is no explicit requirement in the AUP to consider bat roosting potential before removal of trees outside riparian margins, which can occur as a permitted activity under the AUP. I consider Mr Tutt's recommendation that an Ecological Management Plan is required as a special information requirement is an appropriate solution which will ensure any potential effects are addressed at the consenting stage. This would give effect to AUP RPS Objectives B7.2(1) and (2) aiming to protect areas of significant indigenous biodiversity, and maintain indigenous biodiversity through protection, restoration and enhancement in areas where development is occurring.
429. I adopt Mr Tutt's recommendations to amend Policy IXXX.3(7) and Matters of Discretion IXXX.7.1(5) as I agree that the suggested wording will be more consistent with the biodiversity objectives of the AUP and provide clear direction on restoration outcomes.
430. I recommend edits to the wording of Standard IXXX.6.4 (2) as set out in section 11.6.
431. I agree with Mr Tutt that the preparation of a Riparian Planting Plan (as a special information requirement) will be required to demonstrate compliance for any development/subdivision with Standard IXXX.6.4(2).
432. I agree with Mr Tutt that the rules regarding vegetation removal should be deleted as the existing E15 provisions of the AUP are sufficient for achieving the same outcomes given the minor differences between the proposed and underlying provisions.

## 9.12 Effects on Mana Whenua values

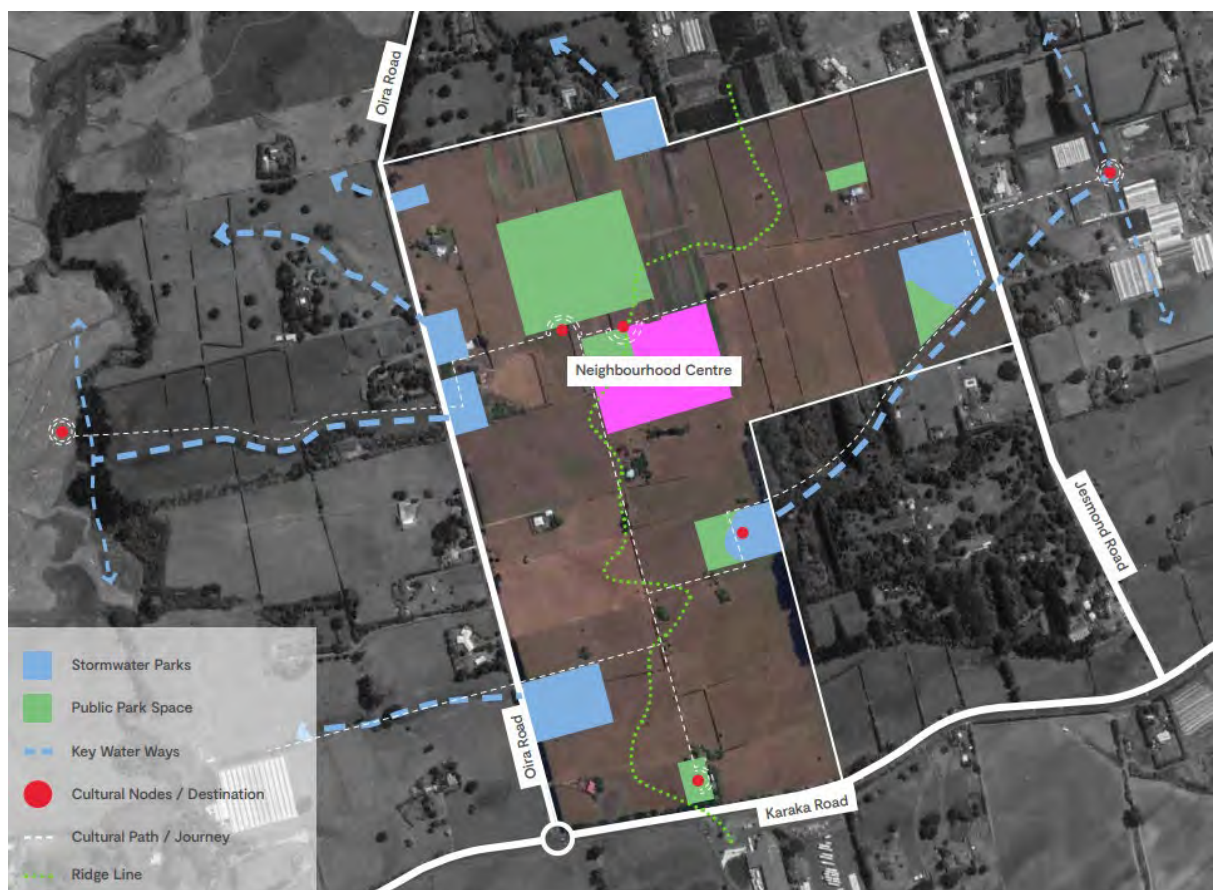
### Application

433. A Mana Whenua Engagement Report prepared by Navigator Ltd (attachment D to the application) was submitted with the proposed plan change and a summary of the engagement process and a list of the agreed outcomes between the requestor and Ngāti Te Ata, Te Ākitai and Ngāti Tamaoho have been provided (attachment E to the application).
434. Cultural values of the plan change area have been assessed in the three Cultural Value Assessments ('CVA') prepared by the following iwi groups:
- Ngāti Te Ata Cultural Values Assessment (attachment E(i) to the application)
  - Te Ākitai Cultural Values Assessment (attachment E(ii) to the application)
  - Ngāti Tamaoho Cultural Values Assessment (attachment E(iii) to the application)
435. The engagement process is discussed in section 6.1 of this report. Section 8.2 of the s32 evaluation report provides a summary for each of the CVAs and lists the Agreed Outcomes, which is a set of outcomes and objectives for Waipupuke which the requestor and Ngāti Te Ata, Ngāti Tamaoho and Te Ākitai Waiohū have reached agreement on. As a broad summary, the key areas of interest to iwi include:
- Ongoing engagement has been requested, which should extend beyond the plan change stage;
  - Ongoing partnership with the requestor so there are opportunities for input from iwi at each stage of the development;
  - Rehabilitation of the waterways given their current degraded state;
  - Ensuring stormwater flows from Waipupuke is treated;
  - A treatment train and pass forward approach to stormwater management is supported;
  - Maintain and enhance the ridgeline which runs north-south across Waipupuke;
  - Cultural monitoring is undertaken by iwi;
  - Earthworks, erosion and sediment control, soil management and contaminated land effects;
  - The potential to disturb Maori artefacts of archaeological features;
  - Te Aranāga Principles are incorporated in the design of the site and in future built form,
  - Use cultural features to assist with cultural and spiritual connection to whenua and wai;
  - Acknowledge that Ngāti Te Ata, Ngāti Tamaoho and Te Ākitai Waiohū as kaitiaki have stewardship responsibilities as guardians over the whenua and wai

- A partnership approach between the requestor and Ngāti Te Ata, Ngāti Tamaoho and Te Ākitai Waiohūa to manage natural resources;
- Input into the design, location and function of open spaces;
- Develop a network of safe and well-connected pathways with opportunities to provide connections between waterways;
- Ensure management and protection of natural resources is set above minimum requirements (i.e. for ecology, stormwater);
- Implement riparian plantings, preferably with indigenous plant species; and
- Iwi involvement in plant selection and the design of wetland planting.

### *Mana Whenua Cultural Identity Markers*

436. The Urban Design report has proposed indicative cultural nodes/destinations and indicated potential locations for these nodes (see **Figure 60**). The nodes may be place holders for pou, sculptural installations and way finding devices which, in conjunction with cultural paths and waterways will ‘offer a narrative throughout the site to express the vision of Waipupuke’. The report also states that the integration of Te Aranga Design principles will be applied through all levels of site development, including: built form, landscape, planting, street naming and sculptural nodes.



**Figure 60: Indicative cultural nodes**

437. It is my understanding that a new activity of ‘Mana Whenua Cultural Identity Markers’ will be introduced to the Waipupuke Precinct to support the nodes described above. This new

activity will have its own corresponding definition and is proposed as a permitted activity in all zones within the precinct. As part of the Clause 23 request, clarification was sought on whether mana whenua cultural identity markers requires a new definition and how it differentiates from 'artworks'. The response from the requestor is as follows:

*Mana Whenua Cultural Identity Markers are a unique concept that has evolved through comprehensive and meaningful engagement with mana whenua. They are very different from 'artworks'. The following summary explains the difference.*

*Artworks are not defined in the AUP. The general meaning relates to pictures and photographs, paintings, drawings or other artistic works. In addition, the term has been applied to sculptures.*

*Mana Whenua Cultural Identity Markers are considered to have a significantly greater meaning and have a specific relationship between the people and the land. They represent the guardians and protectors of the land. They may take the form of pouwhenua, carvings, waka, architectural detailing, facial representations, bone or stone symbols, monuments. A new definition has been included in the Waipupuke PPC.*

438. The proposed definition for Mana Whenua Cultural Identity Marker is:

*Mana Whenua Cultural Identity Marker*

*Includes*

- *Pouwhenua*
- *Carvings*
- *Waka*
- *Architectural detailing*
- *Facial representations*
- *Bone or stone symbols*
- *Monuments*

439. While there is no definition for 'artworks' in the AUP, some guidance has been provided by council's Public Art Policy (2014). In the policy, public art has a broad and inclusive definition, it includes works such as sculptures, murals, architectural sculptures, kōwhaiwhai, pou whenua, performances and digital art. It also includes 'the integration of artistic or design features into urban design elements such as buildings,...'.

440. The requestor has stated that Mana Whenua Cultural Identity Marker has greater significance than 'artworks', and that this concept was developed through engagement and is unique. I acknowledge this and I'm not opposed to this idea or the reasons behind the proposed provision for such activities/works.

441. In my view, the current activity of 'artworks' sufficiently provides for the activities/works enabled under the definition of Mana Whenua Cultural Identity Marker, with perhaps the exception of 'monuments'. What 'monuments' is intended to provide for should be clarified by the requestor. Otherwise works such as carvings or Pouwhenua should already be permitted in the AUP under the definition of artworks.

442. Before the new definition is to be introduced into the AUP (Chapter J – Definitions), and the new activity into the precinct, the requestor should clarify the need to provide for a new definition to cover activities which can already be managed under the AUP.

*Key matters raised by Mana Whenua*

443. The Table below summarises the key matters raised by Mana Whenua in the cultural values assessments. These matters are considered under a number of topic headings in this report.

**Table 12: Sections of report addressing matters of relevance to Mana Whenua**

Key matters of relevance to Mana Whenua	How matters are addressed through this report
<i>Streams, riparian margins and planting</i>	These matters have been considered under section 9.6 and section 9.11 of this report.
<i>Vegetation management</i>	This matter has been considered under section 9.11 of this report.
<i>Open Space</i>	This matter been considered under section 9.2 of this report.
<i>Stormwater parks and wetlands</i>	These matters been considered under section 9.2 and section 9.6 of this report.
<i>Stormwater and flooding</i>	These matters are considered under section 9.6 of this report.  Section 4 of the Tonkin & Taylor SMP specifically discusses the Mana Whenua aspirations in relation to stormwater.

444. There are several matters which can be addressed at the resource consenting stage when more detailed work is undertaken, they include but are not limited to the following:

- Design of buildings and public spaces and opportunities to incorporate cultural references;
- Planting plans for riparian margins;
- Design of wetlands and its interface with parks;
- Design of stormwater devices;
- Managing the effects of earthwork;
- Sediment and erosion control plans; and
- Construction related effects (i.e. dust, odour, contaminants).

445. Other matters raised such as providing naming rights to Mana Whenua for the open spaces and streets is between the developer and Mana Whenua.

446. As part of the Clause 23 Request, confirmation on the consideration of iwi management plans as relevant to PPC61 was sought from the requestor. The following response was received from the requestor:

*We have undertaken significant iwi consultation as part of this PPC. This is evidenced within the numerous supporting technical reports submitted with this application and the Mana Whenua Engagement Report, Agreed CVA outcomes and the three CVA's that have been provided from Ngati Te Ata, Ngati Tamaoho and Te Akitai.*

*Of the three iwi that sought to be involved in the PPC process, it appears that Ngati Te Ata are the only party with an Iwi Management Plan called Nga Tikanga o Ngati Te Ata (Tribal Policy Statement 1991). After discussions with Karl Flavell (Ngati Te Ata Manager and representative) he has expressed that the 4 principles of this Iwi Management Plan (IMP) are included in the CVA and Engagement summary submitted with the PPC. These are summarised as follows:*

- Who the people of Ngati Te Ata are and their Whakapapa.*
- Tribal history and association with the whenua.*
- Whanau aspirations*
- Importance of kaitiakitanga and how its applied*
- Undertaking of cultural monitoring by Iwi kaitiaki*
- Improve access to water bodies and create ecological linkages through the site*
- Implement Mana Whenua protocols*
- Improve access to cultural and spiritual sites*
- Agree open space location and design*
- Restoring the mauri of waterbodies*
- Protect, rehabilitate and enhance waterways*
- Manage stormwater so that clean and contaminated water are not mixed*
- Use indigenous vegetation*
- Requirement to share archaeological reports, results and outcomes*

*In summary, the matters raised in the Iwi Management Plan have been taken into account through the Cultural Values Assessment and the Iwi engagement undertaken by the applicant in the preparation of the Waipupuke PPC.*

447. The section 32 report noted that iwi management plans informed the development of the structure plan.

448. There are no known identified sites of Significance or Value to Mana Whenua within the plan change area.

## 10. NOTIFICATION AND SUBMISSIONS

### 10.1 Notification details

449. Details of the notification timeframes and number of submissions received is outlined below:

Date of public notification for submissions	28 January 2021
Closing date for submissions	01 March 2021
Number of submissions received	29 (including 1 Submission withdrawn on 25 February 2021)
Date of public notification for further submissions	9 April 2021
Closing date for further submissions	23 April 2021
Number of further submissions received	7

450. Copies of the submissions and further submissions are attached as Appendix 6 to this report.

451. One submission was withdrawn on 25 February 2021.

452. One submission point was withdrawn on 11 June 2021 when Kāinga Ora informed the Council that it was withdrawing submission point 20.3. Attachment 1 of Kāinga Ora's submission was also withdrawn at their request as it relates to submission point 20.3.

### 10.2 Analysis of Submissions and Further Submissions

453. The following sections address the submissions received on PPC61. It discusses the relief sought in the submissions and makes recommendations to the Hearing Commissioners.

454. Submissions that address the same issues and seek the same relief have been grouped together in this report under the following topic headings:

- Submissions supporting PPC61 in its entirety
- Submissions opposing PPC61 in its entirety
- Submissions on Timing and Funding Issues



- Submissions on Traffic and Transport Effects
- Submissions on Urban Design Effects
- Submissions on Ecological Effects
- Submissions on Stormwater and Flooding Effects
- Submissions on Zoning and Plan Change Boundary
- Submissions on Land-use
- Submissions on Cultural Effects
- Submissions on Archaeology and Heritage Effects
- Submissions on Other Infrastructure and Servicing Matters
- Submissions on Reverse Sensitivity
- Submissions on Open Space Matters
- Submissions on Precinct
- Submissions on Notification Provisions
- Submissions on Other / General Matters

455. Further submissions have generally not been directly addressed unless containing pertinent new information – recommendations on further submissions are made in accordance with the recommendation on primary submission.

456. In the tables below the further submissions have been abbreviated as follows:

Support = S  
 Support in Part = SIP  
 Oppose = O  
 Oppose in Part = OIP

457. The further submitters are listed below.

Further Submitter Number	Further Submitter
FS1	Auckland Transport
FS2	Waka Kotahi New Zealand Transport Agency
FS3	Kāinga Ora – Homes and Communities
FS4	BSK Growers Limited
FS5	Counties Power
FS6	Soco Homes Limited
FS7	Harnett Bruce Harnett Orchard

### 10.2.1 Submissions supporting PPC61 in its entirety

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planners Recommendation
1.1	Anthony Joyce	Approve the plan change	<i>FS1 - O</i>	Accept in Part

#### Discussion

458. The support of this submission is noted. As covered in the above technical reviews and in response to other submissions (as addressed in the following sections), I consider that the plan change request requires amendment to better accord with the objectives of the AUP RPS. I therefore recommend accepting this submission in part.

#### Recommendations on submissions

459. That submission 1.1 be accepted in part to the extent that I have recommended amendments to the plan change.

460. There are no amendments associated with this recommendation.

### 10.2.2 Submissions opposing PPC61 in its entirety

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planners Recommendation
3.1	Balkar Singh	Decline the plan change in its entirety. Support the retention of the Future Urban zone on 303 Oira Road, Drury.	<i>FS4 – S</i>	Reject
7.1	Malcolm Douglas Scott	Decline the plan change in its entirety. The plan to direct stormwater down the shared driveway of 175 Jesmond Road is opposed.	<i>FS1 - OIP</i>	Reject
10.1	Katherine Grace de Courcy and Robert Russell Maunganui Smith	Decline the plan change in its entirety. The infrastructure required to service the development such as an upgrade to Jesmond Road is not in place and may be several years away.	<i>FS1 – OIP</i> <i>FS3 – O</i>	Reject
14.1	Shan Yin Property Investment Family Trust	Decline the plan change in its entirety. Should be a Council lead plan change. The solutions to manage stormwater and flood risk should align with the Drury-Opaheke structure plan. Public wastewater connections should be installed on public land with locations to be determined by council.	<i>FS1 – OIP</i> <i>FS3 – OIP</i>	Reject
15.1	The Te Henga Family Trust	Decline the plan change in its entirety. Should be a Council led plan change for consistency and clarity in outcome for the Drury/Opaheke area. Infrastructure	<i>FS1 – OIP</i> <i>FS3 – OIP</i>	Reject

		and services required for the development should be appropriately funded and delivered prior to approval of plan change.		
18.1	Elly S Pan	In its current form, decline the plan change in its entirety. PC61 needs to address its effects on surrounding properties in terms of required infrastructure upgrades which has no clear funding mechanism. The downstream effects of development needs consideration and consultation with affected landowners as there are no means to ensure infrastructure is in place before the levels of demand degrade service performance.	<i>FS1 - SIP</i>	Accept in Part
23.1	Auckland Council	Decline the plan change in its entirety until there is a fully funded and appropriately staged solution for the integration of land use, infrastructure and development for the Precinct and Sub Region. If the plan change is not declined, amend to retain the provisions as set out in council's submission.	<i>FS1 – S FS3 – OIP</i>	Accept in Part
29.1	Mark Lewis Grey	Decline the plan change in its entirety. The proposed upgrade of Jesmond Road is not supported.	<i>FS3 - O</i>	Reject
29.2	Mark Lewis Grey	Decline the plan change in its entirety. Leave the existing property as it is.	<i>FS3 - O</i>	Reject

### Discussion

461. Malcolm Douglas Scott **[7.1]** and Shan Yin Property Investment Family Trust **[14.1]** are concerned with the downstream effects of stormwater and flooding. Shan Yin Property Investment Family Trust also seek realignment of wastewater infrastructure so it is located on public land.
462. Katherine Grace de Courcy and Robert Russell Maunganui Smith **[10.1]** are concerned that PPC61 is not well integrated with development occurring in the DOSP and is not staged appropriately to ensure supporting infrastructure is provided in time.
463. The Te Henga Family Trust **[15.1]** and Elly S Pan **[18.1]** share similar concerns with respect to infrastructure funding, delivery, and coordination. The submitters are also concerned that PPC61 will not result in a comprehensive and concerted approach to urbanisation of the DOSP area.
464. Auckland Council **[23.1]** has requested that the plan change be declined in its entirety unless there is a fully funded and appropriately staged solution. Auckland Council considers that the failure of PCC61 to take an integrated and coordinated approach to infrastructure provision, along with funding shortfalls, will result in strategic and whole of Auckland issues with major implications for infrastructure providers.
465. Balkar Singh **[3.1]** and Mark Lewis Grey **[29.1, 29.2]** are opposed to any changes to the local environment enabled through PPC61.

## Analysis

466. Submitters have expressed concerns over the funding, timing and form of infrastructure required to support PPC61, and the potential effects of delayed or inadequate infrastructure on surrounding areas (such as flooding, stormwater and impacts on growth).
467. The matters raised by submitters that translate to reasons for declining PPC61 in its entirety has been considered in the above technical reviews and in response to other submissions.
468. I consider that the plan change request requires modification to better accord with the objectives of the AUP RPS, but as identified in this report, there are solutions available to achieve consistency.
469. For submitters that request Auckland Council initiate public plan changes to realise the DOSP, this is for council to decide and is not a relevant consideration for this private plan change.

## Recommendations on submissions

470. That submission 3.1 be rejected given that 303 Oira Road is not within the plan change area and no zoning change has been proposed for the property as part of PPC61.
471. That submission 7.1 be rejected as PPC61 has not proposed any diversion/modification of existing stormwater flows outside of the plan change area.
472. That submissions 10.1, 14.1, 15.1 be rejected as amendments to the plan change can address the matters raised by the submitters. Declining the plan change to meet the submitters relief is not appropriate.
473. That submissions 18.1 and 23.1 be accepted in part as I have recommended modifications to the plan change before it is approved.
474. That submissions 29.1 and 29.2 be rejected due to insufficient reasons provided for declining the plan change.
475. These amendments are set out in **Appendix 7** to this report.

### **10.2.3 Submissions on staging, timing and funding Issues**

<b>Sub. No.</b>	<b>Name of Submitter</b>	<b>Summary of the Relief Sought by the Submitter</b>	<b>Further Submissions</b>	<b>Planners Recommendation</b>
11.4	Linqi Wang	Transport infrastructure funding and delivery of the roading upgrades should be addressed prior to approval of PC61.	<i>FS1 – S</i> <i>FS3 – OIP</i>	Accept in Part
16.3	Ministry of Education	The following provision in the proposed Waipupuke Precinct is supported: Objective IXXX.2 (9)		Accept
19.18	NZ Transport Agency (Waka kotahi)	Amend Standard IXXX 6.8 (Arterial Road Intersections) to reflect the appropriate triggers, as identified in the ITA and in the suggested wording included as Attachment 1 of NZTA's submission.	<i>FS1 – SIP</i> <i>FS3 – SIP</i>	Accept in Part

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planners Recommendation
19.2	NZ Transport Agency (Waka kotahi)	Amend PC61 to provide clarity over staging of development and any associated triggers for staging. In particular, Stage 3 should be developed in conjunction with the Upgrade of State Highway 22 and associated walking and cycling facilities, as well as the Drury West station. A proposed suite of infrastructure triggers is proposed in Attachment 1 to the NZTA submission.	<i>FS1 – SIP</i> <i>FS3 – SIP</i>	Accept in Part
22.2	Auckland Transport	Decline PPC 61 unless the reasons for Auckland Transport's submission are addressed and resolved, including the funding of transport infrastructure and services.  If PPC 61 is not declined, there is a need to consider a range of mitigation methods including the potential deferral or review of land development staging to ensure co-ordination and alignment with the required transport network mitigation.	<i>FS3 – OIP</i> <i>FS6 – S</i>	Accept in Part
22.3	Auckland Transport	Amend PPC 61 to incorporate provisions and / or mechanisms which address the following in relation to the upgrade of Oira Road, State Highway 22 / Karaka Road and Jesmond Road: <ul style="list-style-type: none"> <li>• Vesting and formation of frontage, drainage and carriageway upgrades</li> <li>• Timing of upgrade requirements</li> <li>• Funding and delivery of the above work.</li> </ul>	<i>FS2 – S</i> <i>FS6 – S</i>	Accept in Part
22.4	Auckland Transport	Decline PPC 61 on the basis that the area is not giving effect to the Regional Policy Statement (RPS) or alternatively reconcile the discrepancy between the relevant RPS provisions (B2.2.1 Objective 2 and B2.2.2 Policy 4) and the Drury – Opāheke Structure Plan in the context of statutory regional planning guidance on future urban zones in Auckland.		Accept in Part
22.6	Auckland Transport	Amend PPC 61 to include appropriate activity rules, standards, matters of discretion and assessment criteria in relation to staging requirements.	<i>FS2 – S</i> <i>FS6 – S</i>	Accept
22.8	Auckland Transport	Decline PPC 61 or alternatively amend the plan change to incorporate provisions addressing the staging and timing of transport infrastructure and	<i>FS2 – S</i> <i>FS3 – SIP</i> <i>FS5 – SIP</i>	Accept in Part

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planners Recommendation
		<p>services with the proposed development build-out and the interim effects of development proceeding ahead of the ultimate planned network, including:</p> <ul style="list-style-type: none"> <li>• The requirement for transport infrastructure and services to be delivered prior to the construction of anticipated stages of development enabled by the plan change.</li> <li>• The appropriate application of development staging rules and standards including the activity status when breaching triggers for transport infrastructure requirements.</li> <li>• Recognising the associated processes necessary to bring about delivery of transport infrastructure and services as the basis for defining the timeframes for transport infrastructure and services in relation to the staging of the enabled land use development.</li> <li>• The transport infrastructure requirements to include: <ul style="list-style-type: none"> <li>- Early active mode access to the proposed new rail station and / or bus services;</li> <li>- Introduction of public transport services to the Precinct Plan area;</li> <li>- Any interim improvements to State Highway 22;</li> <li>- Upgrade of the State Highway 22 / Oira road intersection to a roundabout; and</li> <li>- Internal collector and local connections identified within precinct plan.</li> <li>- Any other transport improvements identified as being required to support development</li> </ul> </li> </ul>	<p><i>FS6 – SIP</i></p>	
23.2	Auckland Council	<p>Ensure that the council's concerns about bulk infrastructure: funding deficit, timing and location uncertainty are resolved by the following or other means:</p> <p>a. Evidence is presented at the hearing that a mechanism has been identified with the agreement of the council that unfunded infrastructure (as of October 2020) will be funded.</p>	<p><i>FS1 – SIP</i> <i>FS3 – OIP</i> <i>FS6 – S</i></p>	Accept in Part

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planners Recommendation
		<p>b. Evidence is presented at the hearing that parts of the plan change area are not constrained by infrastructure funding, timing or location uncertainty and can proceed without significant adverse effects.</p> <p>c. Infrastructure development threshold or staging rules can be devised that are enforceable and effective, and supported by robust objective and policy provisions. This could for example include:</p> <ul style="list-style-type: none"> <li>• Threshold rules are not used for infrastructure works to be supplied by third party, e.g. Auckland Transport or NZTA, if these agencies do not have funds allocated for the works.</li> <li>• Threshold rules are not used for infrastructure works which are scheduled beyond the lifetime of the plan (2026).</li> <li>• Threshold rules are not used for works to be funded privately but there is no funding agreement in place.</li> <li>• Threshold rules are not used for works which would require a funding contribution from multiple landowners or developers and there is no agreement to apportion costs and benefits in place.</li> <li>• Threshold rules do not use gross floor area as a metric (the council may not be able to track this with current data systems).</li> <li>• Use of prohibited activity status for infringement could be considered.</li> </ul> <p>d. Notices of requirement have been lodged for the relevant infrastructure by the time of the hearing.</p>		
25.3	Counties Power	Retain Objective 1xxx.2 (9) in the proposed Waipupuke Precinct as notified.	FS3 – SIP	Accept

Discussion

476. Linqi Wang [11.4] has concerns around transport infrastructure funding and delivery of roading upgrades.

477. Auckland Council [23.2] and Auckland Transport [22.8] have raised concerns about bulk infrastructure funding, deficit, timing and location uncertainty primarily across Drury West.
478. Auckland Transport [22.2] seeks amendments to the proposed precinct so that subdivision and development is coordinated with the provision (including funding and delivery) of the transport infrastructure and services that are required to support the precinct and connecting it to the wider network.
479. Auckland Transport [22.3, 22.6], Auckland Council [23.2] and NZTA [19.18, 19.2] have noted in their submissions that the use of some form of trigger/threshold provisions in the precinct as a means to address uncertainty over the timing and funding of infrastructure improvements is considered an appropriate method among other options. AT have noted specific infrastructure which should be required by triggers/thresholds in the precinct.
480. Auckland Transport and NZTA have requested that the upgrades to adjacent roads (i.e. Oira Road, Jesmond Road and Karaka Road (SH22)) is managed via precinct provisions, and that the timing of development is co-ordinated with the provision of such upgrades.
481. Auckland Transport seeks that the provision of required transport infrastructure, such as early active mode access to the rail station, introduction of bus services and upgrade of local intersections, is incorporated into the precinct provisions for staging.
482. The submissions have raised issues over the method (infrastructure triggers in precinct) proposed by the requestor to address uncertainty over the funding and delivery of local infrastructure improvements. Auckland Council has requested that any triggers/development thresholds are 'enforceable and effective, and supported by robust objectives and policy provisions'. NZTA has proposed an amended set of infrastructure triggers.

### Analysis

483. The matters raised above by submitters have been traversed in section 9.4 of this report.
484. PPC61 is within Stage 1 of the FULSS so the proposal is not out of sequence. The plan change area is identified as being development ready from 2022.
485. There are a number of transport upgrades identified as being required to manage the transport effects of urbanisation of Drury West, as well as those specifically required to support PPC61. These upgrades are listed in Table 10 and Table 11 in section 9.4 above, along with comments on timing and funding. There is expected to be funding available for all of the identified upgrades by 2028 and completion of the upgrades by 2031.
486. Submitters have commented on the infrastructure required (summarised below), which are not dissimilar to those identified in Table 10 and Table 11.

#### *1. Required for any development:*

*a. Oira Road/ Karaka Road intersection upgrade to a two-lane roundabout (NZTA, AT, Kainga Ora)*

*b. Jesmond Road / Karaka Road intersection upgrade to a two-lane roundabout or traffic signals (NZTA)*

#### *2. Required for development in Masterplan Stage 3:*



*a. The upgrade of Karaka Road, including active mode infrastructure, between Oira Road and Jesmond Road. (NZTA)*

*3. Required for provision of more than 2000 dwellings:*

*a. Oira Road widening and Karaka Road intersection upgrade (NZTA, Kainga Ora)*

*b. Jesmond Road widening and Karaka Road intersection upgrade (NZTA)*

*c. Karaka Road improvements (NZTA)*

*d. Jesmond Road Extension to Drury West station (NZTA)*

*e. Drury West rail station construction (NZTA)*

*f. Rail network upgrade (NZTA)*

*g. Bremner Road works (NZTA)*

*h. Pukekohe Expressway (NZTA)*

*4. Unspecified threshold:*

*a. Early active mode access to the rail station and bus services (AT)*

*b. Introduction of public transport services to the Precinct Plan area (AT)*

*c. Any interim improvements to Karaka Road (AT)*

487. Following notification of PPC61, the Waka Kotahi NoR for the SH22 upgrade (Project D1) and the AT NoR for the Jesmond Road FTN upgrade (Project D2) has provided increased certainty about the provision and footprint of upgrades, as well as the future route of the FTN network. As part of the NoR documentation, connectivity for active modes to the Drury train station has been considered.

488. The NoR for the Drury West train station has yet to be lodged but as discussed in section 3.5 above, there are good reasons for the station to be located in the currently identified area.

489. As notified, a staging standard was proposed in the precinct to assess the performance of the SH22/Oira Road and SH22/Jesmond Road intersections after 2,000 dwellings have been consented within Waipupuke. Mr Edwards has reviewed the Commute ITA and intersection modelling and recommends this standard is replaced in its entirety. As discussed in section 9.4 above, the performance of the intersections is likely to reach capacity with fewer than 2,000 dwellings within the precinct.

490. The capacity and performance of the intersection is dependent on a wide range of factors. These factors include the timing of development within PPC61, the delivery of transport infrastructure in the wider area, any development outside the plan change area and the development of non-residential activities in the BNC zone. To address these uncertainties, Mr Edwards recommends that the precinct contain standards that clearly identify the prerequisite upgrades required prior to any subdivision or development to ensure safe access to PPC61 and maintain acceptable intersection performance. These upgrades include intersection upgrades at Oira Road/Karaka Road (SH22) and at Jesmond Road/Karaka Road (SH22), and the upgrade of Oira Road to a collector standard.

491. To integrate development with the provision of transport infrastructure, Mr Edwards has recommended thresholds for development which limit the number of dwellings in the precinct prior to certain infrastructure being delivered.

492. As noted in the Arrive report, the development thresholds take into account the MSM modelling, the DOPPS ITA and the Commute ITA and modelling though there remains a degree of uncertainty over the actual timing of infrastructure versus growth. As such,

the provisions try to reach a reasonable compromise based on currently available information.

493. At 56ha, PPC61 represents around 25% of the land area of MSM zone 562 which is projected to accommodate 3,991 dwellings and 955 jobs at full build out. As noted by Mr Edwards, if the yield for MSM zone 562 is uniformly distributed, PPC61 should account for approximately 1,000 dwellings.
494. The MSM model and DOPPSP ITA represents a coarser assessment and level of detail than what is expected for at the level of plan changes. PPC61 may be able to accommodate additional dwellings over 1,000 though this will depend on an assessment at the consenting stage which will consider the infrastructure available at that time.
495. The scale of development is initially limited to 500 dwellings within the plan change area prior to the operation of public transport services (FTN and RTN) and access to the Drury West train station. Mr Edwards considers it reasonable to allow some development within the precinct prior to the introduction of public transport.
496. In land use and transport terms, the proposed Waipupuke Precinct will have close connections to future FTN bus services on Jesmond Road and part of the plan change area will be within an extended walking distance (around 1,200m) to the Drury West train station. The level of accessibility to public transport is however dependent on the completion of walking and cycling connections to the train station and bus stops.
497. As noted by Mr Edwards, lower trip rates (about half of current trip rates generated by typical residential areas) and high uptake of public transport (14% in 2028 and 20% at full build-out) is assumed in the transport assessment for PPC61. To meet these assumptions, I agree with Mr Edwards that it is appropriate to require development to be staged with the provision of key public transport infrastructure.
498. The precinct can provide up to 1,000 dwellings once public transport is operational and access (walking and cycling) is provided to the train station.
499. If PPC61 is to accommodate over 1,000 dwellings, all the following infrastructure is required to provide additional capacity and safe movement of all transport modes:
- Four vehicle lanes and separate walking and cycling infrastructure on Karaka Road between Oira Road and Jesmond Road.
500. Mr Edwards has noted that further assessment and additional evidence is required to demonstrate greater levels of development can be accommodated on the PPC61 site before the following threshold can be introduced:
- No subdivision or development providing for more than 2000 dwellings within the precinct shall occur prior to the Pukekohe Expressway being provided.
501. Non-compliance with the threshold standards is proposed to be a non-complying activity in the precinct Activity Table as development proceeding ahead of the required transport upgrades are likely to result in adverse effects on the safe and efficient operation of the transport environment.
502. Mr Edwards is of the view that enabling non-residential development to occur within the BNC zone is beneficial as it would provide goods and services for local residents and reduce the demand for travel from the residential areas. However, some controls are proposed in the standards to manage potentially high levels of vehicular traffic from non-residential activities.

503. The recommended threshold provisions are set out in section 9.4 above and in the tracked changes in **Appendix 7**.

504. The introduction of threshold/staging provisions, in addition to zoning pattern modifications and amendments to the notified PPC61 policies (to strengthen the primacy of public transport, active modes, connectivity to FTN/RTN and land-use and transport integration) will help to address the issue of uncertainty over the nature and extent of upgrades to the transport network as development progresses, and appropriately give effect to the RPS requirement to integrate infrastructure planning with land use planning (Objective B3.2.1(5), Policy 3.3.2(5)).

505. From the point of view of a rezoning decision, I consider that there is sufficient certainty that the transport infrastructure required for the development of PPC61 will be delivered over the short-medium term (within the next 10 years). Prior to delivery of the full suite of transport upgrades, there are interim solutions to ensure a limited scale of development can proceed.

#### Recommendations on submissions

506. That submission 11.4 be accepted.

507. That submissions 16.3 and 25.3 be accepted as Objective IXXX.2 (9) is recommended to be retained.

508. That submission 19.2 and 19.18 be accepted in part as infrastructure thresholds are recommended.

509. That submissions 22.2, 22.3, 22.4, 22.8 and 23.2 be accepted in part to the extent that I have recommended an amended set of infrastructure thresholds and policies.

510. That submission 22.6 be accepted as staging requirements are recommended to be managed through the precinct.

511. These amendments are set out in **Appendix 7** to this report.

## 10.2.4 Submissions on traffic and transportation effects

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submission	Planners Recommendation
16.1	Ministry of Education	The following provision in the proposed Waipupuke Precinct is supported: Objective IXXX.2 (6)	<i>FS1 – OIP</i> <i>FS3 – SIP</i>	Accept in Part
16.2	Ministry of Education	The following provision in the proposed Waipupuke Precinct is supported: Objective IXXX.2 (8)	<i>FS1 – OIP</i> <i>FS3 – SIP</i>	Accept
16.4	Ministry of Education	The following provision in the proposed Waipupuke Precinct is supported: Policy IXXX.3 (6)	<i>FS1 – OIP</i> <i>FS3 – SIP</i>	Reject
16.5	Ministry of Education	The following provision in the proposed Waipupuke Precinct is supported: Policy IXXX.3 (10)	<i>FS1 – OIP</i> <i>FS3 – SIP</i>	Accept in Part
16.6	Ministry of Education	The following provision in the proposed Waipupuke Precinct is supported: Permitted Activity Standard: IXXX.6.3 Collector Roads	<i>FS1 – OIP</i> <i>FS3 – SIP</i>	Reject
16.7	Ministry of Education	The following provision in the proposed Waipupuke Precinct is supported: Permitted Activity Standard IXXX.6.5 Arterial Road Access.	<i>FS3 - SIP</i>	Accept in Part
16.8	Ministry of Education	<p>Amendment is sought on the following provision in the Waipupuke Precinct: Permitted Activity Standard IXXX.6.8 Arterial Road Intersections (change is shown as <del>strikethrough</del>).</p> <p><del>(2) This standard shall not apply if the following transport upgrades are provided prior to the 2,000 residential dwelling number being reached within Waipupuke Precinct:</del></p> <ul style="list-style-type: none"> <li><del>a. Oira Road widening and SH22 intersection upgrade.</del></li> <li><del>b. Jesmond Road widening and SH22 intersection upgrade.</del></li> <li><del>c. SH22 improvements</del></li> <li><del>d. Jesmond Road Extension</del></li> <li><del>e. Drury West rail station construction</del></li> <li><del>f. Rail network upgrade</del></li> </ul>	<i>FS1 – O</i> <i>FS2 – S</i> <i>FS3 – SIP</i>	Accept in Part

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submission	Planners Recommendation
		g. Bremner Road works h. Pukekohe Expressway		
17.2	Ministry of Housing and Urban Development (HUD)	The road layouts and connections with the neighbouring land at the corner of Jesmond Road and SH22 should be designed to provide better pedestrian access and connectivity to the location of the planned rail station.	FS1 – SIP FS2 – S FS3 – SIP FS5 – SIP	Accept in Part
19.9	NZ Transport Agency (Waka kotahi)	Add a new non-complying activity reference in all Zones as follows: <u>(AXX) Any activity not in accordance with Standard IXXX.6.8 Arterial Road Intersections</u>	FS1 – S FS3 – SIP	Accept in Part
19.12	NZ Transport Agency (Waka kotahi)	Retain the following provision as notified: A17 – Infringement of Standard IXXX.6.5 – Arterial Road Access in Table IXXX.4.1 Residential -Terrace House and Apartment Building Zone		Accept in Part
19.13	NZ Transport Agency (Waka kotahi)	Retain the following provision as notified: A12 – Infringement of Standard IXXX.6.5 – Arterial Road Access in Table IXXX.4.2 Residential -Mixed Housing Urban Zone		Accept in Part
19.17	NZ Transport Agency (Waka kotahi)	Retain Rule IXXX.6.5(3)- Arterial Road Access in the proposed Waipupuke Precinct	FS3 – SIP	Accept
19.20	NZ Transport Agency (Waka kotahi)	Add additional assessment criteria and matters of discretion to IXXX.7.1(1), IXXX.7.1(13), IXXX.7.2(1) and IXXX.7.2(13) as follows: <u>(x) the outcome of any consultation with Waka Kotahi</u>	FS3 - O	Reject
20.4	Kāinga Ora – Homes and Communities	The land situated at 85 Jesmond Road is owned by Kāinga Ora, which is opposite the spatial extent of the proposed precinct's interface with Jesmond Road. Additional traffic generation and consequential effects on the existing transport will therefore have an effect on future development in the wider area.	FS1 – SIP	Accept

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submission	Planners Recommendation
		<p>Kāinga Ora seeks clarification and/or amendments to the proposed Waipupuke Precinct Provisions to ensure that any localised traffic effects that may require certain upgrades to the roading network, are sufficiently acknowledged within respective Precincts and equitably distributed to ensure that individual developers are not burdened with sole-responsibility for necessary network upgrades.</p>		
20.5	Kāinga Ora – Homes and Communities	<p>It would appear that the provisions of the proposed Waipupuke Precinct as-notified enables development of up to 2,000 dwellings to occur without any upgrade to the Oira Road intersection with SH22. The supporting Commute report however states that this intersection needs to be upgraded prior to any development within Waipupuke.</p> <p>Therefore, Kāinga Ora seeks amendment to IXXX.6.8 to ensure that all necessary upgrades to the existing road network are accounted for, and clearly related to any necessary thresholds and/or timeframes.</p>	<p><i>FS1 – SIP</i> <i>FS2 – S</i></p>	Accept
22.5	Auckland Transport	<p>Amend PPC 61 to incorporate amended and/or additional objectives and policies to address the application of transport and land use integration principles including:</p> <ul style="list-style-type: none"> <li>• efficiently servicing key origins/destinations by high quality public transport from the outset of development;</li> <li>• minimising walk distances to public transport nodes and stops;</li> <li>• mitigating barriers to safely accessing public transport;</li> <li>• locating a variety of land uses within a defined catchment to reduce travel distances / enable local trips by active modes; and</li> <li>• encouraging travel demand management initiatives.</li> </ul>	<i>FS2 – S</i>	Accept
22.7	Auckland Transport	Amend PPC 61 to incorporate provisions that address cross boundary transport network mitigation requirements and	<p><i>FS2 – S</i> <i>FS6 – S</i></p>	Reject

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submission	Planners Recommendation
		determining the responsibility for the delivery to ensure interim adverse effects on the transport network are mitigated.		
22.9	Auckland Transport	<p>Amend PPC 61 precinct provisions to provide for the mitigation of operational transport effects as part of the suite of transport staging provisions.</p> <p>These effects will potentially include but are not limited to the following:</p> <ul style="list-style-type: none"> <li>• Accelerated rate of damage on roading assets generated by increased vehicle movements</li> <li>• Consideration of the requirements to build significant utility infrastructure in the existing road corridors which are also likely to disturb the in situ pavements.</li> <li>• Rerouting of traffic via Bremner Road (i.e. as a rat run east west across Drury) based on the development timing and the potential effects on Jesmond Road and its intersection controls.</li> <li>• Rerouting of traffic and network impacts due to temporary construction detours</li> </ul>	<p>FS3 – O</p> <p>FS6 – S</p>	Reject
22.10	Auckland Transport	Given the status of State Highway 22 / Karaka Road and Jesmond Road as key parts of the transport network, Auckland Transport supports the proposed arterial road access restrictions (Table IXXX.4.1 (A17), Table IXXX.4.2 (A13), Table IXXX.4.3 (A19), Table IXXX.4.4(A23) and IXXX.6.5 Arterial Road Access).	<p>FS3 – SIP</p> <p>FS6 – S</p>	Accept in Part
22.11	Auckland Transport	<p>State Highway 22 / Karaka Road is part of the State Highway network managed by Waka Kotahi and is classified as an arterial road in the AUPOP. Jesmond Road has been identified as a future arterial road as part of the Supporting Growth Programme's strategic network.</p> <p>Amend PPC 61 to include an additional objective in the precinct provisions addressing the safe and efficient operation of the key strategic routes supporting the plan change area.</p>	FS3 – O	Accept
22.12	Auckland Transport	Amend PPC 61 to include an additional policy in the precinct provisions addressing the management of adverse effects on the effective, efficient and safe operation of State Highway 22 / Karaka Road and Jesmond Road for all transport users through the application of vehicle access restrictions.	<p>FS2 – S</p> <p>FS3 – O</p>	Accept in Part

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submission	Planners Recommendation
22.13	Auckland Transport	Amend PPC 61 to indicate the extent of the vehicle access restrictions on IXXX9.3 Waipupuke Precinct Plan 3: Transport and provide appropriate cross references in the relevant standards.	<i>FS3 - O</i>	Accept
22.16	Auckland Transport	Amend PPC 61 east-west collector network to align with the proposed collector network shown in the Drury - Opaheke Structure Plan 2019.	<i>FS2 – S</i> <i>FS3 – OIP</i>	Reject
22.17	Auckland Transport	Delete IXXX.6.3(1) road cross-section diagram, and:  Amend PPC 61 to include provisions relating to the minimum road reserve widths and key design elements and functional requirements of new roads and roads which need to be upgraded to urban standards including but not limited to:  <ul style="list-style-type: none"> <li>• Carriageway</li> <li>• Footpaths</li> <li>• Cycleways</li> <li>• Public Transport</li> <li>• Ancillary Zone (parking, street trees etc.)</li> <li>• Berm</li> <li>• Frontage</li> <li>• Building Setback</li> <li>• Design Speed (e.g. to support safe active mode movements)</li> <li>• Confirming that the proposed width of collector roads is adequate to accommodate required design elements and increase if necessary</li> </ul>	<i>FS3 – SIP</i> <i>FS5 – SIP</i> <i>FS6 – S</i>	Accept
22.18	Auckland Transport	Auckland Transport supports the use of precinct provisions to set out any specific transport related mitigation, assessment or staging requirements.	<i>FS3 – SIP</i>	Accept
22.20	Auckland Transport	Amend the PPC61 precinct provisions to incorporate policies, standards and assessment criteria as appropriate to provide for efficient and effective active mode movements reflecting the following transport outcomes: <ul style="list-style-type: none"> <li>• Walking and pedestrian connections to / from public transport routes (including Jesmond Road Frequent Transit Network and Oira Road), stops and future rail stations</li> <li>• Walking and pedestrian connections to / from local facilities and destinations including schools.</li> <li>• Safe walking and cycling facilities provided for as part of the proposed</li> </ul>	<i>FS2 – S</i> <i>FS3 – SIP</i> <i>FS6 - S</i>	Accept in Part



Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submission	Planners Recommendation
		<p>road/street network including local roads and access ways and provisions for rear access along roads with cycle facilities.</p> <ul style="list-style-type: none"> <li>To include pedestrian and cycleway linkages as shown in the PPC 61 masterplan documents on IXXX9.3 Waipupuke Precinct Plan 3: Transport and any additional items as noted above.</li> </ul>		
22.26	Auckland Transport	<p>Auckland Transport seeks the following:</p> <ul style="list-style-type: none"> <li>That feasible and optimal future network link alignments to the east and west and north of PPC 61 be confirmed and integrated with PPC 61 and wider network requirements.</li> <li>That these be identified within the Precinct Plan or by other means where they continue beyond it.</li> </ul>	<p><i>FS3 – OIP</i> <i>FS6 - S</i></p>	Accept in Part
22.27	Auckland Transport	<p>As part of Auckland Transport's submission on PC 51 (Private): Drury 2 Precinct it was suggested that there should be a direct east west link from Jesmond Road to the town centre and north south collector network which is capable of accommodating buses. Auckland Transport requests that the PPC61 collector network is aligned with the provision of a direct link from Jesmond Road to the town centre being considered as part of PPC 51: Drury 2 Precinct.</p>	<i>FS3 – OIP</i>	Reject
25.2	Counties Power	<p>Support in part Objective Ixxx.2 (8) of the proposed Waipupuke Precinct. However, Counties Power seeks alternative road corridor design to ensure appropriate electricity infrastructure can be provided to service the developments within the plan change area. These changes include:</p> <ul style="list-style-type: none"> <li>700mm grass covered strip at the back of the berm along both sides of the road</li> <li>Suitable provision required for distribution substations within the road reserve in agreement with Counties Power.</li> </ul>	<p><i>FS1 – O</i> <i>FS3 – O</i></p>	Reject
25.7	Counties Power	<p>Standard IXXX.6.3 is supported in part. Counties Power seeks alternative road design to ensure appropriate electricity infrastructure can be provided to service the developments within the plan change area. These changes include:</p>	<p><i>FS1 – O</i> <i>FS3 – O</i></p>	Reject

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submission	Planners Recommendation
		<ul style="list-style-type: none"> <li>• 700mm grass covered strip at the back of the berm along both sides of the road</li> <li>• suitable provision required for distribution substations within the road reserve in agreement with Counties Power.</li> </ul>		
25.10	Counties Power	Retain Assessment criteria IXXX.7.2 (4) in the proposed Waipupuke Precinct as notified.	<i>FS1 – O</i> <i>FS3 – SIP</i>	Accept in Part

### Discussion

512. This set of submissions deal with the more operational aspects of traffic and transport matters. Refer to section 10.2.3 on timing and sequencing for transport infrastructure.

513. The discussion of submissions is categorised into the following sub-sections:

- Objectives and policies
- Standards relating to transport upgrades
- Arterial road access restrictions
- Design of collector roads
- Integration of transport networks between Waipupuke and adjacent land

#### Objectives and policies

514. The Ministry of Education [**16.1, 16.2, 16.4 and 16.5**] supports several of the proposed objectives and policies that relate to transport infrastructure. The objectives and policies mentioned in the submission points, with the exception of Policy IXXX.3 (6), will be retained though with amendments recommended for consistency and clarity as set out in sections 11.2 and 11.3.

515. The Ministry of Education [**16.8**] requests the deletion of Clause 2 in Standard IXX.6.8 so that the assessment of intersection (SH22/Oira Road and SH22/Jesmond) performance is required for any additional dwellings after 2,000 have been consented in the precinct. This is supported but through alternative standards for staging as set in section 9.4 and section 10.2.3.

516. Auckland Transport [**22.5**] requests additional and/or amendments to the objectives and policies to address transport and land-use integration. I agree with AT that transport and land-use integration should be better reflected in policy and should include principles such as having high quality public transport, providing for high quality active mode links and enabling local trips through the provision of a mix of land uses within the precinct. The following objective is recommended:

(X) The Waipupuke precinct develops and functions in a way which:

a) promotes travel by public and active modes of transport;

b) provides a well-connected and legible network of pedestrian and cycling linkages connecting the precinct to the surrounding transport network; and

...

517. The following policy is also recommended:

(X) Locate high density residential activities within walking distance to frequent public transport routes.

518. AT **[22.11, 22.12]** requests an additional objective and policy to address the safe and efficient operation of Karaka Road (SH22) and Jesmond Road. I agree with Auckland Transport that policy needs to be strengthened in relation to ensuring the safe and efficient operation of the surrounding transport network. In this regard, I would suggest the following objective:

(X) The Waipupuke precinct develops and functions in a way which:

...

c) mitigates impacts on the safe and efficient functioning of the existing and future arterial network.

519. Access restriction standards are proposed in the precinct which will apply to arterial roads. With respect to standard IXXX.6.5 Arterial Road Access, an additional supporting policy is recommended:

(X) Restrict vehicle access to Jesmond Road and Karaka Road to support the effective, efficient and safe operation of the arterial road network.

*Standards relating to transport upgrades and development staging*

520. Waka Kotahi **[19.9]** seeks a non-complying activity status across the zones for any activity that is not in accordance with Standard IXXX.6.8 (Arterial Road Intersections). As discussed above, an alternative staging standard has been recommended and any development/subdivision that does not comply with the standard will require a non-complying activity consent.

521. Waka Kotahi **[19.20]** requests that the outcome of consultation with Waka Kotahi is added as additional assessment criteria and matter of discretion, for the following standards: IXXX.7.1(1), IXXX.7.1(13), IXXX.7.2(1) and IXXX.7.2(13). This request is considered to be redundant given my recommendations as set out in section 11.

522. Kāinga Ora **[20.4]** is the owner of 85 Jesmond Road and wants to ensure any localised traffic effects are sufficiently addressed through the Waipupuke Precinct.

523. Kāinga Ora **[20.5]** is concerned that the Waipupuke Precinct provisions as notified enables 2,000 dwellings without requiring any upgrade to the Oira Road intersection with Karaka Road (SH22).

524. Kāinga Ora's concerns are addressed through amendments to standards and policies (as set out in section 11 and **Appendix 7**) that ensure necessary upgrades to the road network is provided for and in time with development.

525. AT **[22.20]** requests that efficient and effective active mode movements are provided for through the precinct provisions. Outcomes envisaged to be reflected through the

provisions include pedestrian connections to public transport routes and inclusion of the masterplan pedestrian and cycleway linkages on the Precinct plan.

526. New objectives and policies (refer to section 11) have been recommended to the notified provisions to strengthen the role of active modes in the future transport network. The zoning pattern and staging provisions also take into account the walkable catchment and connectivity to the Drury West train station.

527. The Buchan masterplan has shown pedestrian/cycleways along the collector roads and as part of the blue-green network traversing open spaces and watercourse. There are some uncertainties at this stage around the location of the collector road, the internal roads and the open spaces. I would prefer that walking and cycling paths be determined as subdivision and development proceeds.

528. AT [22.9] seeks that the transport staging provisions will provide for the mitigation of operational transport effects, such as additional wear on the roads and construction effects. I do not agree that precinct provisions should address accelerated rates of damage on roading assets generated by increased vehicle movements. Potentially requiring developers to pay for road maintenance on a public road is problematic in terms of future consent conditions and it is not clear how costs would be apportioned between various road users. Construction effects can be considered and appropriately managed at the resource consenting stage.

#### Arterial Road access restrictions

529. Submissions seek to retain and strengthen precinct provisions around vehicle access restrictions to Karaka Road (SH22) and Jesmond Road.

530. Waka Kotahi [19.12, 19.13 and 19.17] and Auckland Transport [22.10] supports access restrictions to arterial roads in the precinct standards. Mr Edwards supports these submission points.

531. As proposed by the requestor, a single road/private vehicle access onto Jesmond Road (south of the stream/Watercourse A) is supported as this will likely provide the only vehicular connection for land south of the stream (see **Figure 61**). If such a connection to Jesmond Road is not enabled, a bridge over Watercourse A may be required.



Figure 61: Access restrictions south of stream (watercourse A)

532. Amendments to the proposed wording around access restrictions to arterial roads is as follows:

(1) No road intersections or private vehicle access shall be permitted directly onto Jesmond Road except for the ~~proposed~~ collector road as indicated on Precinct Plan 3 and either one local road or one private vehicle access located to the south of the Protected Stream identified on Precinct Plan 2.

(2) No private vehicle access from any property shall be permitted directly onto Jesmond Road, except for one vehicle access located to the south of the Protected Stream identified on Precinct Plan 2.

(3) No road intersections or private vehicle access from any property shall be permitted directly onto ~~State Highway 22~~ Karaka Road.

533. AT [22.16] requests that the extent of vehicle access restrictions are shown on the Precinct Plans. This is supported and an amended precinct plan is included in **Figure 62** below.

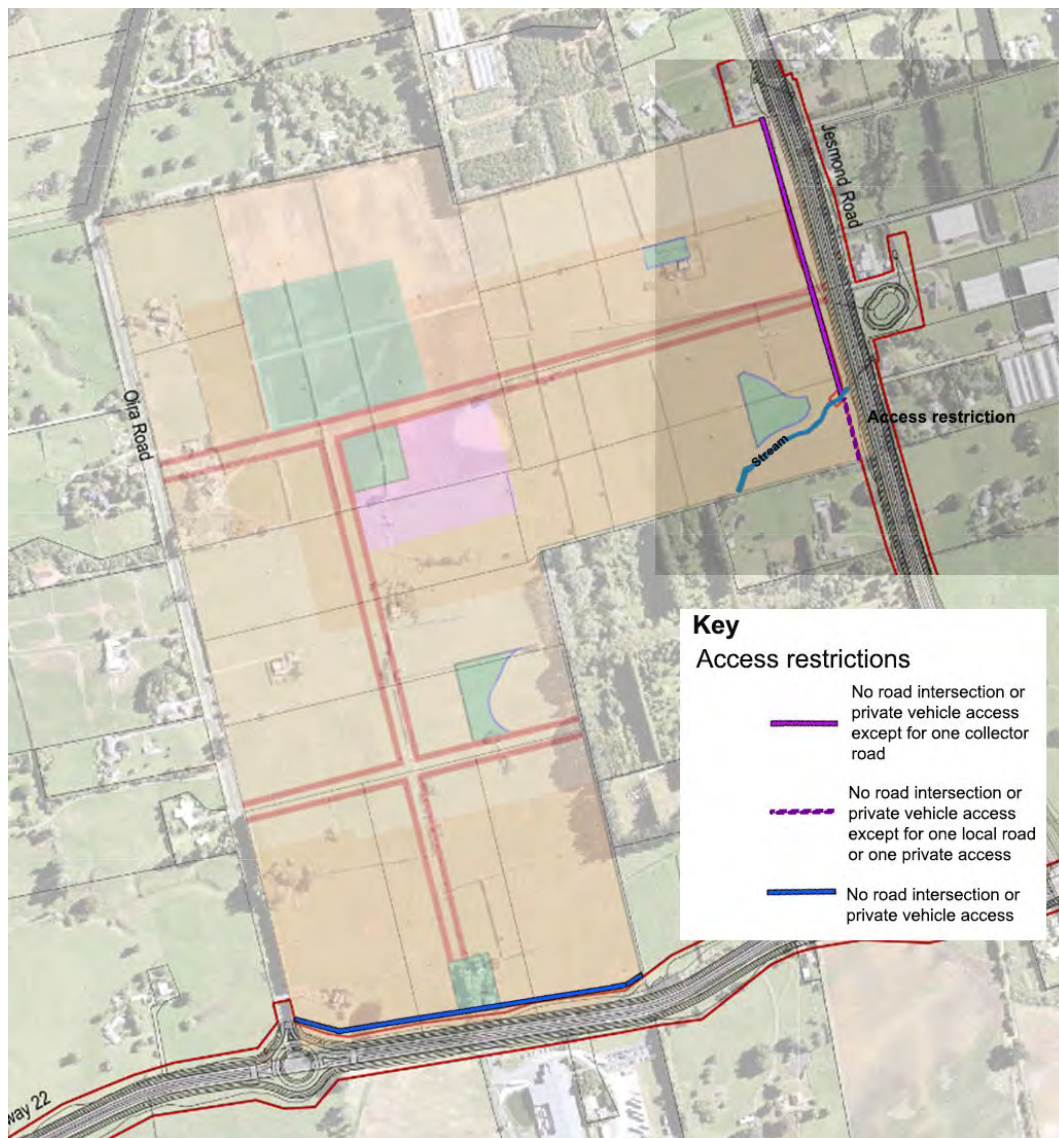


Figure 62: Proposed modifications to precinct plans to include access restrictions

### Design of collector roads

534. Submission points **[16.6 and 16.7]** from the Ministry of Education support the retention of standards that relate to the design of collector roads (IXXX.6.3 Collector Roads) and access controls on arterial roads (IXXX.6.5 Arterial Road Access).
535. Auckland Transport **[22.17]** requests that the road cross-section diagram under Standard IXXX6.3 (Collector Roads) is deleted. AT prefers provisions that references key design elements and function requirements which will guide the upgrade of existing roads and the construction of new roads.
536. Mr Edwards recommends deletion of the road cross-section. Unless there are exceptional site-specific circumstances, best practice is to refer to regional design standards and guidelines for the width and design of roads. This allows for flexibility to respond to changing design standards while providing some certainty that the functional requirements and design elements (i.e. separated cycleways) of collector roads are provided for. It also reduces potential incompatibilities between developer designs and asset owner requirements.
537. Road design parameters are not recommended to be introduced into the precinct in the detail that AT have proposed, noting that these can be determined at future resource consent and engineering plan approval stage and is subject to Auckland Transport Standards and Guidelines.
538. Counties Power **[25.2 and 25.7]** requests that road corridor designs take into account the accommodation of electricity infrastructure, such as distribution substations.
539. As noted above, the design of the road corridor should not be subject to this level of detail at the plan change stage. AT in its further submission opposes this submission point on the basis that specific design elements should not be fixed at this stage to ensure a balance between flexibility and the need for certainty.

### Integration of transport networks between Waipupuke and adjacent land

540. Auckland Transport **[22.7]** requests provisions to be incorporated into the precinct to address cross boundary transport network mitigation requirements. AT notes that staging could affect the level of interim connectivity particularly where network connections cross several properties.
541. No subdivision staging is recommended for this precinct though infrastructure and development thresholds are recommended. It is my view that any interim connectivity effects are likely to be temporary as development within the precinct is built up alongside wider infrastructure over time. I do not consider any precinct provisions are required as the Chapter E38 – Subdivision of the AUP is sufficient for managing these effects.
542. Auckland Transport is concerned that the Waipupuke precinct provisions do not adequately address connections between the plan change area and surrounding land. Auckland Transport **[22.16]** requests that the east-west collector network is aligned with the DOPPS ITA network (i.e. New Collector DW-EW-3). AT **[22.26, 22.27]** also seek that connections between Waipupuke and the wider surrounding network is considered and identified on the Precinct Plans.
543. The collector road as proposed is generally consistent with the Drury-Opāheke (about 80m north of the DOPPS collector). There is no requirement to align proposed roads exactly as per the network as set out in the DOPPS ITA's 'Collector roads identified for Drury West'. Depending on the local context, an alternative alignment may be

appropriate. As discussed in section 9.4 above, some flexibility in the location of the collector road is preferred. The following policy is recommended, which recognises that the collector proposed as in Precinct Plan 3 generally provides a good balance between surety and flexibility in integrating with the wider network:

(X) Require collector roads to be generally in the location shown in Precinct Plan 3, while allowing for variation, where it would achieve integration with the surrounding transport network.

544. It is recommended that the provision of a collector road is a restricted discretionary activity. The matters of discretion and assessment criteria allow council to consider the contiguity with the wider collector network to the east among other design and location matters.

545. To ensure connectivity and integration between local roads and the external network is also considered, the following amendment is recommended:

(X) Require subdivision and development to provide appropriate transport and other infrastructure capacity within the precinct and to provide connections to the adjoining road network in accordance with Precinct Plan 3. a highly connected local road network that integrates with the surrounding transport network.

546. The Ministry of Housing and Urban Development **[17.2]** seeks the provision of pedestrian access and connectivity from PPC61 to the Drury West train station. A walking connection to the Drury West Train Station via Jesmond Road and Karaka Road will require roads which are upgraded to an urban standard, as well as pedestrian crossings. The Drury Arterial NoR's (Project D1 and Project D2) show intentions to provide active modes along Jesmond Road and Karaka Road, including indicative crossing points. Timeframes for delivery of this infrastructure is discussed previously in Table 10 and Table 11.

#### Recommendations on Submissions

547. That submissions 16.1 be accepted in part, to the extent that amendments have been recommended to Objective IXXX.2 (6).

548. That submission 16.4 be rejected as Policy IXXX.3 (6) is recommended to be deleted.

549. That submissions 16.2 and 16.5 be accepted as Objective IXXX.2 (8) and Policy IXXX.3 (10) are recommended to be retained.

550. That submission 16.6 be rejected.

551. That submissions 16.7 be accepted in part as amendments have been recommended to Standard IXXX.6.5 Arterial Road Access.

552. That submission 16.8 be accepted in part as Standard IXXX.6.8 is recommended to be replaced in its entirety.

553. That submission 17.2 be accepted in part, to the extent that connections to the Drury West train station rely on land outside of the plan change area.

554. That submission 19.9 be accepted in part.

555. That submission 19.12 and 19.13 be accepted in part as the standard will be moved into a precinct wide table.

556. That submission 19.17 be accepted as Rule IXXX.6.5 (2) will be retained.

557. That submission 19.20 be rejected.
558. That submission 20.4 be accepted as the above technical reviews has considered the traffic effects on the wider area and recommends amendments to policies and the introduction of transport thresholds so that development is adequately supported by transport infrastructure.
559. That submission 20.5 be accepted.
560. That submission 22.5 be accepted, as I have recommended new and amended objectives and policies.
561. That submission 22.7 be rejected as Chapter E38 – Subdivision of the AUP is appropriate in place of precinct specific provisions.
562. That submission 22.9 be rejected as the issues raised are either Auckland Transport matters or construction effects which can be addressed at the resource consenting stage.
563. That submissions 22.11, 22.12 and 22.13 be accepted.
564. That submission 22.16 is rejected as some flexibility on the location of the collector should be retained.
565. That submission 22.17 be accepted in part. The collector road cross section should be deleted.
566. That submissions 22.18 is accepted as I have recommended precinct provisions for transport thresholds.
567. That submissions 22.20 and 22.26 be accepted in part to the extent that I have recommended amended precinct provisions.
568. That submission 22.27 be rejected.
569. That submissions 25.2 and 25.7 be rejected as the issues raised are not precinct specific and relate to a level of detail that should be addressed at the consenting stage.
570. That submission 25.10 be accepted.
571. These amendments are set out in **Appendix 7** to this report.



## 10.2.5 Submissions on Urban Design Effects

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planners Recommendation
11.3	Linqi Wang	If the Neighbourhood Centre is retained, the proposed additional height controls of 18m and 27m in precinct should be removed.	<i>FS3 – OIP</i>	Accept
17.3	Ministry of Housing and Urban Development (HUD)	Increase the height variation control to 27m across all of the THAB zone to the south of the collector road for the medical centre.	<i>FS1 – OIP</i> <i>FS3 – SIP</i>	Reject
19.3	NZ Transport Agency (Waka kotahi)	Retain reference to setback along State Highway 22 in the Connectivity Plan in the Masterplan prepared by Buchan.	<i>FS1 – SIP</i> <i>FS3 – OIP</i>	Reject
19.4	NZ Transport Agency (Waka kotahi)	In the Connectivity Plan in the Masterplan prepared by Buchan, remove reference to a connection between the Collector Road and State Highway 22.	<i>FS1 – SIP</i> <i>FS3 – SIP</i>	Reject

### Discussion

572. Linqi Wang [11.3] considers the development intensity enabled by the neighbourhood centre as being unnecessary and seeks the removal of the height variation controls across the centre.

573. The AUP allows up to 13m (up to 4 storeys) in height for the NHZ zones which is sufficient for the development of small convenience centre type activities. As discussed in section 9.1 above I have recommended that the height variation controls be removed from the centre.

574. HUD [17.3] seek to apply a height variation control of 27m across the southern THAB zone as this will better support the Drury West station and meet the intensity requirements of the NPS-UD.

575. The BNC is outside of the 800m walkable catchment of the Drury West train station and activities enabled under the BNC zone should not require buildings of such a scale (i.e. 27m or up to 8-9 storeys) which are more suited in local or town centres.

576. Waka Kotahi [19.3 and 19.4] requests changes to the Connectivity Plan contained in the Buchan Masterplan.

577. I note that the 'setback' is actually a reference to 'Future Road Widening' as shown in the key. The Masterplan has informed the development of the precinct, and while the

requestor would have considered its suggestions, it does not require the realisation of any of its design elements. Thus, the Masterplan can be retained as notified.

#### Recommendations on Submissions

578. That submissions 11.3 be accepted, as the AUP heights for the BNC zone sufficiently allows for development of activities intended for the zone.

579. That submissions 17.3, 19.3 and 19.4 be rejected.

580. Only removal of the height variation controls is recommended. There are no other amendments associated with this recommendation.

#### **10.2.6 Submissions on ecological effects**

<b>Sub. No.</b>	<b>Name of Submitter</b>	<b>Summary of the Relief Sought by the Submitter</b>	<b>Further Submissions</b>	<b>Planners Recommendation</b>
23.6	Auckland Council	Amend IXXX.6 to provide a standard that requires management of effects of weed removal including potential stream bank erosion for the following rules: <ul style="list-style-type: none"> <li>•Rule (A11) in Table IXXX.4.1 Residential – Terrace House and Apartment Building Zone.</li> <li>•Rule (A7) in Table IXXX.4.2 Residential - Mixed Housing Urban Zone.</li> <li>•Rule (A17) in Table IXXX.4.4 Open Space – Informal Recreation Zone.</li> </ul>		Reject
23.7	Auckland Council	Delete rules (A12) and (A13) in Table IXXX.4.1 Residential – Terrace House and Apartment Building Zone. Delete rules (A8), and (A9) in Table IXXX.4.2 Residential - Mixed Housing Urban Zone. Delete rules (A18) and (A19) in Table IXXX.4.4 Open Space – Informal Recreation Zone  If any are retained, then make amendments to address the additional matters raised in the bullet points below:  <ul style="list-style-type: none"> <li>•Some of the proposed rules may be inconsistent with the Resource Management (National Environmental Standards for Freshwater) Regulations 2020.</li> <li>•Some of the rules appear to be regional rules but this is not clear and needs to be clarified in accordance with AUP drafting standards if the rules are retained.</li> </ul>	<i>FS3 – SIP</i> <i>FS5 – SIP</i>	Accept

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planners Recommendation
		<ul style="list-style-type: none"> <li>• Any AUP rules that are not intended to apply need to be clearly identified in the header to the activity table.</li> <li>• It is not necessary to reference rules from Table E15.4.1 Activity table - Auckland-wide vegetation and biodiversity management rules, which do not apply in this zone.</li> </ul>		

### Discussion

581. The Waipupuke precinct proposes activity rules for weed removal across the plan change area and within 10m of protected streams. Auckland Council [23.6] supports the removal of weeds to improve biodiversity but notes that this should be done in a way that ensures stream bank erosion does not occur. A standard to manage the effects of weed removal is sought.

582. As discussed in section 9.11 above, Mr Tutt recommends the deletion of activity rules for weed removal (Rule (A11) in Table IXXX.4.1, Rule (A7) in Table IXXX.4.2 and Rule (A17) in Table IXXX.4.4) as provisions already in Chapter E15 of AUP:OP are considered to be sufficient for vegetation management.

583. Auckland Council [21.2] considers that the proposed rules for the removal of native vegetation is contrary to the outcomes promoted by the precinct and may be inconsistent with the Resource Management (National Environmental Standards for Freshwater) Regulations 2020. Auckland Council seeks the deletion of such activities in the residential and open space zones unless they are amended as per its submission.

584. All the rules that the Auckland Council submission refers to are recommended to be deleted with reasons given in the freshwater and terrestrial ecology assessment above (section 9.11).

### Recommendations on Submissions

585. That submission 23.6 be rejected as the rules identified in the submission are recommended to be deleted. No associated standards are therefore required.

586. That submission 21.2 be accepted as the AUP will appropriately manage ecological resources present without the need for the proposed provisions.

587. These amendments are set out in **Appendix 7** to this report.

## 10.2.7 Submissions on stormwater and flooding effects

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planners Recommendation
6.2	Andrew Daken	Stormwater should be connected directly and piped from the PC61 site to the estuary/outlet and not across 169 Jesmond Road.		Reject
6.3	Andrew Daken	No additional stormwater flow to the existing watercourse that goes across 169 Jesmond Road.		Reject
12.1	Wing Family Trust	<p>It is requested that stormwater discharge is designed and implemented within the PC61 area so that there are no site changes to flood levels received on the Submitters site. Technical assessments supporting this design should be provided as part of the PC61 process and included in the SMP submitted for the NDC approval. Agreement of Healthy Waters to this approach should be provided to ensure that the design is adopted as part of the SMP/NDC process.</p> <p>Also requested is any consequential text or zone changes to grant the relief sought.</p>	<i>FS1 – O</i>	Accept in Part
13.1	Harnett Orchard Limited and L and C Griffen	<p>Stormwater discharge is designed and implemented within the PC61 area so that there are no site changes to flood levels received on 64 and 84 Jesmond Road. Technical assessments supporting this design should be provided as part of the PC61 process and included in the SMP submitted for the NDC approval. Agreement of Healthy Waters to this approach should be provided to ensure that the design is adopted as part of the SMP/NDC process.</p> <p>Also requested is any consequential text or zone changes to grant the relief sought.</p>	<i>FS3 – O</i> <i>FS7 – S</i>	Accept in Part
22.24	Auckland Transport	Any subsequent amendments to the PPC 61 precinct provisions providing direction on the how stormwater is managed within the road network are reviewed and if required amended to safeguard Auckland Transport's	<i>FS3 – O</i>	Reject

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planners Recommendation
		interests in the sustainable management of the road network.		
22.25	Auckland Transport	Auckland Transport seeks that the drafting of the stormwater related provisions be consistent with those to apply with the Drury East plan changes (PPC48-50). This includes those policies and rules requiring consideration of the operating costs associated with proposed stormwater treatment assets as well as opportunities for consolidation of treatment assets where appropriate.	FS3 – O	Reject
23.3	Auckland Council	Amend Policy IX3(9) to read: <del>Manage the effects of stormwater on water quality in streams through riparian margin planting, and at source hydrological mitigation.</del> <u>Require subdivision and development to be consistent with any approved network discharge consent and supporting stormwater management plan including the application of water sensitive design and treatment train to achieve water quality and hydrology mitigation.</u>	FS3 - O	Accept
23.4	Auckland Council	Delete the phrase “• E36.4.1 - Rules A23 to A42 inclusive do not apply” where it occurs under the heading IXXX.4 Activity tables.	FS3 – SIP	Accept
23.8	Auckland Council	Amend IXXX.6.6 High Contaminant Yielding Materials to: <ul style="list-style-type: none"> <li>• clarify the statement of purpose with respect to maintaining coastal marine ecosystems,</li> <li>• delete the 5m2 per site exemption,</li> <li>• provide greater clarity on what is considered high contaminant generating materials.</li> </ul> <p>The following amendments or words to similar effect are requested:</p> <p>IXXX6.6 High Contaminant Yielding Materials</p> <p>Purpose:</p> <ul style="list-style-type: none"> <li>• maintain water quality <u>and the health of coastal marine ecosystems</u> by limiting the release of</li> </ul>	FS3 – SIP	Accept in Part

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planners Recommendation
		<p>contaminants from building materials to streams.</p> <p>(1) <del>The total area of high contaminant</del> Roofing, spouting, cladding or external architectural features on a site must not exceed 5m<sup>2</sup> use the following high contaminant generating building materials which are exposed:</p> <ul style="list-style-type: none"> <li>• <u>surface(s) or surface coating of metallic zinc of any alloy containing greater than 10% zinc,</u></li> <li>• <u>surface(s) or surface coating of metallic copper or any alloy containing greater than 10% copper,</u></li> <li>• <u>treated timber cladding surface(s) or any roof material with a copper containing or zinc-containing algaecide.</u></li> </ul>		
23.9	Auckland Council	<p>The construction of the stormwater management structures is put forward as a RD activity. The matters of discretion should include the efficacy of the design and that it is designed for ease of operations and maintenance as these are aspects of the functionality of the stormwater area that are best addressed at design and construction stage. Add additional Matters of Discretion in IXXX.7.1(2) to address:</p> <ul style="list-style-type: none"> <li>• efficacy of device and</li> <li>• operation and maintenance requirements.</li> </ul>	<p>FS1 – S</p> <p>FS3 – O</p>	Reject
23.10	Auckland Council	<p>Amend rule IXXX.7(8)(b) to read:</p> <p>The <u>SMP stormwater management plan approved by the network utility operator</u> for the Precinct.</p>	FS6 – S	Reject

### Discussion

588. Several submitters are concerned about the downstream effects of stormwater and increased risks of flooding associated with the development of PPC61. The submitters request the outcomes for flood hazard management are more explicitly stated.

589. Andrew Daken [6.2, 6.3] is concerned about the effects of stormwater resulting from the PPC61 development on his property.

590. Wing Family Trust **[12.1]** and Harnett Orchard Limited and L and C Griffen **[13.1]** requests that the following matters are given further consideration and are addressed through the plan change process:

- Stormwater effects from the PPC61 proposal has not been fully identified. There has been no quantification of increased flood risk for properties downstream and no confirmed approach to mitigating risk.
- Stormwater should be designed so it that there are no flood level changes on the submitter's sites. Technical assessments supporting this design should be provided as part of the PC61 process and included in the SMP submitted for the NDC approval.

591. The flood management approach in the Waipupuke SMP prepared by Tokin & Taylor is generally aligned with the approach set out in the DOSP FUZ SMP for Drury West. As noted in Section 9.6 above, the pass-forward approach for large storm event flows is appropriate. To mitigate flood risks for downstream properties, on-site attenuation has been planned for through setting aside stormwater parks which could contain wetlands, detention basins and ponds. Flood modelling should be undertaken at the resource consent stage to determine any on-site mitigation requirements. This will ensure flood attenuation is provided until such time that stormwater infrastructure downstream is upgraded to provide sufficient conveyance capacity and downstream risks are mitigated. The DOSP FUZ SMP has investigated the impact of development of the FUZ on flows and water levels and the findings state that the Drury West catchment will experience minimal increases in flow from the 100-year storm event, assuming maximum probable development and including allowances for climate change.

592. As noted in section 9.6 above, Ms Johnston and Mr Turner in their review have noted that there is an opportunity to further assess flood-related effects at this stage to provide additional certainty. The requestor may wish to respond to this.

593. AT **[22.24]** requests that any subsequent amendments to the precinct provisions providing direction on how stormwater is managed within the road network is reviewed and if required amended to safeguard Auckland Transport's interests in the sustainable management of the road network.

594. AT in its submission states that the SMP framework is supported in principle. AT also wants the replacement, relocation or upgrade of any culvert structures to be considered and incorporated as part of the part of the road network upgrade mitigation measures and coordinated with the overall staging of PPC61.

595. Generally, the more detailed provisions/adjustments to the SMP does not need to be confirmed at the plan change stage. The Waipupuke SMP does address culverts, potential flow constraints and culvert upgrades.

596. The downstream culverts need further investigation, particularly with regard to capacity. Any undersized culverts may need to be upgraded during the public road widening work. Capacity assessments and further investigation is expected to occur at the resource consenting stage to support the next phase of development. More detailed assessments on flood risk and the stormwater management approach relevant for the upgrade of Oira Road will also be addressed at the consenting stage.

597. Amendments to the precinct provisions are recommended to make it clear that any subsequent development needs to be in accordance with the adopted Waipupuke SMP. This is discussed in response to Auckland Council's submission below.

598. AT [22.25] requests that the drafting of stormwater provisions should be consistent with those that apply with the Drury East plan changes (PPC48-50), including any policies and rules requiring consideration of the operational costs and consolidation of stormwater treatment assets.
599. The Waipupuke SMP has recognised the preference of AT and Council's Healthy Waters to provide fewer larger treatment devices rather than numerous smaller devices adjacent to the roads. It may be appropriate for reference to locating and designing stormwater treatment assets in a manner which reduces their operating costs to be incorporated into the SMP.
600. Before any policy that is recommended for the Drury East plan changes is considered for PPC61, AT should provide the rationale and assessment of why such policies are appropriate for this plan change.
601. Auckland Council [23.3] seeks recognition that future subdivision and development needs to be consistent with council's NDC and an approved SMP.
602. I consider it appropriate to include reference to the SMP and compliance with the associated NDC within the precinct provisions. The proposed wording is set out in section 9.6 above.
603. Auckland Council [23.4] notes that floodplains and overland flow paths exist within PPC61 and as such, AUP rules A23 to A42 in E36.4.1 which regulate activities in floodplains and overland are relevant and should not be deleted.
604. The requestor has not adequately explained why AUP rules A23 to A42 do not apply in the precinct. Given the presence of floodplains and overland flow paths in the plan change area, I agree that the AUP rules should still apply.
605. Auckland Council [23.8] considers that amendment to proposed rule IXXX.6.6 is required to effectively reduce input of harmful contaminants into the natural environment.
606. I recommend that the following amendment should be made to proposed rule IXXX.6.6 to give effect to Auckland Council's submission:

IX.6.6 High Contaminant Yielding Materials

Purpose: maintain water quality and the health of coastal marine ecosystems by limiting the release of contaminants from building materials to streams.

~~(1) The total area of high contaminant roofing, spouting, cladding or external architectural features on a site must not exceed 5m<sup>2</sup>.~~

(1) New buildings, and additions to buildings must be constructed using inert cladding, roofing and spouting building materials that do not have an exposed surface made from contaminants of concern to water quality (i.e. zinc, copper, and lead).

607. The matters of discretion and assessment criteria should also be amended:

*Matters of discretion:*

~~(a) Extent and type of high contaminant materials used~~ Stormwater quality

*Assessment criteria:*



~~(a) Methods proposed to mitigate the effects of high contaminant materials~~

(a) The extent to which development:

(i) is in accordance with the approved Stormwater Management Plan and Policies E1.3(1) – (10) and (12) – (14).

(ii) Implements a treatment train approach to treat runoff from all impervious surfaces so that all contaminant generating surfaces are treated including cumulative effects of lower contaminant generating surfaces.

608. Auckland Council **[23.9]** requests that the matters of discretion for the construction of stormwater management structure is amended to include the efficacy of the design and that it is designed for ease of operations and maintenance.

609. Auckland Council **[23.10]** seeks amendment to proposed rule IXXX.7.1(8)(b) to clarify that the rule is referring to the stormwater management plan approved by the network utility operator.

#### Recommendations on Submissions

610. That submissions 6.2 be rejected as PPC61 does not seek to alter existing overland flow paths outside of the plan change area.

611. That submission 6.3 be rejected on the basis that the overland flow paths will continue to serve a conveyance function and the potential effects of stormwater has been addressed through the SMP.

612. That submissions 12.1 and 13.1 be accepted in part on the basis that the proposed approach for stormwater management is appropriate to mitigate flood risk. Flood modelling and the details of the SMP can be confirmed at a later stage.

613. That submissions 22.24 and 22.25 be rejected.

614. That submission 23.3 be accepted.

615. That submissions 23.8 be accepted in part to the extent of the changes that I have recommended to better address stormwater management and water quality.

616. That submission 23.4 be accepted.

617. That submissions 23.9 and 23.10 be rejected as the associated activities has been recommended for deletion.

618. These amendments are set out in **Appendix 7** to this report.

#### **10.2.8 Submissions on Zoning and Plan Change Boundary**

<b>Sub. No.</b>	<b>Name of Submitter</b>	<b>Summary of the Relief Sought by the Submitter</b>	<b>Further Submissions</b>	<b>Planners Recommendation</b>
2.1	Song Wanping	Oppose Terraced Housing and Apartment Building zone. Only allow single houses and single storey houses.	<i>FS1 – OIP</i> <i>FS3 – O</i>	Reject
8.1	Prem Lal	The area surrounding Oira Road remains zoned Future Urban. Rate	<i>FS3 – O</i>	Reject

		discount is requested if rezoned to urban.		
11.1	Linqi Wang	The proposed PC61 zoning should be amended to be consistent with the Drury-Opapeke Structure Plan: - Less THAB and more MHU - More uniform THAB zone - THAB zone surrounded by MHU zone before transitioning to MHS	<i>FS3 - OIP</i>	Accept in Part
11.2	Linqi Wang	Remove the 2-ha proposed zoning for Business: Neighbourhood Centre and instead zone it MHU	<i>FS3 - OIP</i>	Reject
11.6	Linqi Wang	Council should undertake a public plan change for land in Drury West Stage 1 of the Future Urban Land Supply Strategy. If this does not occur, PC61 should be expanded to include all Future Urban zoned land in Drury West Stage 1 of the Future Urban Land Supply Strategy.	<i>FS2 – S</i> <i>FS3 – OIP</i> <i>FS5 – SIP</i>	Reject
17.1	Ministry of Housing and Urban Development (HUD)	Increase the extent of the THAB so that it also includes also all of the stage 2 (Superlot Overlay - Masterplan prepared by Buchan) area currently proposed for MHU.	<i>FS1 – SIP</i> <i>FS2 – OIP</i> <i>FS3 - SIP</i>	Reject
19.1	NZ Transport Agency (Waka kotahi)	Support the levels of residential density consistent with the Drury-Opapeke Structure Plan, subject to the specific amendments and relief sought in the NZTA submission.	<i>FS3 - SIP</i>	Accept in Part
20.1	Kāinga Ora – Homes and Communities	Kāinga Ora seeks the retention of the proposed zoning and the layout in the spatial extent of the Proposed Waipupuke Precinct.	<i>FS1 - OIP</i>	Reject
22.15	Auckland Transport	Amend PPC 61 land uses in terms of density and zoning location to better align and integrate with the proposed pattern of future bus routes and services.	<i>FS3 – OIP</i>	Accept
23.18	Auckland Council	Ensure that any residential yield that is additional to that estimated for the Drury – Opāheke Structure Plan August 2019 and Integrated Transport Assessment, is located within a consistent realistic walkable distance of the proposed Jesmond Road FTN route.  Ensure that the Terrace Housing and Apartment Buildings Zone	<i>FS1 – SIP</i> <i>FS2 – S</i> <i>FS3 – SIP</i>	Accept in Part

		<p>(THAB), the proposed centre zoning and medical facilities are all contained within a consistent and realistic walkable distance of the proposed Jesmond Road FTN route. In particular, the centre should be located as close as possible to the FTN route.</p> <p>If necessary, additional height could be considered close to (within 200m) of the FTN route, to offset any reduction in potential yield further west in the PC 61 area.</p>		
23.19	Auckland Council	<p>Delete the south western part of plan change area from 99 Oira Road southwards, or ensure:</p> <ul style="list-style-type: none"> <li>• that it is staged with development of the infrastructure listed in the bullet points opposite,</li> <li>• that the zoned intensity does not result in excessive car dependency and car trip generation in the context of a realistic assumption of mode shift to public transport in this location.</li> <li>• that development does not occur before walkable pedestrian connections are available to the proposed Jesmond Road FTN.</li> </ul>	<p><i>FS1 – SIP</i> <i>FS2 – SIP</i> <i>FS3 – O</i></p>	Accept in Part
23.20	Auckland Council	<p>Review the size, type and location of the proposed centre zone to ensure that the most appropriate zoning and height options are applied.</p>	<p><i>FS2 – SIP/OIP</i> <i>FS3 - SIP</i></p>	Accept
24.1	GYL Holdings Limited	<p>Should proposed Plan Change 61 be approved at the scale proposed, it should not compromise the development potential of land outside the proposed Plan Change area. In particular that consideration is made to the scale of the proposed Neighbourhood Centre Zone and corresponding THAB zone and whether this would restrict or inhibit development on the property at 316 Jesmond Road.</p>	<p><i>FS3 – SIP</i></p>	Accept in Part

**Note: Kāinga Ora has withdrawn Submission Point 20.3**

## Discussion

619. Song Wanping **[2.1]** and Prem Lal **[8.1]** seek alternative zonings than what is proposed in PPC61.
620. Linqi Wang **[11.1, 11.2]** requests that the PPC61 zoning is aligned with the DOSP zoning, including removal of the neighbourhood centre. An extension of the plan change boundaries to include all of Drury West 'Stage 1' as set out in the FULSS is also sought.
621. In my view, a BNC zone in the centre of the plan change area is an efficient provision of convenience services for residents. However, as discussed in section 9.3 above, a 2 ha BNC zoning is too large and along with the mix and intensity of activities proposed, enables a centre that goes well above its role and function as set out in the AUP. A smaller centre at is considered to be appropriate. Other amendments to the zoning pattern are recommended (refer to section 9.4) to better integrate land-use and transport.
622. The Ministry of Housing and Urban Development **[17.1]** seeks to up zone the proposed MHU zone to the THAB zone, in the area identified as 'Stage 2' in the Buchan Masterplan, in order to enable intensive residential development within walking distance of the planned rail station. I do not support up zoning to THAB in areas that are not within walking distance to either the FTN or RTN. Much of 'Stage 2' in the Buchan Masterplan is outside the walkable catchment of the Jesmond Road FTN and similarly the Drury West train station RTN.
623. Waka Kotahi **[19.1]** supports levels of residential density in PPC61 that is consistent with the DOSP while Kāinga Ora **[20.1]** seeks retention of the proposed zoning and spatial layout as notified. In my view, while the PPC61 zoning is generally consistent with that of the DOSP, the zoning pattern requires modification for reasons set out in the assessment above, and in response to submissions.
624. Auckland Council **[23.18]** and Auckland Transport **[22.15]** seeks that the zoning and density enabled through PPC61 is supported by and integrated with the provision of public transport. Auckland Transport and Auckland Council have both noted that higher density development and the centre should be within a walkable distance to the Jesmond Road FTN. I agree with the submitters and recommendations have been made accordingly in terms of the THAB zoning. However, I do consider that the entire BNC zone needs to be within the walkable catchment of public transport as the neighbourhood centre will provide local convenience services to the surrounding residential areas in PPC61 which are all within walking distance to the centre.
625. Auckland Council **[23.19]** considers that the proposed intensification of the southern part of PPC61 is not well connected to public transport. The transport infrastructure required to provide access to planned public transport services is either not funded or the timing and staging for infrastructure provision is not clear. I generally agree with this point as no FTN services are proposed on Karaka Road (SH22). While walking and cycling connections are envisaged on Karaka Road (SH22) and Jesmond Road as noted in the relevant NoR's, the upgrade of the roads is not expected till 2031. Walking distances to the Drury West train station are expected to be over 800m though this is dependent on the final location of the station and potential crossings on Karaka Road (SH22).
626. Auckland Council **[23.20]** is concerned that the size, type and location of the proposed centre zone has not been adequately considered. The submission notes that the 2-ha neighbourhood centre is much larger when compared to other neighbourhood centres in Auckland, and that the demand for centre activities and the Medical and Specialist Facility activity needs to be reviewed. As discussed in section 9.3 above, while the 2ha

centre size is partly sought to accommodate a Medical and Specialist Facility, the effects of such a facility in the BNC zone and the surety of provision in the centre has not been adequately considered. The size, type, location and heights of the neighbourhood centre has been considered in sections 9.1, 9.3 and 9.4 above.

627. GYL Holdings Limited **[24.1]** requests that further consideration be given to the scale of the neighbourhood centre and the southern THAB zone, particularly so that development potential of the wider structure plan area is not compromised. The location of the neighbourhood centre is well placed to provide services to local residents though its scale and extent has been reduced. This new centre should not compromise the establishment of future centres (as identified in the DOSP) in Drury West.

#### Recommendations on Submissions

628. That submission 2.1 be rejected as it proposes an inefficient use of land, particularly in areas close to public transport.
629. That submission 8.1 be rejected as 285 Oira Road is outside of the plan change area and areas around Oira Road will retain the FUZ unless rezoning is approved through future plan changes.
630. That submissions 11.1, 19.1, 23.18, 23.19 and 24.1 be accepted in part to the extent of the modifications recommended to the zoning pattern.
631. That submissions 11.2 be rejected as a smaller neighbourhood centre is appropriate for providing services to the local community.
632. That submissions 11.6, 17.1 and 20.1 be rejected on the basis that I have recommended modifications to the zoning pattern.
633. That submission 22.15 is accepted.
634. That submission 23.20 be accepted as modifications to the BNC has been recommended to apply the most appropriate size, location and height options.
635. These amendments are set out in **Appendix 7** to this report.

#### **10.2.9 Submissions on cultural effects**

<b>Sub. No.</b>	<b>Name of Submitter</b>	<b>Summary of the Relief Sought by the Submitter</b>	<b>Further Submissions</b>	<b>Planners Recommendation</b>
23.13	Auckland Council	Without prejudice to the position that Open Space – Informal Recreation Zone should be deleted from PC 61, retain rule (A7) in Table IXXX.4.4 Open Space – Informal Recreation Zone.	<i>FS3 – OIP</i>	Reject

#### Discussion

636. The submission by Auckland Council **[23.13]** seeks the retention of rule A7 (Mana Whenua Cultural Identity Markers) in the proposed activity table for the OSIR zone. As

discussed in section 9.12 above, it is my view that the activities (as per the proposed definition) provided under 'Mana Whenua Cultural Identity Markers', can occur already under the 'artworks' activity which is permitted in the underlying OSIR zone. The only exception is the 'monuments' activity.

637. As discussed in section 9.12, additional clarification is required from the requestor before the new activity and support definition is included in the AUP.

Recommendations on Submissions

638. That submissions 23.13 be rejected on the basis that the existing AUP provisions provides for the activities sought under 'Mana Whenua Cultural Identity Markers'. It is not appropriate for 'monuments' to be a permitted activity in the OSIR zone.

639. These amendments are set out in **Appendix 7** to this report.

**10.2.10 Submissions on Archaeology and Heritage Effects**

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planners Recommendation
27.1	Heritage New Zealand Pouhere Taonga	Heritage New Zealand supports the proposed retention of the c.1893 villa at 140 Jesmond Road and proposed scheduling as a Category B Historic Heritage Place in Schedule 14.1 of the Auckland Unitary Plan (Operative in Part) (AUP), in accordance with extent of place, primary feature and exclusions as proposed.	FS3 - SIP	Reject
27.2	Heritage New Zealand Pouhere Taonga	The proposed Schedule 14.1 entry should include the 'Additional Controls for Archaeological Sites or Features' as per the recommendation made in Section 9.2 of the '140 Jesmond Road, Drury, Auckland, Historic Heritage Evaluation', completed by Plan.Heritage, dated October 2020, at page 44.	FS3 - SIP	Reject
27.3	Heritage New Zealand Pouhere Taonga	The adaptive reuse of the villa is also supported, toward an appropriate publicly accessible use, as is the use of the adjoining pocket park and the refurbished villa for the reinstatement of Te Whare Nohoanga in recognition of the past use of the place by Māori, 'as a place of learning/wānanga'.  The proposed plan change is amended to include provisions requiring the refurbishment and restoration of the homestead to provide for an appropriate publicly accessible adaptive reuse such as a	FS3 - SIP	Reject

		childcare/kohanga reo/community/communal facility or café in accordance with principles of the ICOMOS New Zealand Charter 2010		
27.4	Heritage New Zealand Pouhere Taonga	Heritage New Zealand however does not support the indicative inclusion of several features including community gardens, an orchard, and fitness & play elements within the site surrounds of the house (the 'home paddock') and proposed scheduled extent of place. These features should more appropriately locate adjacent to but outside of the 'home paddock' house surrounds.	<i>FS3 - SIP</i>	Reject
27.5	Heritage New Zealand Pouhere Taonga	<p>The proposed configuration of zone boundaries in relation to the homestead and associated extent of place are not supported, and present a confusing scenario, with the extent partially falling within intensive Residential – Terrace Housing &amp; Apartment Building (THAB) zone; partially within the road reserve; and partially within the Eastern Pocket Park and Open Space – Informal Recreation zone.</p> <p>The proposed plan change is amended to locate the entire proposed 'John Fitzgerald Homestead' Historic Heritage Place Extent of Place within Open Space – Informal Recreation zone with proposed Eastern Pocket Park features located outside the extent of place, and with road frontage along the eastern boundary of the extent of place but not within it</p>	<i>FS3 - OIP</i>	Reject
27.6	Heritage New Zealand Pouhere Taonga	Heritage New Zealand does not support the placement of THAB zoning within the homestead extent with this presenting a development expectation incongruous with the retention and preservation of the homestead and its extent, and has the potential of over dominating the scale and setting of the homestead.	<i>FS3 - OIP</i>	Reject
27.7	Heritage New Zealand Pouhere Taonga	Provision should be made to ensure an appropriate setback and transition of density from THAB zone development to the villa site and proposed accompanying/encompassing area of open space.	<i>FS3 - OIP</i>	Reject

27.8	Heritage New Zealand Pouhere Taonga	To locate the entire proposed 'John Fitzgerald Homestead' Historic Heritage Place Extent of Place within Open Space – Informal Recreation zone with proposed Eastern Pocket Park features located outside the extent of place, and with road frontage along the eastern boundary of the extent of place but not within it.	FS3 - O	Reject
27.9	Heritage New Zealand Pouhere Taonga	Heritage New Zealand seek that in the finalisation of roading and lot configurations, consideration is given to reflecting existing site and subdivision boundaries which contribute to the meaning of place, and that the pattern of development appropriately addresses the villa, including the provision of sightlines to the dwelling from within the development.	FS3 - SIP	Reject
27.10	Heritage New Zealand Pouhere Taonga	The archaeological assessment does not make specific mention of the lengths of Ngakaroa Stream and Oira Stream tributaries that fall within the site. Heritage New Zealand considers additional archaeological site survey should be completed to determine the likelihood for these areas to contain archaeological remains, and that this informs proposed riparian margin restoration planting and stormwater park design and management as appropriate, to ensure any potential archaeological remains are avoided in the first instance.	FS3 - SIP	Reject
27.11	Heritage New Zealand Pouhere Taonga	The plan change request materials recommend recording of 140 Jesmond Road and 329 Karaka Road as archaeological sites on the New Zealand Archaeological Association (NZAA) database ArchSite, (and their addition to the Auckland Council Cultural Heritage Index (CHI)), this has yet to be undertaken and should be completed. Archaeological extents for both locations should be established and included as part of each record.	FS3 - SIP	Accept
27.12	Heritage New Zealand Pouhere Taonga	Heritage New Zealand seeks the addition of provisions to require interpretation of late 19th century historic European settlement and farming on the subject land and the wider Karaka area and beyond, in	FS3 - OIP	Reject



		accordance with recommendations made in the in the historic heritage assessments prepared in support of the plan change request, and in accordance with conservation principles as outlined in the ICOMOS New Zealand Charter 2010.		
27.13	Heritage New Zealand Pouhere Taonga	Heritage New Zealand supports iwi/hapu in the exercising of kaitiakitanga and support the provisions proposed in the precinct plan to provide interpretation and recognise Māori cultural heritage values that have been identified.  The provisions in the proposed Waipupuke Precinct which recognise cultural heritage values identified by mana whenua is supported.	<i>FS3 - SIP</i>	Accept
27.14	Heritage New Zealand Pouhere Taonga	To enable retention of existing vegetation within the site at 329 Karaka Road (particularly any identifiable as having early historic associations with the homestead), and the incorporation of onsite interpretation of both the cultural and historical background of the plan change area within the proposed reserve at 329 Karaka Road and in association with 140 Jesmond Road, in accordance with principles of the ICOMOS New Zealand Charter 2010.	<i>FS3 - OIP</i>	Reject

### Discussion

640. Heritage New Zealand Pouhere Taonga ('**HNZPT**') [27.1, 27.2] supports the scheduling of the villa at 140 Jesmond Road as a Category B Historic Heritage Place in Schedule 14.1 of AUP, in accordance with extent of place, primary feature and exclusions as proposed by PPC61. The 'Additional Controls for Archaeological Sites or Features' as recommended in the Plan.Heritage report is sought to be included in the Schedule 14.1 entry.
641. Several submission points by HNZPT [27.5, 27.6, 27.7, 27.8, 27.9] seeks to ensure the villa and its extent of place is thoughtfully located within the OS:IR zone, and that the THAB zone and the road reserve does encroach upon the integrity of the homestead and its setting.
642. HNZPT [27.3 and 27.4] support the adaptive reuse of the villa but does not support the indicative inclusion of several features including community gardens, an orchard, and fitness & play elements within the site surrounds of the house (the 'home paddock') and proposed scheduled extent of place.
643. These submissions cover points raised by Mr Brassey in his review for the Council. Mr Brassey does not consider the villa located at 140 Jesmond Road warrants inclusion on the heritage schedule. I accept Mr Brassey's view that the villa is not of sufficient heritage significance to warrant management by scheduling and the associated rules.

644. Both Mr Brassey and I would support the adaptive re-use of the villa. However, given its location on proposed THAB zoning with few environmental constraints on development, I accept that without scheduling the requestor will be free to make the final decision with respect to the future of the villa.
645. The submission by HNZPT **[27.10]** seeks an additional archaeological site survey to ensure any potential archaeological remains along the riparian margins of the Ngakaroa Stream and Oira Stream tributaries are avoided in the first instance.
646. The archaeological assessment provided support of the plan change, and Mr Brassey's review both consider that the likelihood of encountering any unidentified subsurface site of Maori origin is low due to its inland location and distance from Oira Creek. Therefore, I consider it appropriate to rely on the AUP accidental discovery provisions and the provisions of the Heritage New Zealand Pouhere Taonga Act 2014 to manage any unidentified subsurface archaeological sites that may be present within the plan change area.
647. HNZPT **[27.11]** requests the recording of 140 Jesmond Road and 329 Karaka Road as archaeological sites on the New Zealand Archaeological Association (NZAA) database ArchSite (and their addition to the Auckland Council Cultural Heritage Index (CHI)). As noted in section 9.10 above, both sites have been recorded on the NZAA database ArchSite. The Council Heritage Information team has agreed to add the ArchSite records to the CHI. Archaeological extents for both sites has been established. I consider that this submission is resolved.
648. HNZPT's submission **[27.12]** requests interpretation of late 19th century historic European settlement and farming on the subject land and the wider Karaka area. Mr Brassey does not consider the history of European settlement and farming within the plan change area to be of sufficient significance for the precinct provisions to be amended to require onsite interpretation. Elective measures may be undertaken such as onsite panels and naming streets after individual of families connected to the place, though requiring interpretation through provisions in the precinct is not supported.
649. HNZPT **[27.14]** requests that existing vegetation at 329 Karaka Road is retained, particularly where they identify as having early historic associations with the homestead. HNZPT also seek onsite interpretation of the cultural historical background of the plan change area. It is noted that no trees of historic value were identified in the evaluation for 329 Karaka Road. Mr Brassey does not consider that the vegetation at 329 Karaka Road or the place itself to have sufficient significance to warrant retention of existing plantings or onsite interpretation.

#### Recommendations on submissions

650. That submissions 27.1, 27.2, 27.3, 27.4, 27.5, 27.6, 27.7, 27.8 and 27.9 be rejected on the basis that the villa at 140 Jesmond Road is not supported for scheduling under the AUP.
651. That submission 27.10 be rejected on the basis that there is insufficient evidence to support a detailed archaeological survey being required. Standard AUP provisions provide for incidental identification of archaeological resources at the time of development.
652. That submission 27.11 be accepted as 140 Jesmond Road and 329 Karaka Road has been recorded on the NZAA database ArchSite and council has agreed to add the records to its CHI.
653. That submission 27.12 be rejected for reasons outlined above.

654. That submission 27.13 be accepted.

655. That submission 27.14 be rejected.

656. Scheduling of 140 Jesmond Road is not recommended. There are no other amendments associated with this recommendation.

#### 10.2.11 Submissions on other infrastructure and servicing matters

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planners Recommendation
5.1	Watercare Services Limited	Amend Objective 9 as follows:  (9) Subdivision and development (including infrastructure provision) is coordinated with, <u>and does not precede</u> , the delivery of the transport, infrastructure and <u>water and wastewater</u> services required to provide for the development.	<i>FS1 – S</i> <i>FS2 – S</i> <i>FS3 – OIP</i> <i>FS5 – SIP</i>	Reject
5.2	Watercare Services Limited	Amend Policy 10 as follows:  (10) Require subdivision and development to provide appropriate transport and other infrastructure capacity, <u>including water and wastewater infrastructure</u> , within the precinct and to provide connections to the adjoining road network in accordance with Precinct Plan 3.	<i>FS3 – SIP</i> <i>FS5 – SIP</i>	Reject
5.3	Watercare Services Limited	Insert a new Policy 11 as follows:  (11) <u>Manage subdivision and development to avoid, remedy or mitigate adverse effects on infrastructure, including reverse sensitivity effects or those which may compromise the operation or capacity of existing or authorised infrastructure.</u>	<i>FS3 – OIP</i> <i>FS5 – S</i>	Reject
6.1	Andrew Daken	Wastewater be piped down public access points, specifically Jesmond Road and connector road(s) to join T002. Not across 169 Jesmond Road.	<i>FS1 – OIP</i>	Reject
11.5	Linqi Wang	A review of infrastructure capacity is required given the higher densities proposed in PC61 relative to that envisaged in the structure plan.	<i>FS1 – SIP</i> <i>FS3 – OIP</i>	Accept in Part
12.2	Wing Family Trust	Public wastewater connections are aligned as illustrated in Figure 8 in the submission or other such alignment to	<i>FS1 – OIP</i> <i>FS3 – OIP</i>	Reject

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planners Recommendation
		<p>the Submitters satisfaction.</p> <p>Also requested is any consequential text or zone changes to grant the relief sought.</p>		
13.2	Harnett Orchard Limited and L and C Griffen	<p>Public wastewater connections are aligned as illustrated in Figure 5 in the submission or other such alignment to the Submitters satisfaction.</p> <p>Also requested is any consequential text or zone changes to grant the relief sought.</p>	<p><i>FS1 – OIP</i></p> <p><i>FS7 – S</i></p>	Reject
25.1	Counties Power	<p>Counties Power supports the establishment of a connected network of public open space and riparian margin. However, electrical infrastructure must be taken into consideration when planning landscaping and planting in the vicinity of electricity infrastructure and should be carried out in consultation with Counties Power.</p> <p>Counties Power seeks recognition of the rights that the Electricity Act 1992, New Zealand Electrical Code of Practice for Electrical Safe Distances, NZECP 34:2001 and the Electricity (Hazards from Trees) Regulations 2003 offer in order to protect the lines from encroachment from vegetation/trees to ensure their safe and reliable operation and ensure access for maintenance is not restricted.</p> <p>Counties Power seeks consultation regarding the species of trees/shrubs proposed required by any standard in the vicinity of overhead lines on the perimeter of the PC 61 area and new underground cables within the development to ensure that due consideration is given to the potential hazards to the electricity network associated with the location and species of trees and areas of landscaping.</p> <p>If bridges are to be installed over streams in the Plan change area, Counties Power request prior consultation to establish whether provision needs to be made for ducts</p>	<p><i>FS3 - O</i></p>	Reject

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planners Recommendation
		to be attached or incorporated into the structure for power reticulation.		
25.4	Counties Power	Policy Ixxx.3 (8) is supported in part. Counties Power seeks consultation regarding the species of trees/shrubs proposed required by any standard in the vicinity of overhead lines or underground cables to ensure that due consideration is given to the height and spread of the tree and any potential hazards to the electricity network associated with the location and species of the tree.	FS3 - SIP	Reject
25.5	Counties Power	Retain Policy Ixxx.3 (10) in the proposed Waipupuke Precinct as notified.	FS3 – SIP	Accept in Part
25.8	Counties Power	Standard IXXX.6.4(2) is supported in part. Counties Power seeks consultation regarding the species of trees/shrubs proposed required by any standard in the vicinity of overhead lines or underground cables to ensure that due consideration is given to the height and spread of the tree and any potential hazards to the electricity network associated with the location and species of the tree.	FS3 – O	Reject
25.9	Counties Power	Regarding the Matters of discretion IXXX.7.1(4) for Construction of a Collector Road that does not comply with Standard IXXX.6.3, Counties Power seeks that the matters of discretion are amended to consider the following factors:  Consideration of any existing or proposed electricity infrastructure is needed when assessing an application for the construction of a collector road that is not compliant with the permitted activity standards.  Counties Power is of the opinion that the matters of discretion should clearly outline what matters are been assessed when considering alternative road location and cross sections. For example, the effects of alternative road layout and design on the provision of infrastructure and servicing, in particular, utilities within the road reserve.	FS1 – O FS3 – O	Reject

## Discussion

657. Watercare Services Limited **[5.1 and 5.2]** requests amendments to the proposed objectives and policies to specify that development and subdivision should not precede the delivery of appropriate water and wastewater infrastructure to support PPC61.

658. In relation to the amendments, the provision of servicing that is 'coordinated' with development or subdivision is sufficient and does not need to be further quantified (i.e. 'does not precede'). This wording is aligned with that in the AUP (emphasis added):

### *E38.2 Objectives*

*(4) Infrastructure supporting subdivision and development is planned and provided for in an integrated and comprehensive manner and provided for to be in place at the time of the subdivision or development*

### *E38.3 Policies*

*(19) Require Subdivision to provide servicing:*

*(a) To be coordinated, integrated and compatible with the existing infrastructure network*

659. I do not think 'water and wastewater' needs to be specifically identified in the policy wording as it is clear in the AUP what infrastructure is required to service development and subdivision. For example, under Standard E38.6.3:

### *Services*

*(1) For all proposed site capable of containing a building, or for cross lease or unit title, strata title, company lease, each lot must be designed and located so that provision is made for the following services:*

- (a) collection, treatment and disposal of stormwater;*
- (b) collection, treatment and disposal of wastewater;*
- (c) water supply;*
- (d) electricity supply and*
- (e) telecommunications.*

660. Watercare Services **[5.3]** suggests a new policy to ensure adverse effects on infrastructure, including reverse sensitivity effects are managed as part of development and subdivision.

661. There are AUP objectives and policies in Chapters B3.2, E26.2 and E38.2 that protect infrastructure from reverse sensitivity effects. Subdivision, use and development are required to consider any effects that may compromise the operation and capacity of existing and planned infrastructure. I do not think an additional policy is required as its purpose would be similar to existing AUP provisions.

662. Andrew Daken **[6.1]**, Wing Family Trust **[12.2]** and Harnett Orchard Limited and L and C Griffen **[13.2]** request that public wastewater connections are aligned with the future road network and are installed within the road reserve rather than on private property.

663. The alignment requested by the submitters is shown on **Figure 63** Below.



Figure 63: Alignment of Wastewater line (blue) as proposed by submitters

664. As shown on **Figure 64** below, the proposed wastewater alignment to support PPC61 is shown (on the right) next to what was indicated in the DOSP Water and Wastewater Servicing Plan, prepared by Watercare (on the left). The requestor has followed the route proposed by Watercare. Watercare's submission notes that there are still unresolved funding and timing matters relating to infrastructure delivery, but it appears that Watercare is not opposed to the alignment of the proposed wastewater network.

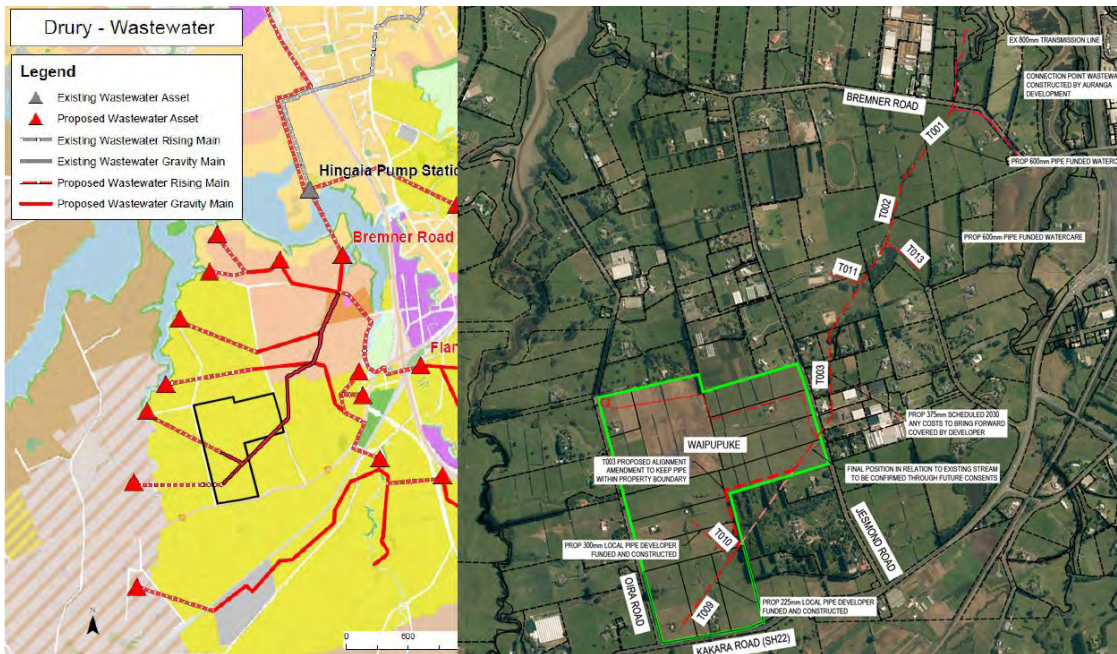


Figure 64: Comparison of DOSP wastewater servicing plan against that proposed for PC61

665. I asked David Russell, Senior Engineer at Auckland Council as whether the submitter's proposed alignment is technically feasible. Mr Russell makes the following comments:

- The wastewater connection as presented is a gravity line
- The alternative alignment proposed by the submitters will likely require the provision of an additional pump station to deal with higher contours along the route.
- With the submitter's alignment, properties between 125 to 169 Jesmond Road would no longer be able to connect into a gravity line (connections cannot be made to a rising main).

666. The above comments are high level but there are potential effects to realignment which needs further consideration by the submitters. If additional infrastructure such as a pump station is required, consultation with Watercare should be undertaken.

667. Auckland Transport in its further submission opposes in part these submission points, noting that an assessment of effects on the proposed transport networks is required, in addition to consultation with AT and Watercare.

668. In my view, the final alignment and details of the network can be confirmed at the resource consent stage. At this stage, the requestors have identified a technically feasible solution to wastewater servicing that is aligned with what was proposed as part of the DOSP.

669. Linqi Wang **[11.5]** is concerned about the infrastructure capacity available to service the higher densities enabled through PPC61 (in comparison to the structure plan), as well as the potential reduction in overall infrastructure capacity. As noted in the Maven Infrastructure report and in section 9.5 above, consideration of infrastructure capacity for other development in the surrounding and wider areas has been undertaken. Final design and capacity of the infrastructure network will be confirmed at a later stage.

670. Counties Power **[25.1, 25.8, 25.9]** seeks additional/amended policies to address the following matters:

- Counties Power is consulted regarding the species of trees/shrubs when planning for areas of landscaping and tree planting to protect electrical infrastructure from potential hazards
- Road design takes into account the space and material (i.e. grass berm) requirements in road reserves to provide for electrical infrastructure
- Electrical infrastructure is protected from encroachment from vegetation/trees to ensure safe and reliable operation

671. To realise Counties Power's requests, standards would be required to be introduced to the precinct. These standards would effectively seek to regulate permitted activities on assets owned by council and operated by AT (i.e. A70 Public amenities (includes landscaping and planting) under Table E26.2.3.2). I'm not convinced that this level of control and detail is necessary.

672. With respect to managing potential hazards to the electricity network, the AUP provides the following approach:



- Activity Table E17.4.1 in Chapter E17 Trees in Roads, allows for tree trimming or alteration as a permitted activity (Activity A5).
- Standard E17.6.1 (Tree trimming or alteration) does not apply for works carried out in order to comply with the Electricity (Hazards from Trees) Regulations 2003.
- Activity A11 (Planting over network utilities with trees within a mature height of more than 4m) is subject to standard E17.6.2 (planting over network utilities) which states that for trees planted over or within 1m of underground network utilities, methods must be used to protect the underground network utilities from root damage caused by the trees.
- Objectives and policies under E26.2 which recognise the value and benefits of infrastructure, and seek to enable development, operation and maintenance of infrastructure.

673. Road design has been covered in section 9.4 above. It is noted that as per Activity Table E26.2.3.1 in Chapter E26 Infrastructure, distribution substations and underground electricity lines are permitted activities in road reserves. This provides Counties Power with significant flexibility to design and operate its assets.

674. If the plan change is approved, the developer would approach Counties Power to discuss servicing needs. The final design of electrical infrastructure can be confirmed at a later stage in consultation with AT given that infrastructure will be located in the road reserve and would require AT approval (Corridor Access Request). Council as asset owner and AT as asset operator are aware of the need to balance amenity and infrastructure operational needs in road design.

675. The issues raised by Counties Power are not specific to this precinct. I imagine they are relevant region-wide and would therefore be more appropriately managed via the subdivision and/or infrastructure chapters of the AUP.

#### Recommendations on Submissions

676. That submissions 5.1, 5.2 and 5.3 be rejected as provision of water and wastewater infrastructure, and reverse sensitivity is adequately provided for by the AUP.

677. That submissions 6.1, 12.2, 13.2 are rejected as the final alignment of the wastewater line can be confirmed at the resource consenting stage.

678. That submission 11.5 be accepted in part.

679. That submissions 25.1, 25.8 and 25.9 be rejected.

680. That submissions 25.4 be rejected.

681. That submission 25.5 be accepted in part, to the extent that I have recommended amendments to the relevant policies and standard.

682. These amendments are set out in **Appendix 7** to this report.

## 10.2.12 Submissions on Reverse Sensitivity

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planners Recommendation
19.6	NZ Transport Agency (Waka kotahi)	Insert new objective into the Waipupuke Precinct: <u>Protect sensitive activities from potential health and amenity effects that may arise from noise and vibration associated the operation of the transport network.</u>	FS3 – O	Reject
19.8	NZ Transport Agency (Waka kotahi)	Insert a new policy into the Waipupuke Precinct: <u>Policy X</u> <u>Locate and design new and altered buildings, and activities sensitive to noise to minimise potential effects of the transport network</u>  <u>Policy XX</u> <u>Manage the location of sensitive activities (including subdivision) through set-backs, physical barriers and design controls.</u>	FS3 - O	Reject
19.19	NZ Transport Agency (Waka kotahi)	Insert activity controls as per attachment 2 of NZTA's submission.	FS3 - O	Reject
22.28	Auckland Transport	Add a new policy under IXXX.3 Policies as follows: <u>Ensure that new activities sensitive to noise adjacent to arterial roads are located, designed and constructed to mitigate adverse effects of road noise on occupants.</u>	FS3 – O	Reject
22.29	Auckland Transport	Add a new standard under IXXX.6 Standards to require that the assessed incident noise level to the façade of any building facing an arterial road that accommodates a noise-sensitive space is limited to a given level.  As a consequential amendment, add a new activity under IXXX.4.1, IXXX 4.2, IXXX 4.3 and IXXX.4.4 Activity tables as follows:  <u>X) Development that does not</u>	FS3 – O	Reject

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planners Recommendation
		<u>comply with IX.6.X Noise Mitigation - Restricted Discretionary</u>		
22.30	Auckland Transport	With respect to IXXX.7.2 Assessment criteria, Auckland Transport requests that the following assessment criterion is added: <u>The extent to which noise sensitive activities in proximity to arterial roads are managed.</u>	FS3 – O	Reject

## Discussion

683. Waka Kotahi and Auckland Transport have raised concerns over noise and vibration effects on noise sensitive activities from the operation of the transport network.

684. Waka Kotahi [19.6, 19.8, 19.19] has proposed objectives, policies and standards to be inserted into the precinct to manage reverse sensitivity and set controls for noise at any point within 100 metres from the edge of a State Highway carriageway or designation.

685. Auckland Transport [22.28, 22.29, 22.30] has requested incorporation of a new policy and seek standards to manage the exposure of noise-sensitive activities to noise from arterial roads.

686. The standards proposed by Waka Kotahi (Attachment 2 - IXXX.6.X Noise) poses potentially significant requirements for any development within 100m of an arterial road. Given the extent of control and the blanket application, it is my view that there is insufficient justification that the provisions proposed is the most appropriate method for addressing the issue.

687. The proposed standards raise several uncertainties from a planning perspective, which are discussed below:

- In my view, this is more an issue about health effects (which I assume are to do with indoor activities i.e. sleeping) and amenity effects (I associate this with outdoor activities i.e. entertaining/lunch outdoors) rather than reverse sensitivity effects. Therefore, the health effects and amenity effects of residential land uses next to arterial roads should be clearly established. I do not feel this has been done in the submissions by AT or Waka Kotahi.
- The potential urban design implications of this blanket approach have not been considered. Implications include incentivising backyards of dwellings to be located against arterials, high opaque fences, and potentially unbroken blocks of dwellings to act as noise barriers for any dwellings behind.
- It is unclear what the traffic noise effects arising from planned future upgrades to the arterials are likely to be on the adjoining land. Presumably the effect is significant enough to warrant that every activity (within 100m of the arterial road) demonstrate compliance with the proposed standards (likely through an acoustic assessment and report).
- It is acknowledged that the road controlling authorities are not able to fully internalise the noise effects resulting from use of the roads, but they still have

a role to play in mitigation. If there are significant health and amenity effects resulting from traffic on arterials, then costs of mitigation should not fall largely on landowners and some cost sharing of noise mitigation should be considered.

- It is unclear whether it is appropriate to apply the 100m setback for managing noise consistently across the entire length of any relevant road (i.e. do contours/local conditions reduce noise and therefore reduce the necessary setback).

688. As noted earlier, I'm not convinced that the provisions proposed by AT and Waka Kotahi can be framed as addressing a reverse sensitivity effect. The effects of reverse sensitivity include potentially curtailing the operations of an established activity, or requiring that activity to undertake mitigation measures. In my view, neither of the above effects are reasonably likely to occur. Therefore, the proposed provisions should not pass the mitigation measures largely onto the landowners as a way of addressing reverse sensitivity.

689. In my view, protecting sensitive activities from road noise is a region-wide issue and is not unique to this precinct. A more consistent planning approach could be potentially investigating changes to the Auckland-wide provisions of the AUP. Otherwise, this matter would need to be considered for every plan change along Jesmond Road and Karaka Road (SH22) to ensure a consistent management approach is undertaken.

690. At this stage I'm unable to support AT or Waka Kotahi's submissions.

#### Recommendations on Submissions

691. That submissions 19.6, 19.8, 19.19, 22.28, 22.29, 22.30 be rejected, on the basis that the introduction of a blanket approach for managing the health and amenity effects of transport noise has not been sufficiently justified.

692. No changes to the precinct provisions are recommended.

#### **10.2.13 Submissions on open space matters**

<b>Sub. No.</b>	<b>Name of Submitter</b>	<b>Summary of the Relief Sought by the Submitter</b>	<b>Further Submissions</b>	<b>Planners Recommendation</b>
23.11	Auckland Council	Delete the proposed Open Space – Informal Recreation Zone from the zone maps.  Insert indicative open space within one of the precinct plans and amend the title and key of the precinct plan to that effect.	<i>FS3 – OIP</i>	Accept
23.12	Auckland Council	Without prejudice to the position that Open Space – Informal Recreation Zone should be deleted from PC 61, delete the rules in Table IXXX.4.4 Open Space – Informal Recreation Zone, unless another submission point from the council seeks their retention.	<i>FS3 – OIP</i>	Accept

### Discussion

693. Auckland Council **[23.11]** seeks to delete the proposed OS:IR zoning across the plan change area. Open space provision is to be managed by the insertion of indicative open spaces within the precinct plans.
694. Auckland Council **[23.12]** does not consider that the proposed open space rules which deviate from the AUP OS:IR provisions are justified. AC request deletion of the rules in Table IXXX.4.4 (Open Space – Informal Recreation Zone) with the exception of rule A7 (Mana Whenua Cultural Identity Marker) which is supported for retention by Submission Point 23.13.
695. Auckland Council's requests are largely consistent with my earlier recommendations in section 9.2 (Open Space Matters).
696. As noted earlier, Auckland Council has criteria for the purchase/acquisition of land for public open space. These are set out in policy documents. The council will not necessarily agree to purchase or receive proposed open space that does not meet these criteria. Land for open space, and potential acquisition will be determined at the subdivision stage taking into account the criteria. To provide a starting point for assessment, it is recommended that indicative public open spaces are shown on the precinct plan. Given the indicative nature of the locations, I agree with Auckland Council that these are not zoned as open space until after subdivision occurs and land is either vested or acquired. The proposed precinct plan is shown on **Figure 28** in section 9.2.

### Recommendations on Submissions

697. That submission 23.11 be accepted and that the precinct plans show indicative open spaces instead of areas zoned OSIR.
698. That submission 23.12 be accepted as there should be no general departure from the existing AUP activity status for the OSIR zone without convincing reasons.
699. These amendments are set out in **Appendix 7** to this report.

## **10.2.14 Submissions on notification provisions**

<b>Sub. No.</b>	<b>Name of Submitter</b>	<b>Summary of the Relief Sought by the Submitter</b>	<b>Further Submissions</b>	<b>Planners Recommendation</b>
19.16	NZ Transport Agency (Waka kotahi)	Delete Rule IXXX.5 (Notification) in the proposed Waipupuke Precinct.	<i>FS3 - SIP</i>	Accept in Part
20.6	Kāinga Ora – Homes and Communities	Kāinga Ora submits that limited notification is appropriate for the following activities and seeks that the limited notification exclusion (at least) does not apply to: alternative collector road locations (x.4.1 (A15)), (x.4.2 (A11)), (x.4.3 (A17)); Community Centres and Halls (x.4.4 (A1)), Clubrooms (x.4.4	<i>FS1 - OIP</i>	Reject

		(A3)) and Recreation Facilities (x4.4 (A5)).		
22.19	Auckland Transport	Amend the notification rule (IXXX.5 Notification for restricted discretionary activities so that the normal tests for notification under the relevant sections of the Resource Management Act apply.	FS3 - O	Accept
23.17	Auckland Council	Amend the IXXX.5 Notification rule (1) which requires non-notification, to instead apply the normal tests for notification under the relevant sections of the RMA.	FS3 – O FS6 – S	Accept
25.6	Counties Power	The IXXX.5 Notification rule is opposed. Counties Power requests the notification rule to be amended as follows:  <u>(1) Any application for resource consent for an activity listed in Tables IXXX.4.1 to 4.4 will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.</u> <u>(2) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule C1.13(4)</u>	FS3 – O	Accept in Part

## Discussion

700. Waka Kotahi [19.16], Auckland Transport [22.19] and Auckland Council [23.17] are concerned that the activities referenced in IX.5 Notification rules (1), which require non-notification of all RD activities, may have significant adverse effects and it is more appropriate to rely on the standard notification provisions in the RMA.

701. Kāinga Ora [20.6] considers the range of activities which require non-notification is excessive and some activities which could have effects on residential amenity values should not exclude participation in the consenting process. Kāinga Ora proposes that limited notification is appropriate for the following activities: alternative collector road locations (x.4.1 (A15)), (x.4.2 (A11)), (x.4.3 (A17)); Community Centres and Halls (x.4.4 (A1)), Clubrooms (x.4.4 (A3)) and Recreation Facilities (x4.4 (A5)).

702. Counties Power [25.6] requests that the standard notification provisions in the RMA apply as electricity infrastructure could potentially be affected by any changes to the

location and design of the collector road network (as notified, construction of a collector road not in accordance with IXXX.6.3. is a Restricted Discretionary Activity).

703. In my view, restricted discretionary activities should be subject to the normal tests for notification where the scale of effects on neighbours and the wider environment cannot be well ascertained and may directly affect the residential amenity of residents or generate other adverse effects.

704. The following Restricted Discretionary activities, if retained, should be subject to the normal tests for notification in my view.

**Table 13: RD activities in the Waipupuke Precinct**

Table IXX.4.1 Residential – Terrace House and Apartment Building zone	(A2) Service Stations fronting State Highway 22
	(A3) Fast food outlet (including drive through facility) fronting SH22
	(A15) The construction of a Collector Road identified on Precinct Plan 3 that does not comply with Standard IXX.6.3
Table IXXX.4.2 Residential – Mixed Housing Urban zone	(A11) The construction of a Collector Road identified on Precinct Plan 3 that does not comply with Standard IXX.6.3
Table IXXX.4.3 Business – Neighbourhood Centre zone	(A5) Offices greater than 1,500m <sup>2</sup> GFA per site
	(A17) The construction of a Collector Road identified on Precinct Plan 3 that does not comply with Standard IXX.6.3
Table IXXX.4.4 Open Space – Informal Recreation zone	(A1) Community Centres and Halls
	(A3) Clubrooms
	(A5) Recreation facilities
	(A21) The construction of a Collector Road identified on Precinct Plan 3 that does not comply with Standard IXX.6.3

705. I recommend that the proposed exclusion for RD activities from limited or public notification be deleted and be replaced with the standard notification provisions that should generally apply.

#### Recommendations on Submissions

706. That submissions 19.16 and 25.6 be accepted in part.

707. That submission 20.6 be rejected, and that the standard tests of the AUP and RMA apply.

708. That submissions 22.19 and 23.17 be accepted.

709. These amendments are set out in Appendix 7 to this report.

## 10.2.15 Submissions on Proposed Precinct

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planners Recommendation
19.5	NZ Transport Agency (Waka kotahi)	The objectives of the proposed Waipupuke Precinct are generally supported, subject to relief sought in NZTA's submission points.	<i>FS3 - OIP</i>	Accept in Part
20.2	Kāinga Ora – Homes and Communities	Kāinga Ora seeks the retention of the provisions and precinct plan of the Proposed Precinct with the exemptions as noted in its submission.	<i>FS1 - OIP</i>	Accept in Part
20.8	Kāinga Ora – Homes and Communities	Kāinga Ora seeks the following amendment to the proposed wording of IXXX.6.2 Yards:  (i) [...] Side yards within the Business-Neighbourhood Centre zone, Residential-Terrace House and Apartment Building zone and the Residential-Mixed Housing Urban zone do not apply to <u>those parts of a site boundaries</u> where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.		Reject
23.14	Auckland Council	Delete the sentence “In the case of any uncertainty, the precinct provisions apply instead of the zone, overlay or Auckland -wide provisions.” in IXXX.4.		Accept
23.15	Auckland Council	Insert a clause in the first paragraph of each activity table to clearly identify which section of the Act the proposed rules are pursuant to, in accordance with standard AUP drafting practice. Refer to other precincts for examples.		Accept
23.24	Auckland Council	Delete the proposed definition of Medical and Specialist Facility. If it is retained, then place it within the precinct rather than section J1 of the AUP.		Accept

### Discussion

710. These submissions generally deal with the overall precinct, drafting matters and the wording of provisions.



711. Waka Kotahi [19.5] generally supports the objectives, subject to relief sought in its other submission points.

712. Kāinga Ora [20.2] seek retention of the precinct plan and provisions as notified, subject to relief sought in its other submission points.

713. Kāinga Ora [20.8] seeks amendment to the wording of Standard IXXX.6.2 Yards. I do not consider amendments to the proposed standard as notified are necessary. Standards in the MHU and THAB zones already provide exemptions for the yard rule along a common wall between buildings. In the BNC zone, standards for side yards do not apply except where a side boundary adjoins residential zones. I recommend that the underlying AUP standards continue to apply, and the proposed standard is deleted.

714. Auckland Council [23.14, 23.15] seek amendments to the drafting of the precinct provisions to align with standard AUP drafting practice. Standard AUP drafting has been applied where necessary to ensure consistency as set out in Appendix 7.

715. Auckland Council [23.24] requests that the proposed definition of Medical and Specialist Facility is deleted. As I have recommended deletion of the associated activity, the definition can also be deleted.

#### Recommendations on Submissions

716. That submission 19.5 be accepted in part, to the extent that I have recommended amendments to the objectives.

717. That submission 20.2 be accepted in part, to the extent that I have recommended amendments to the provisions of the precinct and modifications to the precinct plans.

718. That submission 20.8 be rejected, on the basis that the underlying provisions of the AUP should continue to apply.

719. That submissions 23.14, 23.15 and 23.24 be accepted.

720. These amendments are set out in **Appendix 7** to this report.

#### **10.2.16 Submissions on Land-use**

<b>Sub. No.</b>	<b>Name of Submitter</b>	<b>Summary of the Relief Sought by the Submitter</b>	<b>Further Submissions</b>	<b>Planners Recommendations</b>
19.10	NZ Transport Agency (Waka kotahi)	Delete Activity A2 (service stations) from Table IXXX.4.1	FS3 - SIP	Accept
19.11	NZ Transport Agency (Waka kotahi)	Delete Activity A3 (fast food outlets) from Table IXXX.4.1	FS3 - SIP	Accept

19.14	NZ Transport Agency (Waka kotahi)	Delete Activity A6 (Retail (excluding supermarkets) greater than 3,500m2 GFA per site) from Table IXXX 4.3 unless additional assessment as to the traffic effects of large format retail on the transport network is provided.	FS3 - S	Accept
19.15	NZ Transport Agency (Waka kotahi)	Delete Activity A8 (Medical and Specialist Facility) from Table IXXX.4.3 unless additional assessment as to the traffic effects of these additional activities on the transport network.	FS3 - S	Accept
22.21	Auckland Transport	Amend the PPC 61 precinct provisions by removing activities (A2) Service Stations fronting State Highway 22 and (A3) Fast food outlet (including drive through facilities) fronting State Highway 22 from Table IXXX.4.1 Residential - Terrace House and Apartment Buildings zone and removing related matters of discretion (IXXX.7.1(1)) and assessment criteria (IXXX.7.2.(1)).	FS3 – SIP	Accept
22.23	Auckland Transport	<p>Further assessment of the transport effects of the enabled land use activities proposed in the PPC 61 precinct plan provisions is sought from the applicant. Depending on the outcome of this assessment, to include amended and / or additional provisions (objectives, policies, rules, standards and assessment criteria) are sought within PPC 61 that:</p> <ul style="list-style-type: none"> <li>• Restrict the overall scale and intensity of activities that can be provided without any identified transport mitigation measures OR provide for appropriate transport mitigation measures with the staged development of PPC 61.</li> <li>• Provide for the further assessment (through later resource consents or similar) of any development at a scale beyond that which can be shown to be satisfactorily accommodated by the transport network, without any identified transport mitigation measures.</li> <li>• Provide for an appropriate activity status for high trip generating activities, including</li> </ul>	FS3 – SIP	Accept in Part

		associated assessment criteria to consider effects on the operation of the transport network.		
23.21	Auckland Council	Delete rules (A1), (A2), (A3), (A4), and (A5) in Table IXXX.4.1 Residential – Terrace House and Apartment Building Zone.	<i>FS3 – SIP</i>	Accept
23.22	Auckland Council	Delete rules (A1), (A1A) in Table IXXX.4.2 Residential - Mixed Housing Urban Zone.	<i>FS3 – SIP</i>	Accept
23.23	Auckland Council	Delete rules (A1), (A4), (A5), (A6), (A7), (A8), (A9), (A10), (A11), (A12) and (A13) in Table IXXX.4.3 Business – Neighbourhood Centre Zone.  Refer also to related submission points on the type of centre zone, location of centre zone and medical and specialist facility.	<i>FS3 – SIP</i>	Accept

## Discussion

721. Waka Kotahi [19.10, 19.11], Auckland Transport [22.21] and Auckland Council [23.21] request the deletion of the service station (A2) and fast-food outlet (A3) activities from the THAB Activity Table IXXX.4.1.

722. As discussed earlier, service stations and fast-food outlets fronting Karaka Road (SH22) are not considered to be appropriate RD activities. These high trip generating activities have the potential for generating significant effects on Karaka Road (SH22) where access restrictions apply. Access onto Karaka Road (SH22) is a non-complying activity as proposed in the precinct. Introducing service stations and fast-food outlets which front Karaka Road (SH22) under a more enabling activity status appears to be incompatible from an effects point of view. When proposed in the THAB zone, these activities also present amenity issues when located amid high intensity development. The underlying THAB zone is considered appropriate for managing the effects of any new service station or fast-food outlet particularly given the lack of sufficient assessment to support a more enabling activity status for such activities.

723. Waka Kotahi [19.14, 19.15] and Auckland Council [23.23] seek deletion of the Retail (excluding supermarkets) greater than 3,500m<sup>2</sup> GFA per site (A7) and Medical and Specialist Facility (A8) activities from the BNC (Activity Table IXXX.4.3) zone.

724. With respect to retail provision, the potential effects arising from enabling activities of a significant scale has not been sufficiently assessed to justify deviation from the underlying BNC zone. As noted previously, these activities will likely attract custom from outside the plan change area and the transport effects on the local and wider network is not well understood.

725. It was not clearly explained in the application as to why a new 'Medical and Specialist Facility' activity and associated definition was required when the 'Healthcare Facility' activity is available as a permitted activity in the BNC zone. My understanding is that

the new activity would enable surgical procedures and overnight or longer term stays for patients.

726. The list of specialist medical services under the definition would allow for a wide range of procedures and varying requirements for care. For example, 'cardiology' could include same day diagnostic procedures to bypass surgery requiring overnight stays.

727. Effectively the Medical and Specialist facility would be an integrated facility where you could access a range of services, from the more common General Practitioners where you might find in healthcare facilities to specialist surgical procedures that occurs in hospitals.

728. In my view, the potential effects (as listed below) of enabling a Medical and Specialist Facility as a permitted activity has not been sufficiently addressed to justify inclusion within the BNC:

- Such a facility would service a wide area and require appropriate transport mitigation.
- As noted by Mr Health in section 9.3 above, this type of facility may be more suited to being located in a local/town centre. Any potential effects on futures centres should be addressed.
- Amenity and operational effects of a potentially 24-hour facility needs to be considered.

729. The issues raised by AT's [22.23] submission point has been considered in the assessment of effects and response in submissions in this report.

730. Auckland Council [23.21, 23.22] has sought deletion of several activities from the proposed activity tables in the THAB, MHU and BNC zones. AC states in its submission that unless the natural or human environment in the precinct has exception features that warrant a different regulatory approach, the underlying AUP provisions is appropriate for the management of effects. AC considers that no case has been made for PPC61 to depart from the AUP provisions.

731. I agree with AC that the underlying provisions are appropriate. A comparison between the new precinct provisions and the underlying AUP zone provisions are set out in Table 14 below, along with my comments on why the underlying provisions are supported.

**Table 14: Comments on underlying AUP zone compared against proposed Waipupuke provisions**

AUP THAB Zone	Activity in Waipupuke precinct	Why underlying AUP zone provisions are supported
(A1) Activities not provided for – <b>NC</b>	(A1) Activities not provided for – <b>D</b>	Activities not supported or anticipated in the underlying zone should remain non-complying.
No equivalent; activities not provided for – <b>NC</b>	(A2) Service Stations fronting SH22 – <b>RD</b>	See response to Submission Point 19.10 and 22.21.

No equivalent; activities not provided for – <b>NC</b>	(A3) Fast food outlets (including drive through facility) fronting SH22 – <b>RD</b>	See response to Submission Point 19.11 and 22.21.
(A19) Care centres accommodating up to 10 people per site excluding staff – <b>P</b>  (A20) Care centres accommodating greater than 10 people per site excluding staff - <b>RD</b>	(A4) Care Centres - <b>P</b>	The limit on the scale of the activity (up to 10 people per site excluding staff and visitors) will appropriately manage the potential adverse effects of care centres on residential amenity
(A21) Community facilities – <b>RD</b>	(A5) Community Facilities - <b>P</b>	These facilities may also give rise to a range of effects on the environment that have the potential to adversely affect residential amenity, including noise and traffic. The type and extent of effects will depend on the nature and scale of the community facility proposed. A restricted discretionary activity status is appropriate.
AUP MHU Zone	Activity in Waipupuke precinct	Why underlying AUP zone provisions are supported
(A1) Activities not provided for – <b>NC</b>	(A1) Activities not provided for – <b>D</b>	Activities not supported or anticipated in the zone should remain non-complying.
(A18) Care centres accommodating up to 10 people per site excluding staff – <b>P</b>  (A19) Care centres accommodating greater than 10 people per site excluding staff - <b>RD</b>	(A1A) Care Centres – <b>P</b>	The limit on the scale of the activity (up to 10 people per site excluding staff and visitors) will appropriately manage the potential adverse effects of care centres on residential amenity
AUP BNC Zone	Activity in Waipupuke precinct	Why underlying AUP zone provisions are supported
(A1) Activities not provided for – <b>NC</b>	(A1) Activities not provided for – <b>D</b>	Activities not supported or anticipated in the zone

		should remain non-complying.
(A18) Offices up to 500m <sup>2</sup> gross floor area per site – <b>P</b>	(A4) Offices up to 1,500m <sup>2</sup> GFA per site – <b>P</b>	Significant increases in the intensity and scale of an activity without sufficient reasons for doing so are not supported. Transport effects has also not been addressed.
(A19) Offices greater than 500m <sup>2</sup> gross floor area per site – <b>NC</b>	(A5) Offices greater than 1,500m <sup>2</sup> GFA per site – <b>RD</b>	Provisions that are significantly more enabling despite increases in the intensity and scale of the activity without sufficient reasons for doing so are not supported.
(A20) Retail up to 450m <sup>2</sup> gross floor area per tenancy – <b>P</b>	(A6) Retail (excluding supermarkets) up to 3,500m <sup>2</sup> GFA per site – <b>P</b>	Significant increases in the intensity and scale of activity without sufficient reasons for doing so. Transport effects and potential effects on future centres has not been addressed.
(A21) Retail greater than 450m <sup>2</sup> gross floor area per site tenancy - <b>NC</b>	(A7) Retail (excluding supermarkets) greater than 3,500m <sup>2</sup> GFA per site – <b>D</b>	Significantly more enabling provision for increases in the intensity and scale of activity without sufficient reasons for doing so.
No equivalent; activities not provided for – <b>NC</b>	(A8) Medical and Specialist Facility – <b>P</b>	See response to Submission Points 19.11 and 22.21.
(A37) Community facilities – <b>D</b>	(A9) Community Facilities – <b>P</b>	Consent for this type of activity in the BNC zone should be required. A permitted activity status is not supported.
No equivalent; activities not provided for – <b>NC</b>	(A10) Markets – <b>P</b>	Chapter E40 (Temporary activities) already provides for this type of activity. Inclusion of this activity in the zone Activity Table is not supported.
No equivalent; activities not provided for – <b>NC</b>	(A11) Events and Noise Events – <b>P</b>	Chapter E40 (Temporary activities) already provides for this type of activity.

		Inclusion of this activity in the zone Activity Table is not supported.
No equivalent; activities not provided for – <b>NC</b>	(A12) Outdoor Seating – <b>P</b>	Outdoor dining areas on public land is subject to the Trading and Events in Public Places Bylaw 2015. If the activity occurs on private land, it is tied to the primary activity i.e. café.
No equivalent; activities not provided for – <b>NC</b>	(A13) Mobile Food & Beverage Outlets – <b>P</b>	Mobile trading on public land requires approval from council.  Mobile trading on private land is managed by Chapter E40 (Temporary activities)

### Recommendations on Submissions

732. That submissions 19.10, 19.11, 19.14, 19.15 and 22.21 are accepted.

733. That submission 22.23 is accepted in part, to the extent that significant changes have been recommended to the enabled land uses.

734. That submissions 23.21, 23.22 and 23.23 be accepted.

735. These amendments are set out in **Appendix 7** to this report.

### **10.2.17 Submissions on Other / General Matters**

<b>Sub. No.</b>	<b>Name of Submitter</b>	<b>Summary of the Relief Sought by the Submitter</b>	<b>Further Submissions</b>	<b>Planners Recommendation</b>
9.1	Soco Homes Limited	PC61 to be amended to address the issues outlined in its submission.  Decline the plan change unless proper consideration is given to the wider context of the Drury Structure Plan area, including transport grid links and servicing infrastructure connections.  Additional information and clarification is needed, particularly around the impacts of the proposed transport and infrastructure networks on the surrounding area.	<i>FS1 – SIP</i> <i>FS2 – SIP</i> <i>FS3 – OIP</i>	Accept in Part

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planners Recommendation
19.7	NZ Transport Agency (Waka kotahi)	Clarification is required on which 'Precinct Plans' are being referred to in the Policy set (Precinct Plan 2 (Policy 8) and Precinct Plan 3 (Policy 10)).	<i>FS3 – SIP</i> <i>FS5 - S</i>	Accept
20.7	Kāinga Ora – Homes and Communities	Numbering within Table IXXX.4.4 Open Space – Informal Recreation Zone contains an error and omits the (A2) activity. Kāinga Ora seeks renumbering of the Table IXXX.4.4 Open Space – Informal Recreation Zone as-required.		Reject
21.1	Karaka and Drury Limited	PC61 be approved as notified. The submitter does not support any changes being made to PPC 61 as notified, to the extent that such changes may impact on the quality of planning outcomes that the submitter seeks to achieve for Drury West, or the timing of when those outcomes can be delivered.	<i>FS1 – O</i> <i>FS3 – SIP</i>	Reject
22.1	Auckland Transport	Decline PPC 61 unless Auckland Transport's concerns as outlined in its submission including the main body and Attachment 1 are appropriately addressed and resolved.	<i>FS3 – OIP</i> <i>FS6 - S</i>	Accept in Part
22.14	Auckland Transport	As and when Jesmond Road is upgraded to an arterial route, amend the AUPOP planning maps (arterial road control) to identify it as an arterial road.	<i>FS3 – O</i>	Reject
22.31	Auckland Transport	Make necessary amendments to PPC 61 to achieve an integrated development framework with and between adjoining/adjacent plan changes/development areas to ensure consistency in approach, including in relation to objectives, policies, rules, methods and maps, across the private plan changes within the Drury growth area.	<i>FS3 – SIP</i> <i>FS6 – SIP</i>	Accept in Part
23.5	Auckland Council	Amend the last line of the key in Precinct Plan 2 to read: <u>Indicative Stormwater Control Management Areas.</u>		Accept
23.16	Auckland Council	Ensure that the consent categories in IX4.1 Activity table, standards in section IXXX.6, matters of discretion in IX.8.1, and assessment criteria in IX.8.2, are the most appropriate to		Accept



Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planners Recommendation
		give effect to matters raised in this submission.		
26.1	Hao Li	Supports the idea of a plan change, but requests that Auckland Council lead the process and include properties surrounding PC61 in the plan change. The impacts of new infrastructure on downstream infrastructure needs to be properly identified so as to not hinder the future development of properties outside the PC61 area.	<i>FS1 – SIP</i> <i>FS3 – OIP</i> <i>FS6 – S</i>	Accept in Part
28.1	Tingran Doreen	The plan change should include the wider area, particularly areas around Jesmond Road. A council masterplan and better integration of the plan change with surrounding infrastructure (including proposed train stations, underground services and roads) is sought.	<i>FS1 – SIP</i> <i>FS3 – OIP</i>	Accept in Part

## Discussion

736. Several submissions seek clarification or corrections on the drafting of PPC61 provisions and precinct plans. Other submissions make general and holistic comments which can be considered in the context of my recommendations through the sections above.

737. Soco Homes Limited [9.1] have raised several issues with the PPC61 proposal, including:

- Lack of connectivity with surrounding land in terms of transport infrastructure, access to the development and limited mode choice
- Misalignment with the zoning set out in the DOSP
- Inadequate consideration of infrastructure capacity required to service additional THAB zoning
- Water and wastewater lines should be aligned to run along road corridors and not through private property

738. Hao Li [26.1] and Tingran Doreen [28.1] are concerned that the new infrastructure proposed for PPC61 will not integrate well with the surrounding environment and may impede the future development of FUZ land. They also request that council lead a public plan change for the wider area.

739. The matters raised by the submitters above have been discussed in the assessment in section 9.4 and section 9.5. Any extension of the plan change boundary is not appropriate as no assessments of potential effects has been undertaken.

740. Karaka and Drury Limited [21.1] requests that PPC61 be approved as notified. I do not support approval of PPC61 as notified for several reasons, including a lack of consistency with the RPS and amendments being necessary to address effects which cannot be managed at the resource consent stage.
741. Auckland Transport [22.31] requests that a consistent approach is taken across all the Drury private plan changes, including the drafting of policy. Where appropriate, a consistent approach with respect to PPC48-51, has been undertaken. I acknowledge that there are outstanding issues across PPC48-51 and 61 that would benefit from a consistent approach. These issues include road noise, development triggers and dealing with the cumulative effects of growth. These issues are still being considered so consistency may not be able to be achieved at the time of writing this report.
742. Auckland Council [23.16] wants to ensure the consent categories are the most appropriate to give effect to matters raised in its submissions. Where AC's submission points are supported and require amendment to the consent categories, they have been addressed in the responses to submissions above and in section 11.

#### Recommendations on Submissions

743. That submissions 9.1, 22.1, 26.1 and 28.1 be accepted in part, to the extent that I have recommended amendments to better integrate land use with infrastructure.
744. That submissions 19.7 and 23.5 be accepted to the extent that references, drafting errors and other minor errors are corrected.
745. That submission 20.7 be rejected as the Activity Table it refers to is recommended to be deleted.
746. That submission 21.1 be rejected, as I have recommended substantial amendments to the plan change as notified to better achieve consistency with the AUP RPS.
747. That submission 22.14 is rejected as this is a matter for AC to address.
748. That submission 22.31 be accepted in part.
749. That submission 22.16 be accepted.
750. These amendments are set out in **Appendix 7** to this report.

## **11. OVERALL ASSESSMENT**

751. In this section of the report, I provide my overall assessment of the proposal against the statutory and policy framework set out in section 8 of this report, taking into account the analysis in sections 9 and 10.

752. This assessment is in the context of the role of Precincts in the AUP. Precincts enable local differences to be recognised by providing detailed place-based provisions which can vary the outcomes sought by the zone or Auckland-wide provisions and can be more restrictive or more enabling. It is therefore important that Precinct provisions do not just replicate existing AUP provisions.

753. I consider in order:

- Description
- Objectives
- Policies
- Activities
- Standards
- Assessment matters
- Zoning/Precinct Plan
- Special information requirements
- Amendments to other parts of the AUP

### **11.1 Precinct description**

754. The Waipupuke precinct description is generally appropriate. I would recommend that the description focuses more on precinct specific matters rather than zoning principles or justifications for the proposed land uses/zonings.

755. I understand that the Medical and Specialist Facility is meant to be a key feature for the precinct. If this activity is to be deleted as per my recommendation, the parts of the precinct description that mention this facility should either be deleted or rewritten.

756. Other consequential changes to the precinct description as a result of recommendations in the report have also been made.

### **11.2 Objectives**

757. The main statutory test for objectives is whether the objectives are the most appropriate way to achieve the purposes of the RMA, having considered a range of options. The following table lists the objectives (as notified) that I have recommended amendments to along with one new objective and my comments.

Table 15: Objectives in Waipupuke precinct

Objectives	Comments
(2) Urban growth is based around the Southern Auckland Medical and Specialist Centre within the Neighbourhood Centre. <b>[Delete]</b>	As noted in sections 9 and 10 above, the assessments provided with the plan change did not sufficiently address the effects of enabling a potentially large medical centre. In my view, the precinct as notified cannot adequately manage the effects of such a facility. This objective should be deleted.
(3) Higher density residential and commercial development is enabled along primary transport corridors, public transport routes and around centres. <b>[Delete]</b>	The outcomes sought by this objective is provided for through the zoning. This objective should be deleted.
(5) The Neighbourhood Centre is to provide commercial, health and amenity services for the Precinct and wider locality. <b>[Delete]</b>	This objective is very general in nature and the outcomes sought are generally enabled by the zoning. This objective should be deleted.
(6) An accessible blue green network is established through the Precinct which supports pedestrian, cycle and vehicle access. <b>[Amend]</b>	<p>The blue green network should provide ecological and active mode connections, so it is unclear why 'vehicle access' is included in the objective. The following amendment is recommended:</p> <p>An accessible blue green network is established through the Precinct which supports pedestrian, <u>and</u> cycle <u>and</u> <del>vehicle</del> access.</p>
<p><b>New Objective</b></p> <p>(7) <u>The Waipupuke precinct develops and functions in a way which:</u></p> <p><u>a) promotes travel by public and active modes of transport;</u></p> <p><u>b) provides a well-connected and legible network of pedestrian and cycling linkages connecting the precinct to the surrounding transport network; and</u></p> <p><u>c) mitigates impacts on the safe and efficient functioning of the existing and future arterial network.</u></p>	<p>As noted in AT's submission, the provisions as notified do not provide sufficient surety that integrated land use and transport outcomes such as the provision of high-quality public transport/active modes of travel and high uptake of public transport/active modes will be achieved. A high uptake of public transport is assumed through the DOPPSP ITA and the ITA supporting PPC61 to meet the mode share forecasts required to reduce vehicle dependency. To ensure that the primacy of public transport and active modes is recognised, this objective is recommended to be incorporated into the precinct.</p> <p>The land use enabled through PPC61 may have potential safety and efficiency effects on the adjoining arterial network. Given that these roads have a key part to play in the overall network, the need to mitigate any impacts on the</p>

	functioning of these roads should be an outcome sought in the objectives.
<b>New Objective</b> (8) <u>Freshwater quality and biodiversity are improved.</u>	This new objective provides an outcome around improving freshwater quality and biodiversity which is appropriate given the policies around stormwater, streams, riparian planting and biodiversity.

### 11.3 Policies

758. In accordance with section 32, policies need to be tested as to their efficiency and effectiveness in implementing the objectives. This needs to include consideration of options and the likely costs and benefits of these options. The following Table lists the policies that I have recommended amendments to along with new policies and my comments.

Table 16: Policies in Waipupuke precinct

Policies	Comments
(2) Support the local community through the provision of local commercial, health, accommodation and recreation outcomes. <b>[Delete]</b>	This policy helps to explain the adopted zoning strategy i.e., neighbourhood centre and open spaces. I consider that the objectives and policies of the respective zones are sufficient to describe the mix of activities. This policy should be deleted.
(3) Manage development so that its scale and design contribute to the creation of high-quality intensive urban amenity through building heights, pedestrian connections and public open space, particularly in the Neighbourhood Centre. <b>[Amend]</b>	This policy should be more clear and directive. I recommend the following amendments:  Manage development so that its scale and design contribute to the creation of high-quality <del>intensive</del> urban amenity through <u>variable</u> building heights, <u>providing a well-connected</u> pedestrian <u>network connections</u> and <u>locating and designing</u> public open space <u>that contributes to a sense of place,</u> particularly in the Neighbourhood Centre.
(5) Locate more intensive accommodation and commercial development opportunities adjacent to primary transport corridors, public transport routes and the neighbourhood centre. <b>[Alternative]</b>	In my view, the alternative wording below provides a clear method to optimise the land uses serviced by frequent bus routes. The 'neighbourhood centre' is not included in the wording because as per the zoning principles, high density residential should be located around local and town centres rather than neighbourhood centres.  <u>Provide for high density residential activities within walking distance to frequent public transport routes.</u>
(6) Provide for pedestrian, cyclist, vehicle and riparian connections throughout the Precinct. <b>[Delete]</b>	This policy is very general in nature and overlaps with other policies. It does not specify any particular course of action and should be deleted.

<p>(7) Provide for a blue-green open space network through a series of public open spaces within the Precinct. <b>[Amend]</b></p>	<p>The blue-green concept addresses more than just the open spaces (green) aspect. Reference should also be given the ‘blue’ aspect. The following amendment is recommended:</p> <p>Provide for a blue-green open space network through a series of public open spaces, <u>protected streams and planted riparian margins</u>, within the Precinct.</p>
<p>(8) Retain the protected streams identified on Precinct Plan 2 and enhance their 10m margins through the removal of harmful species and vegetation and replacement with native vegetation, positive ecological outcomes and ongoing maintenance. <b>[Amend]</b></p>	<p>It is recommended that this policy be amended to strengthen the links to the RPS (refer to section 9.11 above) and DOSP around maintaining and improving biodiversity. The wording is as follows:</p> <p><del>Retain the protected streams identified on Precinct Plan 2 and enhance their 10m margins through the removal of harmful species and vegetation and replacement with native vegetation, positive ecological outcomes and ongoing maintenance.</del></p> <p><u>Retain the protected streams identified on Precinct Plan 2 and incorporate biodiversity enhancement their 10m of riparian margins through the removal of harmful species and vegetation weeds and replacement with native vegetation, positive ecological outcomes and ongoing maintenance.</u></p>
<p>(9) Manage the effects of stormwater on water quality in streams through riparian margin planting, and at source hydrological mitigation. <b>[Alternative]</b></p>	<p>This policy should focus on establishing a link between land use development and stormwater network requirements. The management of stormwater effects is not limited to riparian margin planting and at source hydrological mitigation. The replacement wording as recommended by Ms Johnston and Mr Turner in Section 9.6 is as follows:</p> <p><u>Require subdivision and development to be consistent with any approved network discharge consent and supporting stormwater management plan including the application of water sensitive design and treatment train to achieve water quality and hydrology mitigation.</u></p>
<p>(10) Require subdivision and development to provide appropriate transport and other infrastructure capacity within the precinct and to provide connections to the adjoining road network in accordance with Precinct Plan 3. <b>[Amend]</b></p>	<p>The amended policy below ensures that the integration between local roads and Oira Road is addressed:</p> <p><u>Require subdivision and development to provide appropriate transport and other infrastructure capacity within the precinct and to provide a highly connected local road network that integrates with the surrounding transport network.</u></p>

<p><b>New Policy:</b></p> <p><u>(9) Require collector roads to be generally in the location shown in Precinct Plan 3, while allowing for variation, where it would achieve integration with the surrounding transport network.</u></p>	<p>This new policy would support the objective of providing a collector road network that connects Jesmond Road and Oira Road (Objective 8 as notified) and provide a clear link to Precinct Plan 3.</p>
<p><b>New policy:</b></p> <p><u>(10) The timing of development in the Waipupuke Precinct is coordinated with transport infrastructure upgrades to encourage public transport usage and mitigate the adverse effects of development on the effectiveness and safety of the immediately surrounding transport network by ensuring:</u></p> <p style="padding-left: 40px;"><u>a) development does not precede the upgrade of intersections and rural roads in the adjoining area required to ensure safe and efficient access to the precinct; and</u></p> <p style="padding-left: 40px;"><u>b) development is timed with the operation and safe access to frequent bus services and the Drury West train station.</u></p>	<p>The notified set of policies does not provide clear directions on the timing and coordination of supporting transport infrastructure such as operational public transport services, infrastructure required to provide access to public transport and road upgrades. This is discussed in detail in section 10.2.3 above.</p> <p>As noted in the Arrive report, the safety and efficiency effects on the surrounding transport network from development of the precinct needs to be addressed through precinct provisions.</p>
<p><b>New policy:</b></p> <p><u>(11) Restrict vehicle access to Jesmond Road and Karaka Road to support the effective, efficient and safe operation of the arterial road network.</u></p>	<p>There are currently no policies which support the precinct provisions around access restrictions.</p>

#### 11.4 Activity Table

759. It is recommended that all zone-specific activity tables are deleted and replaced with a precinct wide table covering land use and subdivision activities. The reasons for deletion are addressed in section 9 and section 10.2, with the primary reasons being summarised as follows:

- The underlying AUP provisions are generally adequate
- There is insufficient assessment of the potential effects of activities which are significantly more enabling relative to the underlying zone provisions
- The potential effects of new activities have not been sufficiently addressed

- There is insufficient justification that deviating from the AUP provisions is required within the context of the plan change area
- The activity essentially replicates existing AUP provisions or is very similar (it is often unclear as to why the precinct cannot rely on the AUP provisions).

760. The new precinct wide table (see tracked changes in **Appendix 7**) brings together several activities from the zone-specific activity tables and introduces new activities. The following table lists the proposed activities in the new Activity table and my comments on them.

**Table 17: Precinct wide activity table in Waipupuke Precinct**

<b>Activities</b>	<b>Comments</b>
<u>Subdivision that does not comply with Standard IX.6.4 Transport infrastructure requirements</u>	The potential effects of enabling development without adequate supporting transport infrastructure is likely to be significant. Without adequate capacity on the surrounding transport network or access to public transport, the consistency of such proposals with the the objectives of the precinct should be undertaken. A non-complying activity status is recommended.
<u>Activities that do not comply with Standard IX.6.4 Transport Infrastructure requirements</u>	Same as above.
<u>Construction of a Collector Road</u>	As discussed in section 9.4 and section 10.2.4, there should be flexibility in the final location and design of the collector roads though council still requires the ability to consider the final design and alignment at the consenting stage, particularly with respect to connectivity with adjacent sites and the wider transport network.  The Construction of a Collector Road is proposed to be a Restricted Discretionary activity.
<u>Infringement of Standard IX.6.2 – Arterial Road Access</u>	This activity and the Non-Complying activity status as notified is supported.

761. Unless included in the table above, the reminder of the activities as notified are recommended to be deleted.



762. The activities listed in **Table 18** are recommended for deletion but have not been specifically discussed in Sections 9 and 10 above. Reasons for their deletion are provided below.

**Table 18: Activities recommended for deletion, and not specifically discussed in sections 9 and 10**

Proposed Activities in Activity Tables of:  Residential – Mixed Housing Urban Zone  Residential – Terrace House and Apartment Building Zone  Business – Neighbourhood Centre Zone	Comments
(A6) Artwork	<p>Artworks are already permitted in the Neighbourhood Centre and OS:IR zones and is a non-complying activity in the MHU and THAB zones. There is no need to replicate this in the precinct.</p> <p>Artworks are permitted in the Neighbourhood Centre and OSIR zones as they can be expected to be established in the public realm and in locations where people gather.</p> <p>I do not believe they should be permitted in residential zones. As such, the underlying zone provisions of the AUP should continue to apply.</p>
(A10) The construction of stormwater management structures within the Stormwater Control Areas identified on Precinct Plan 2	<p>The construction of stormwater management structures are Controlled activities (in the residential zones where the stormwater control areas are proposed) under Activity A55 (stormwater detention/retention ponds/wetlands) in Chapter E26. I'm not sure why a more restrictive activity status is proposed.</p>
(A16) Pedestrian and cycle paths	<p>These activities are permitted so I see no need to replicate the activities in PPC61.</p>

### 11.5 Notification clauses

763. I recommend that the proposed notification provisions (IX.5 Notification) should be replaced with the standard AUP/RMA tests.

### 11.6 Standards

764. The Waipupuke Precinct proposes eight standards. My assessment of these methods is briefly summarised in the following table, with more detailed reasons having been provided in the section 9 and section 10.2 above.

Table 19: Standards in Waipupuke Precinct

Standards	Comments
IX.6.1 Building Height <b>[Delete]</b>	This standard should be deleted as the additional height controls were not supported.  Refer to section 9.1.
IX.6.2 Yards <b>[Delete]</b>	It is unclear why this standard is sought. This is discussed in response to submission point 20.8 in section 10.2.15 above. This standard should be deleted.
IX.6.3 Collector Roads <b>[Delete]</b>	This standard should be deleted. The cross-section for collector roads within the precinct is not supported.  Amendments have been made to the activity table and assessment matters to provide council with the ability to assess the location and design of collector roads at the consenting stage (as a restricted discretionary activity).  Refer to section 9.4, section 10.2.4 and Appendix 7.
IX.6.4 Protected Streams and Margins <b>[Amend]</b>	The following amendment is recommended to the riparian planting standard as a new special information requirement is sought which will ensure compliance with this standard.  Purpose:  <ul style="list-style-type: none"> <li>• ensure a 10m riparian margin is preserved for vegetation and ecological enhancement.</li> </ul> <p>(1) No buildings or structures (other than stormwater control/management structures) shall be located within 10m either side (measured from the top of the stream bank) of the protected streams identified on Precinct Plan 2.</p> <p>(2) Riparian margins of the protected streams identified on Precinct Plan 2 shall be planted to a minimum width of 10m measured from the top of the stream bank. A riparian planting plan must be prepared to demonstrate compliance with this standard_ and must:</p> <ul style="list-style-type: none"> <li><del>a. Include a plan identifying the location, species and planting bag size and density of plants;</del></li> <li><del>b. Use native vegetation;</del></li> </ul>

	<p><del>e. Be consistent with local biodiversity;</del></p> <p><del>d. Include weed and pest removal methodologies;</del></p> <p><del>e. Include a maintenance plan</del></p>
<p>IX6.5 Arterial Road Access</p> <p><b>[Amend]</b></p>	<p>I support this standard however the following amendments are recommended to make the standard more succinct and provide more flexibility for access from the land south of Watercourse A:</p> <p>(1) No road intersections <u>or private vehicle access</u> shall be permitted directly onto Jesmond Road except for the proposed collector road as indicated on Precinct Plan 3 <u>and either one local road or one private access located to the south of the Protected Stream identified on Precinct Plan 2.</u></p> <p><del>(2) No private vehicle access from any property shall be permitted directly onto Jesmond Road, except for one vehicle access located to the south of the Protected Stream identified on Precinct Plan 2.</del></p> <p>(3) No road intersections or private vehicle access from any property shall be permitted directly onto <u>Karaka Road</u> (State Highway 22).</p>
<p>IX6.6 High Contaminant Yielding Materials</p> <p><b>[Amend]</b></p>	<p>Amendments are sought in response to AC's submission (Submission Point 23.8).</p> <p>The statement of purpose should reflect the aim of reducing build-up of harmful contaminants in the coastal marine ecosystems.</p> <p>It is unclear what the rationale is behind the 5m<sup>2</sup> exemption per site. As noted in AC's submission, the exemption could have significant cumulative effects and is inconsistent with the SMP management methods.</p> <p>I prefer the wording as set out in PPC51 which ensures inert building materials are required for the construction of individual buildings.</p> <p>Purpose: maintain water quality <u>and the health of coastal marine ecosystems</u> by limiting the release of contaminants from building materials to streams.</p> <p><del>(1) The total area of high contaminant roofing, spouting, cladding or external architectural features on a site must not exceed 5m<sup>2</sup>.</del></p>

	<p><u>(1) New buildings and additions to buildings must be constructed using inert cladding, roofing and spouting building materials that do not have an exposed surface made from contaminants of concern to water quality (i.e. zinc, copper, and lead).</u></p>
<p>IX6.7 Events and Noise Events <b>[Delete]</b></p>	<p>This standard should be deleted. As discussed in section 10.2.16, Chapter E40 of the AUP is appropriate for management of such events.</p>
<p>IX6.8 Arterial Road Intersections <b>[Alternative]</b></p>	<p>As discussed in section 9.4, I recommend that an alternative staging standard be included in the precinct to address concerns over the potential impacts of development on the local roading network and to stage development in a manner that is co-ordinated with the provision of transport infrastructure:</p> <p><u>Purpose: To integrate development with the provision of transport infrastructure to ensure the ongoing safe and efficient functioning of the transport network.</u></p> <p><u>1.No subdivision or development with vehicular access to Oira Road shall occur prior to the provision of a two-lane roundabout with approach lanes at the intersection of Oira Road and Karaka Road and the upgrading of Oira Road to an urban collector standard along the frontage of the PPC61 area;</u></p> <p><u>2.No subdivision or development with vehicular access to Jesmond Road shall occur prior to the intersection of Karaka Road and Jesmond Road being controlled by either a two-lane roundabout with approach lanes; or traffic signals with three approach lanes and two departure lanes on each road.</u></p> <p><u>3.No subdivision or development providing for non-residential activities generating more than 100 external vehicle movements per hour or more than 500 dwellings total within the precinct shall occur prior to all the following infrastructure being provided:</u></p> <p><u>a. Passenger rail services at the Drury West rail station with vehicular and pedestrian access links from Karaka Road</u></p> <p><u>b. Frequent bus services along Jesmond Road</u></p>

	<p>4. <u>No subdivision or development providing for non-residential activities generating more than 200 external vehicle movements per hour or more than 1000 dwellings total within the precinct shall occur prior to all the following infrastructure being provided:</u></p> <p>a. <u>Four vehicle lanes and separate walking and cycling infrastructure on Karaka Road between Oira Road and Jesmond Road.</u></p>
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### 11.7 Assessment Matters

765. Additional and expanded assessment matters are needed where new standards are introduced or in order to address revised standards and amended policies.

766. Assessment matters are consequently deleted where the relevant standards/activity rules have been recommended for deletion.

767. For any RD land use or subdivision activities, Auckland Council requires the ability to consider the consistency of any proposal with the objectives, policies and precinct plans of the Waipupuke precinct. This is not provided for in the precinct as notified.

The matters of discretion are:

Land use and subdivision:

(a) Consistency with the objectives and policies of the Waipupuke Precinct.

(b) Consistency with the Waipupuke Precinct Plans 1, 2 and 3.

768. The assessment criteria would then follow:

Land use and subdivision:

(a) The extent to which the proposal is consistent with the objectives and policies of the Waipupuke Precinct or achieves the equivalent or better outcome.

(b) The extent to which the subdivision or development implements and is in general accordance with the Waipupuke Precinct Plans 1, 2 and 3.

769. In relation to the provision of Collector Roads, the following modifications to the matters of discretion are recommended:

~~Construction of a Collector Roads that does not comply with Standard IXXX.6.3~~

(a) ~~Alternative 1~~ Locations and alignment of for the Collector road;

(b) ~~Alternative c~~ Cross sections for the Collector road;

(c) Provision of cycling and pedestrian networks;

(d) Connections with the wider road network; and

(e) Connections with neighbouring sites.

770. This is then followed by assessment criteria:

~~Construction of a Collector Road that does not comply with Standard IXXX.6.3~~

- (a) The extent to which the collector road is provided generally in the location shown on Precinct Plan 3;
- (b) The feasibility of extending the collector road westwards to connect with the wider collector road network;
- (c) The extent to which the ~~alternative~~ location achieves a safe and efficient road network within the Precinct;
- (d) The extent to which the collector road network connects with external roads in a safe and efficient manner;
- (e) The design of intersections with the external road network;
- (f) The extent to which the ~~capacity design~~ of the collector road sufficiently provides for vehicles, roads, rain gardens, on street parking, pedestrians, cyclists, trees and vegetation and infrastructure; and
- (g) The extent to which the proposed roads satisfy suitable safety audit requirements.

771. For all development in the precinct in relation to high contaminant yield materials, the matters of discretion are:

High Contaminant Yield Materials

- (a) ~~Extent and type of high contaminant materials used~~ Stormwater quality

772. The assessment criteria then follows:

High Contaminant Yield Materials

- (a) The extent to which development:
  - (i) is in accordance with the approved Stormwater Management Plan and Policies E1.3(1) – (10) and (12) – (14).
  - (ii) implements a treatment train approach to treat runoff from all impervious surfaces so that all contaminant generating surfaces are treated including cumulative effects of lower contaminant generating surfaces.

## 11.8 Zoning/Precinct Plans

773. Based on the technical reviews, submissions and my analysis, I consider the zoning pattern and the Precinct Plans need to be modified to give effect to the RPS and the objectives and policies of the AUP. The proposed modifications to Precinct Plan 1, 2 and 3 are shown in the mock-ups below.

Figure 64: Precinct Plan 1 Mock-up – zoning

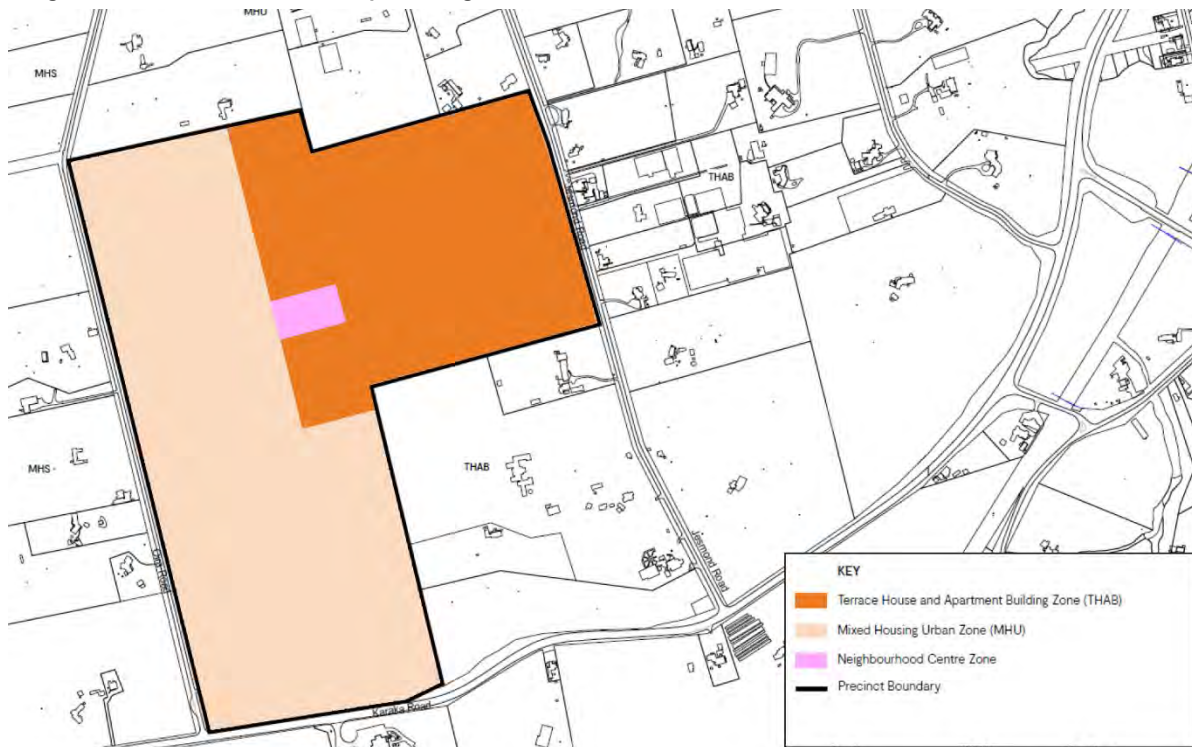


Figure 65: Precinct Plan 2 Mock-up – Stormwater and streams

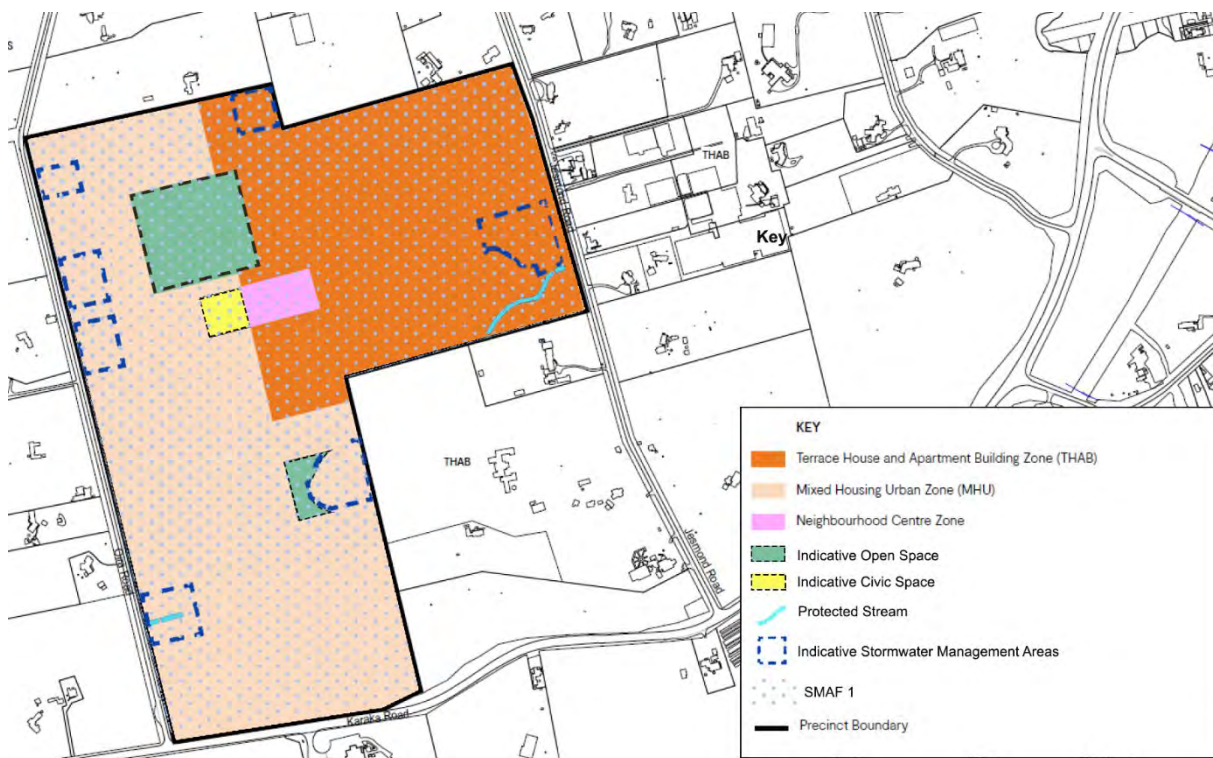
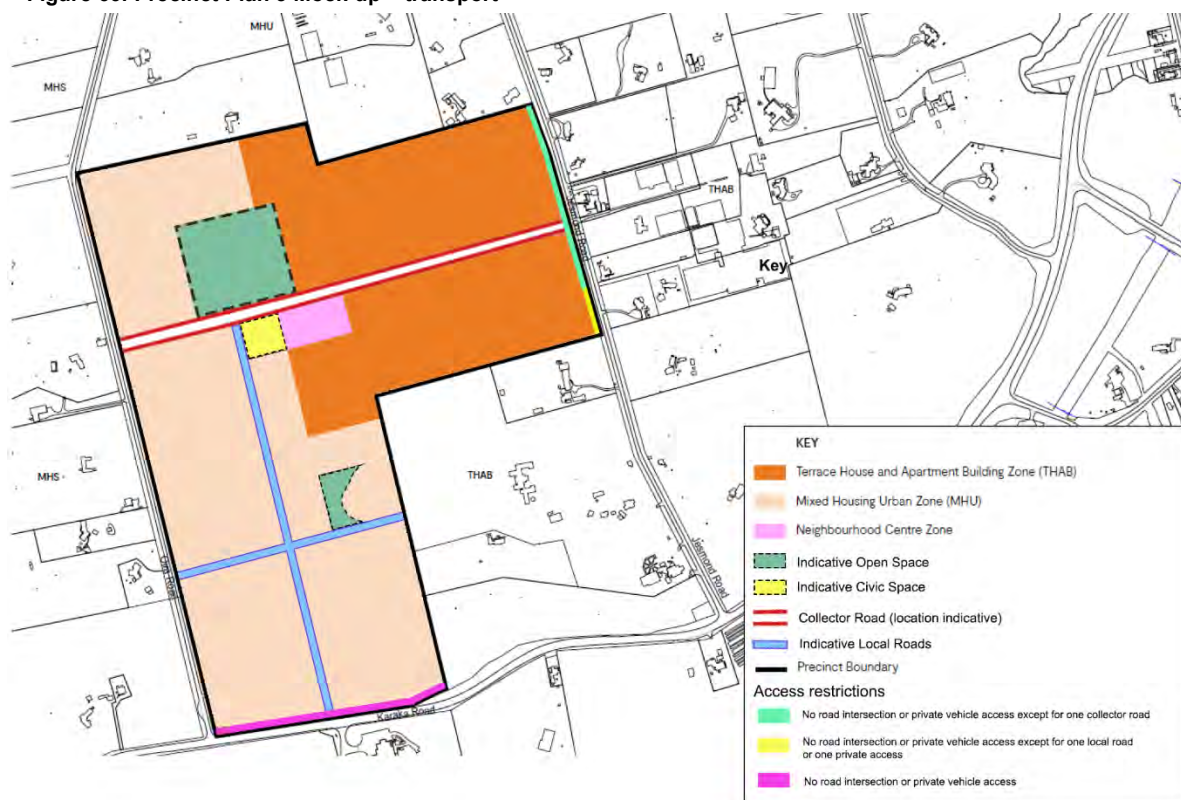


Figure 66: Precinct Plan 3 Mock-up – transport



## 11.9 Special Information Requirements

774.I consider the following special information requirements are necessary to fill identified information gaps and to ensure ecological values and habitats are appropriately identified and considered for protection at the onset of development:

(1) Any subdivision application shall include an environmental management plan containing:

(a) ecological surveys of bats and birds; and

(b) the identification of any existing significant ecological values and habitat features to be protected from development.

(2) Any development or subdivision of land that adjoins any Protected Streams identified on Precinct Plan 2 shall be accompanied by a riparian planting plan that is prepared by a suitably qualified and experienced person and:

(a) demonstrates compliance with Standard IX.6.1(2) and incorporates all information requirements of Appendix 16;

(b) identifies the location, species, planting bag size and density of the plants;

(c) uses eco-sourced native vegetation where available;

(d) provides fruiting and flowering plants for birds and suitable habitat structure for lizards; and

(e) has a planting density of 10,000 plants per hectare, unless a different density has been approved on the basis of plant requirements.





## **12. CONCLUSION**

775. Based on the technical reviews, analysis of submissions and statutory and non-statutory documents, I consider that the plan change request raises a number of conflicts with the existing district plan provisions and does not give effect to the Regional Policy Statements as set out in the AUP.
776. While the urbanisation of the PPC61 land at this time is consistent with the FULSS, the notified zoning pattern does not give effect to Chapter B2 of the RPS or the zone objectives and policies of the AUP.
777. The proposed THAB zones to the south and to the west of the neighbourhood centre are not well integrated with public transport services and infrastructure. The THAB zoning is not in the most appropriate location to promote the efficient use of infrastructure and more effective public transport services.
778. The scale of the neighbourhood centre zone is not consistent with the objectives and policies of the zone as set out in Chapter H12 of the AUP, nor are the mix of activities and the intensity of development sought to be enabled within the zone.
779. I have recommended an alternative zoning pattern, modifications to the precinct plan and amendments to the policies to address the issues above.
780. Auckland Council, Auckland Transport and several other submitters have expressed concern over the funding, timing and delivery of transport infrastructure deemed essential to support the development of PPC61 and the Drury West area. Significant amendments to the precinct provisions and new developments (as discussed in section 3.4 and section 3.5) since the notification of the plan change can mitigate some of the uncertainties associated with rezoning.
781. Amendments to the precinct provisions can be made to suitably address other potential adverse effects on the environment, including ecological, stormwater, transport and amenity effects.
782. Having considered all of the submissions and reviewed all relevant statutory and non-statutory documents, having had regard to all statutory obligations including those under sections 32 and 32AA of the Resource Management Act 1991, I recommend that Proposed Plan Change 61 (Private): Waipupuke should be approved with modifications as outlined in this report.

## **13. RECOMMENDATIONS**

783. That, the Hearing Commissioners accept or reject submissions (and associated further submissions) as outlined in this report.
784. That, as a result of the assessment of the plan change request and submissions, I recommend that PPC61 be approved with modifications and the Auckland Unitary Plan be amended by inclusion of PPC61, but as modified to address the matters set out in Section 11 and Appendix 7 of this report.

#### 14. SIGNATORIES

Name and title of signatories	
Author	 Jimmy Zhang, Planner, Central and South Planning
Reviewer	 Craig Cairncross, Team Leader, Central and South Planning

# **APPENDIX 4**

## **TECHNICAL PEER REVIEWS**



## **Memo (technical specialist report to contribute towards Council’s section 42A hearing report)**

27<sup>th</sup> May 2021

To: Jimmy Zhang, Policy Planner, Plans & Places, Auckland Council

From: Rebecca Skidmore, RA Skidmore Urban Design Ltd.

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**Subject: Private Plan Change – PPC61 Waipupuke Precinct – Urban Design, Landscape and Visual Effects Assessments Review**

### **1.0 Introduction**

- 1.1 I have undertaken a review of the private plan change (“PPC”) request, on behalf of Auckland Council in relation to urban design, landscape and visual effects.
- 1.2 I am an Urban Designer and Landscape Architect. I am a director of the consultancy R.A. Skidmore Urban Design Limited and have held this position for approximately eighteen 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 26 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.
- 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 writing this memo, I have reviewed the following documents:
  - The lodged PPC request Plan Change report by Tattico (July 2020) including: the PPC provision contained in Annexure A; the Masterplan by Buchan (29<sup>th</sup> July 2020) contained in Annexure B; the Urban Design Assessment report, also by Buchan (7<sup>th</sup> August 2020) contained in Annexure C; the Open Space Framework by Boffa Miskell (July 2020) contained in Annexure F; and the Landscape and Visual Effects Assessment also by Boffa Miskell (28<sup>th</sup> July 2020) contained in Annexure G.
  - The Clause 23 further information response by Tattico (2<sup>nd</sup> October 2020), including: amended provisions (v. 3, 2<sup>nd</sup> October 2020); illustrative sketch images by Buchan (2<sup>nd</sup> September 2020);
  - The summary of submissions and complete submissions where relevant and further submissions.

- 1.8 My review is carried out in the context of:
- a) The Resource Management Act;
  - b) The National Policy Statement: Urban Development (the “NPS:UD”);
  - c) The Auckland Unitary Plan: Regional Policy Statement (the “RPS”);
  - d) The Auckland Plan: 2050;
  - e) The Drury-Opāheke Structure Plan; and
  - f) The Southern Structure Plan Area – Neighbourhood Design Statement

## **2.0 Key Urban Design, Landscape and Visual Effects Issues**

### **Urban Design**

2.1 The following sections address a number of urban design topics, having considered the assessment reports, submissions received and statutory frameworks. These can be summarised as:

- Land-use and transport integration;
- Function, location and scale of the Business Neighbourhood Centre zone;
- Interface with Karaka Road (SH22).

### **Landscape and Visual Effects**

2.2 The following sections also address a number of landscape and visual effects considerations. Having considered the assessment reports, submissions received and statutory framework, these can be summarised as:

- Response to natural features and landscape patterns;
- Sense of place/character;
- Provision of open space;
- Scale of buildings enabled;
- Interface with SH22 (Karaka Road).

2.3 There is a relationship and some overlap between topics relating to urban design considerations and those that relate to landscape and visual effects. The following report seeks to avoid repetition.

### 3.0 Applicant's assessment

#### Urban Design Assessment (the "UDA")

- 3.1 The Introduction to the UDA places the Site in its broader context, noting the urbanisation of the area and identifying a number of key changes that are currently in the planning phase. It also highlights the importance of ensuring the cultural interests and values of Mana Whenua are retained, protected, enhanced and managed appropriately for the long term through the PPC.
- 3.2 As a foundation for considering the land, the report sets out the historical and cultural context (p. 4).
- 3.3 The following section provides a description of the Site and the surrounding wider Drury-Opāheke area. The report notes the considerable change that is planned for the area as it transitions from a rural to an urban environment. While there are a number of 'live' urban zones in the area (Auranga A, B1, Drury South, and Paerata) others are still progressing through the planning process and I note that there is some uncertainty about the final planning framework (Drury Central, Drury East, Waihoehoe, Auranga B2, designations for the Drury railway stations).
- 3.4 The report provides an overview of a number of broad strategic planning documents (p.7 and 8). Since the report was prepared, the National Policy Statement: Urban Development (the "NPS:UD") has come into effect. This provides important national policy guidance for considering the PPC.
- 3.5 The report also provides a detailed overview of the Drury – Opāheke Structure Plan (the "SP"). However, it does not reference the accompanying "Southern Structure Plan Area – Neighbourhood Design Statement" which sets out detailed design guidance for urban areas within the Structure Plan area. Further analysis in relation to this document was provided in the Clause 23 response.
- 3.6 The following section identifies a number of opportunities and constraints relating to the Site and from these derives a number of urban design principles. These relate to:
- Maximising connections and frontages to proposed open space;
  - Providing a legible and easily navigable urban structure;
  - Deliver distinctive and memorable public experience;
  - Promoting walkable neighbourhoods;
  - Developing a structure that can be logically and efficiently grown from in the future;
  - Ensuring public and private spaces are distinctively defined and coherently laid out;
  - Requiring the spatial design of development to achieve high standards of design and visual interest;
  - Integrating storm-water management systems within the development
- 3.7 The following sections set out a rationale for the PPC in relation to : housing demand and zoning and; housing and neighbourhood centre. This is followed by a description of the

masterplan that has informed the PPC and a description of the resulting PPC provisions relating to the Waipupuke Precinct. The assessment concludes that 'strong positive urban design outcome is reflected in the Waipupuke Precinct'<sup>1</sup> Three diagrams are provided that refer to: density and intensity; fine grained blocks; and key connections. In my opinion, there are a number of aspects of the proposed zone structure, and precinct provisions that do not ensure appropriate outcomes are achieved in relation to these matters. These are discussed further in Section 5 below.

### **Landscape and Visual Effects Assessment (the "LVEA")**

- 3.8 The introduction to the LVEA clearly identifies the purpose of the report as assessing the effects of proposed zoning of the land on the immediate and surrounding character of the environment, recognising the potential for land use change from rural to urban, as signalled for some time through the Drury- Opāheke Structure Plan process.
- 3.9 I note that since the report was prepared a number of amendments to the PPC have been made in response to the Clause 23 request for further information.
- 3.10 Section 2 of the report sets out the assessment methodology. I consider this to be an appropriate methodology. The following section sets out a detailed and accurate description and analysis of the landscape characteristics of the Site and its surrounding context. This is supported by graphic material contained in the Graphic Supplement document. Figure 3 is particularly useful to explain the topographical patterns of the area.
- 3.11 Section 4 of the LVEA sets out a summary of the relevant statutory context for considering the PPC. I note that since the report was prepared, the NPS:UD has come into effect and provides important national policy guidance on how change in character is to be considered. This section refers to the existing zoning of the land, but does not make any reference to the overarching policy framework of the RPS. This provides an important framework for assessing the PPC. The report also provides a summary of the non-statutory Landscape and Visual Assessment report (Opus, 2017) that was prepared to inform the development SP. This is a helpful broader analysis that sets the Site in its wider context.
- 3.12 An overview of the PPC provisions and their rationale is set out in Section 5 of the report. The following section identifies the visual catchment of the development enabled within the PPC framework and identifies viewing audiences within the immediate vicinity and wider context. Identification of the visual catchment has been informed by a Zone of Theoretical Visibility Analysis (ZTV).
- 3.13 The body of the assessment is set out in Section 7 of the report. The assessment is separated into an assessment of landscape effects and of visual amenity effects. As noted in the report, the specific nature of visual effects will depend on future, more detailed masterplanning and design of specific development proposals. The assessment is appropriately made in relation to the framework provided by the PPC provision.
- 3.14 I agree with some of the conclusions drawn in Section 8 of the report. In particular, I agree that the future urban form enabled by the PPC will respond to and maintain a connection to the natural landscape attributes of the Site and wider context. However, in

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<sup>1</sup> P. 23, Urban Design Assessment, Buchan, 07/08/20



order to achieve the quality mixed urban environment described, I consider that there remains considerable uncertainty. This is discussed further in Section 5 below.

## 4.0 Auckland Unitary Plan Framework

- 4.1 The section 42a report sets out a detailed description and analysis of the relevant regional policy statement provisions for considering the PPC. In terms of a consideration of urban design, landscape and visual effects matters, following is a summary of the key provisions that have guided my review.
- 4.2 A key overarching objective for urban growth and form (Section B2.2) is to create a 'quality compact urban environment' (Obj. B2.2.1(1)). The objective for creating a quality built environment (B2.3.1(1)) seeks to ensure subdivision, use and development does all of the following:
- Respond to the intrinsic qualities and physical characteristics of the site and area, including its setting;
  - Reinforce the hierarchy of centres and corridors;
  - Contribute to a diverse mix of choice and opportunity for people and communities;
  - Maximise resource and infrastructure efficiency;
  - Are capable of adapting to changing needs; and
  - Respond and adapt to the effects of climate change.
- 4.3 Supporting Policy 2.3.2(1) seeks to achieve this by managing the form and design of subdivision, use and development to do all the following:
- Supports the planned future environment, including its shape, landform, outlook, location and relationship to its surroundings, including landscape and heritage;
  - Contribute to the safety of the site, streets and neighbourhood;
  - Develop street networks and block patterns that provide good access and enable a range of travel options;
  - Achieves a high amenity and safety for pedestrians and cyclists;
  - Meets the functional, and operational needs of the intended use; and
  - Allows for change and enables innovative design and adaptive re-use.
- 4.4 Other relevant policies relate to provision of access for all people using a variety of modes, providing a range of building forms to support choice to meet the needs of Auckland's diverse population, and balancing the main function of streets as places for people and as routes for the movement of vehicles.
- 4.5 A number of objectives for residential growth (B2.4.1) address the way intensification supports a quality compact urban form (B2.4.1(1)), are attractive, healthy and safe (B2.4.1(2)), are located in relation to centres, public transport, social facilities or

employment opportunities (B2.4.1(3)) and increase the housing capacity and choice Auckland's diverse and growing population (B2.4.1(4))

## **5.0 Assessment of Urban Design, Landscape and Visual Effects and Management Methods**

### **Urban Design**

5.1 In my opinion, the PPC raises a number of urban design issues that require further resolution. These relate to:

- Land-use and transport integration;
- Function, location and scale of the Business Neighbourhood Centre zone;
- Interface with Karaka Road (SH22).

5.2 Following is a discussion of each of these issues.

#### **Land-use and transport integration**

5.3 The UDA notes that the PPC provides for a land-use pattern and scale of development that is generally consistent with the SP<sup>2</sup>. However, I note that there are two key differences in the spatial arrangement of land-use. Firstly, the THAB zone extends further west to Oira Road in the southern area of the Site. And secondly, a neighbourhood centre is proposed that is not identified in the SP. A small centre is indicated to the south of the Oira Road Karaka Road intersection in the SP.

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<sup>2</sup> P. 12, Urban Design Assessment, Buchan, 07/08/20.

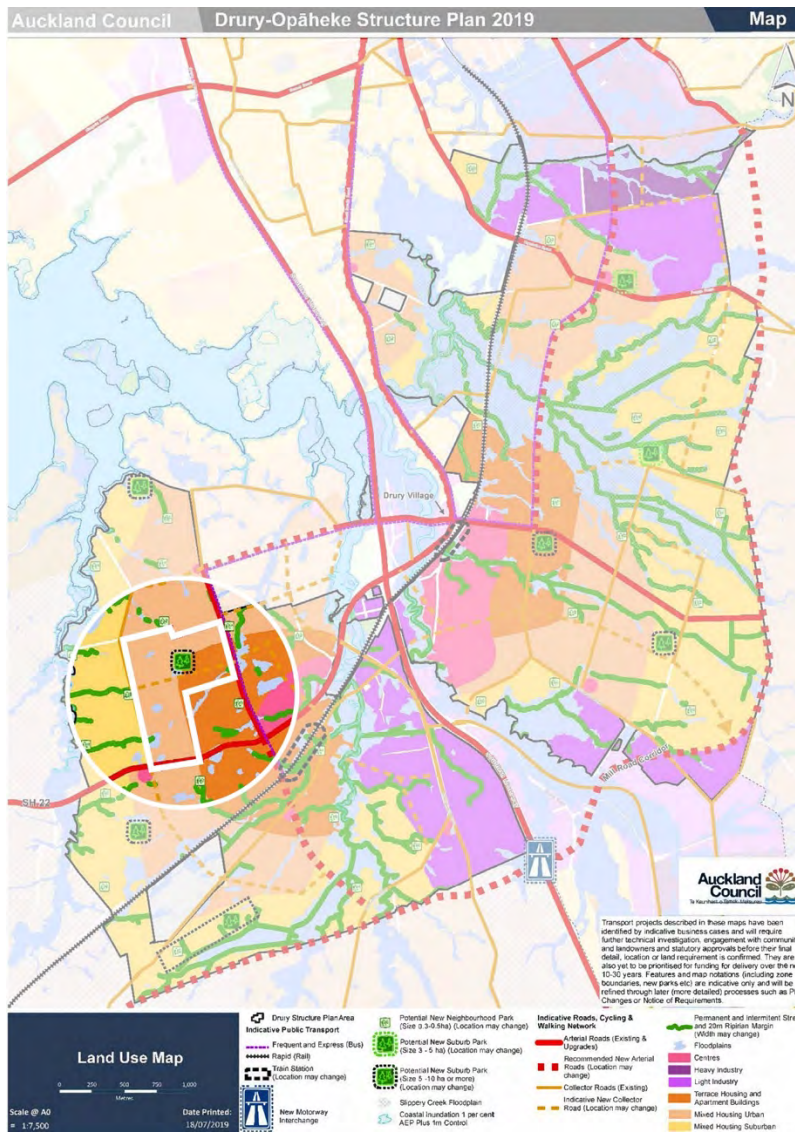


Figure 1: Structure Plan



Figure 2: Opāheke Structure Plan

5.4 I note that since the SP was finalised in 2019 there have also been two key changes that inform the suitability of the land-use distribution. Firstly the current preferred Drury West train station indicated by the Supporting Growth Alliance, is to the west and further south of Jesmond Road (see Figure 3 below) compared to the location indicated on the SP to the east of Jesmond Road. Secondly, the NPS:UD has come into effect. This provides

clear national policy guidance for accommodating growth in Tier 1 centres (including Auckland) and integrating this with the provision of infrastructure, including transport infrastructure.



Figure 3: Diagram depicting current location for Drury West Train Station, Supporting Growth

- 5.5 Policy 3(c) of the NPS:UD requires building heights of at least 6 storeys to be enabled within a walkable catchment of existing and planned rapid transit stops. A detailed analysis of what constitutes a walkable catchment in this location is set out in the Transport review by Arrive. In addition to the distance calculations for determining the walkable catchment, I note that the wide dimension and current character (this will change with the upgrading) of Karaka Road creates a barrier between the Site and the future station and the grade separation between the two will also reduce the attractiveness of the pedestrian connection. In my opinion, the UDA does not provide adequate analysis to demonstrate that the THAB zone is within a walkable catchment of the train station. Given the current uncertainty about the final location of the train station, the way connections will be provided to it, and the timing of widening and upgrading of Karaka Road, it is not possible to determine a suitable extent of THAB zoning in this area of the Site. It may be that the area to the south and east of the collector roads identified on Precinct Plan 3 is suitable to be zoned THAB but only released for development once the train station is open, with the balance area zoned MHU. This would also provide a better transition to the lower density residential environment to the west of Oira Road depicted in the SP.
- 5.6 The location of the BNC zone seems to be located to be central to the neighbourhood within the Site and in relation to topography, the local street network and the proposed

suburban park. The UDA includes a principle of promoting walkable neighbourhoods but does not provide a clear principle about connectivity to a public transport network. The Arrive transport review notes that the location of the BNC is partially outside a walkable catchment of the Jesmond Road bus Frequent Transport Network (FTN) and recommends that, from a transport perspective, it should be moved as close as possible to the Jesmond Road corridor.

- 5.7 The function of the BNC zone is discussed in the following section. If it is to perform the function as enabled by the Precinct provisions, I agree that a better integration with the public transport network would be preferable. However, if the BNC zone is reduced in scale to perform a function more closely aligned with the zone purpose, I consider its location, centrally embedded within and relating to adjacent open spaces and collector roads is appropriate.

### **Business Neighbourhood Centre zone**

- 5.8 The UDA notes the importance of the proposed BNC zone to act as a community hub for the neighbourhood. In response to the Clause 23 request for further information the provision for a hospital within this zone has been amended to a 'medical and specialist facility'.
- 5.9 I note that the UDA does not provide an analysis of the relationship of the proposed zone to the wider environment and the network of centres.
- 5.10 The zone description for the BNC zone notes that this zone applies to single corner stores or small shopping strips located in residential neighbourhoods. They provide residents and passers-by with frequent retail and commercial service needs. The zone typically enables buildings up to three storeys high and provides for residential use at upper floors. Rather than providing a visual focal point, development in the zone is expected to be in keeping with the surrounding residential environment.
- 5.11 In my opinion, the extent of the zone, and the precinct provisions, including the mix of activities enabled and the height variation control of 18m and 27m is at odds with this description and is not appropriate in this location. In my opinion, it is suitable to locate a neighbourhood centre (as described in the zone description) embedded within and serving the immediately surrounding residential neighbourhood, and located adjacent to an open space and on a collector route. In my opinion, the extent of the zone should be reduced to have a single frontage to the east-west collector road. I also recommend that the precinct provisions relating to the zone are removed, so that the small centre functions as intended by the zone description.



Figure 4: Recommended change to BNC zone extent

5.12 In my opinion, the mix of activities and scale of use proposed by the precinct would be better accommodated in a different zone (Business Local Centre or Business Town Centre) and in a location that is better integrated with the public transport network, providing better access to the wider urban catchment. I note that the SP depicts a centre to the east of Jesmond Road. A PPC request (PC51) is seeking a town centre zone within this area. However, with the likely shifting of the train station further to the west and south, an alternative location that better integrates with the train station maybe more suitable to accommodate a town centre.

#### Interface with Karaka Road (SH22)

5.13 The Site has a south facing interface with Karaka Road (currently SH22). There are limitations to access on this SH corridor. As set out in the Arrive transport review, even with the future upgrading of this street and potential removal of its SH status, these limitations are likely to remain. Whether the land immediately adjoining this corridor is zone THAB or MHU, avoiding a poor amenity outcome in relation to this corridor will be important. In my opinion, the Precinct provisions should be expanded to provide specific policy guidance and development assessment criteria to ensure a positive street interface is created, albeit with access frontage not possible.

5.14 The precinct provisions also propose enabling service stations and fast food outlets within the THAB zone fronting the SH22 corridor as a restricted discretionary activity. These are car-based activities and I consider are likely to be inappropriate to create a high amenity environment along the street corridor. Such car-based activities have the potential to diminish the amenity of the pedestrian connections to the train station to the south.

5.15 The Clause 23 request sought further analysis about the potential amenity effects of these activities on the surrounding residential environment. The response noted that residential amenity matters such as noise and lighting effects are addressed through the operative AUP provisions. It also noted a number of THAB provisions that would apply, including minimum landscape areas (30%), maximum building coverage (50%), maximum impervious area (70% of net site area) and yard controls. The response also

included an amendment to the provisions to add a boundary interface assessment matter, being “residential amenity on adjoining or nearby sites” and associated criterion “measures to mitigate effects on residential neighbours including sufficient separation distances, boundary landscaping, screening of outdoor storage and refuse areas and boundary fencing.”

- 5.16 I note that in some instances these commercial activities can be accommodated adjacent to residential activities in a manner that maintains reasonable residential amenity. However, the function and character of service stations and fast food outlets are generally not compatible with a higher density residential environment. In my opinion, the activity status for these activities in the underlying zone should be maintained and additional precinct provisions deleted.

## **Landscape and Visual Effects**

### **Response to natural features and landscape patterns**

- 5.17 The masterplan sets out a clear analysis of the Site’s topography including the location of a gentle north-south ridgeline running through the Site and a number of watercourses that extend into the Site at its margins. These natural features and patterns have informed the distribution of zones and the street/block layout depicted in the masterplan, with the central spine road generally following this ridgeline. This is consistent with the RPS objective of responding to the intrinsic qualities and physical characteristics of the site and area, including its setting.
- 5.18 In my opinion, the response to natural features, and, in particular, the distribution of identified open spaces is a positive aspect of the PPC. However, this creates some tension with achieving other urban design outcomes and, particularly, the integration between public transport and land-use distribution. This has been discussed above.

### **Sense of Place/Character**

- 5.19 The LVEA notes that “the proposed neighbourhood centre will represent a focal point within the community and surrounding locality. This is considered to be an urban marker which is an appropriate landmark or reference point in the urban environment, providing variation in height and form, creating a level of interest, diversity and legibility in built form in the future urban landscape.”<sup>3</sup> As set out above, I do not consider a clear rationale has been provided for creating a node of greater intensity and scale in this location when considering the wider urbanising environment.
- 5.20 The proposed height variation control, particularly the area of 27m, will enable a considerable height differential in relation to the surrounding residential context (11m in the MHU zone and 16m in the THAB zone). The zone location in an elevated portion of the Site will exacerbate that differential in relation to the southern area of the Site. In my opinion, given the local function of the BNC zone, creating such a visual focus in this area is not necessary. In my opinion, suitable variation in the built environment will be created through the varied topography and the different typologies and building scales in the MHU and THAB zone and the form of development in the BNC zone.

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<sup>3</sup> P.23, Landscape and Visual Effects Assessment, Boffa Miskell, 28/07/20

- 5.21 The role of Mana Whenua values in the development of the precinct is set out in the proposed precinct Objective 1 and supporting Policy 1. In my opinion, this policy framework will support the creation of a distinctive sense of place for the precinct.

### **Provision of open space**

- 5.22 An important aspect of the masterplanning process has been the identification of a series of open spaces that relate to the watercourses and topography of the Site. This has been informed by an Open Space Framework (contained in Annexure F of the Plan Change Planning report). The PPC includes the zoning of 6 areas of open space of varying scale and dimensions, as Open Space Informal Recreation (OSIR) zone. A number of these open spaces are located to integrate with stormwater reserves.
- 5.23 In my opinion, the provision of a well-considered network of open spaces will make an important contribution to the amenity and character of the developing neighbourhood. However, I have some concerns about spatially defining and zoning the areas of open space. The location and spatial arrangement of the zones has been determined in response to a detailed masterplan. However, if a different approach to the development of the land is adopted, the zone locations and configurations may not be suitable. This matter was queried in the Clause 23 request for further information. The response noted that:

*The public open spaces could be provided for on a more flexible basis similar to the stormwater parks. Consideration has been given to this suggestion however the overall framework relies on the provision of these open spaces and this has been discussed with the Council's Parks Department. Therefore, the proposed approach is sought to be retained.<sup>4</sup>*

- 5.24 In my opinion, it would be preferable to retain the underlying zoning and identify the open spaces on Precinct Plan 3 as Indicative Suburb Park, Indicative Neighbourhood Park, and Indicative Pocket Park, with additional policy and assessment guidance about the scale and qualities to be delivered by these spaces through the subdivision process.

### **Scale of buildings enabled**

- 5.25 The visual assessment set out in the LVEA report largely relates to the scale of building enabled by the zones proposed. While noting that there will be considerable visual change when viewed from the surrounding area, the report notes that the fundamental change from rural to urban has been signalled for some time through the SP. The changes from the SP broad level zone structure is analysed. I generally agree with the analysis provided. The Site is separated from adjoining properties to the west and south by road corridors which reduces the visual sensitivity to the change to the different typology and larger building forms enabled in the THAB zone.
- 5.26 In relation to the height of buildings proposed to be enabled in the BNC zone, the report notes that the zone's location in the central portion of the Site will provide sufficient setback from neighbouring viewing audiences to manage visual dominance. In my opinion, if buildings up to 27m were established prior to the surrounding residential neighbourhood, they would be viewed in stark contrast to the surrounding environment. As the surrounding neighbourhood becomes established that contrast would be moderated. However, as noted above, I do not consider the proposed scale and

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<sup>4</sup> P.33, CL23 Further Information Response, Tattico, 02/10/20



intensity of development within the centre is suitably located to function as a BNC in the way anticipated by the AUP Business zone framework.

#### **Interface with SH22 (Karaka Road).**

- 5.27 P. 17 of the LVEA sets out the rationale for the THAB zone located in the southern portion of the Site as facilitating high development density in proximity to regional arterial transport routes. In my opinion, being located adjacent to the arterial route of Karaka Road (SH22) is not as relevant as the proximity and accessibility to the rapid transit train station. The relationship of the THAB zone to the station has been discussed above.
- 5.28 As noted above, the access limitations to Karaka Road (both current and likely in the future) and the southern aspect of the Site in relation to this corridor, presents challenges to avoiding adverse visual effects in relation to development backing onto the street. The landscape assessment contained in the LVEA report notes that a proposed landscape buffer (as identified in the Opus report prepared to support the SP) will be maintained along the southern boundary of the Site with the retention of a linear belt of macrocarpa trees within the Road reserve<sup>5</sup>.
- 5.29 Given the likely future widening and upgrading of this corridor, in the urban environment, I do not think the retention of these trees can be relied on to mitigate potential adverse visual effects. Regardless of which residential zone is located along this interface, I consider the precinct policy framework and assessment matters should be strengthened to ensure a positive interface that avoids adverse visual effects in relation to the Karaka Road corridor is achieved.

## **6.0 Submissions**

6.1 I have reviewed the summary of submissions and full submissions where these raise matters relevant to urban design, landscape and visual effects considerations. I have also reviewed the relevant further submissions. The submissions raise a number of relevant matters that have largely been addressed above. The matters raised can be grouped into the following topics:

- Distribution of zones;
- Connectivity;
- Scale and form of development; and
- Activity Mix.

6.2 Further comment in relation to each of these topics follows.

#### **Distribution of zones**

6.3 A number of submissions request various changes to the distribution of zones, including being more consistent with the SP and reducing the extent of THAB zone (e.g. #11), increasing the area of THAB zone south of the BNC (#17), deleting the southwestern part of the Site (south of 99 Oira Road) from the PPC (#23), reviewing the size, type and location of the Centre zone (#23).

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<sup>5</sup> P. 23, Landscape and Visual Effects Assessment, Boffa Miskell, 28/07/21

- 6.4 The urban design discussion above sets out my opinion about necessary changes to the distribution and types of zones. As I have noted, in relation to the southern area of the Site, there is considerable uncertainty about the future provision of a rapid transit stop and connectivity to it. Therefore, it is difficult at this stage to determine an appropriate distribution of zones in the southern area of the Site. In my opinion, there is no rationale for extending the THAB zone across the Site north to the east-west collector road as suggested by the Ministry of Housing and Urban Development (#17).
- 6.5 In relation to the BNC zone, I consider the extent of zoning should be reduced and the precinct provisions that relate to the zone removed, instead relying on the underlying zone provisions to deliver a suitable neighbourhood centre.

### **Connectivity**

- 6.6 A number of submissions address the integration of land-use and transport planning and seek better provisions to ensure an emphasis is placed on reducing car reliance and utilising public transport and active transport modes.
- 6.7 As set out above, I do not consider there has been a clear urban design rationale provided that demonstrates how the zone distribution integrates with the public transport network. In particular, how the zoning distribution responds to the policy direction set out in the NPS:UD is not clearly evident.
- 6.8 In my opinion, the creation of high amenity, legible, direct and convenient connections to public transport, and particularly rapid transit stops, is important to ensure intensification is accommodated in a quality, compact urban form in the manner sought by the RPS.

### **Scale and Form of Development**

- 6.9 A number of submissions seek changes to the heights enabled by the proposed precinct provisions, including reducing the height variation control for the BNC zone (e.g. #11 and #23) and applying the height variation control of 27m across all the land to the south of the east-west collector road adjacent to the BNC zone (#17).
- 6.10 As set out above, I consider the height variation control should be removed from the BNC zone.
- 6.11 In relation to the land to the south of the BNC zone, I do not consider there is a rationale for applying a height variation control of 27m. I note that the THAB zone has a permitted height of 16m.

### **Activity Mix**

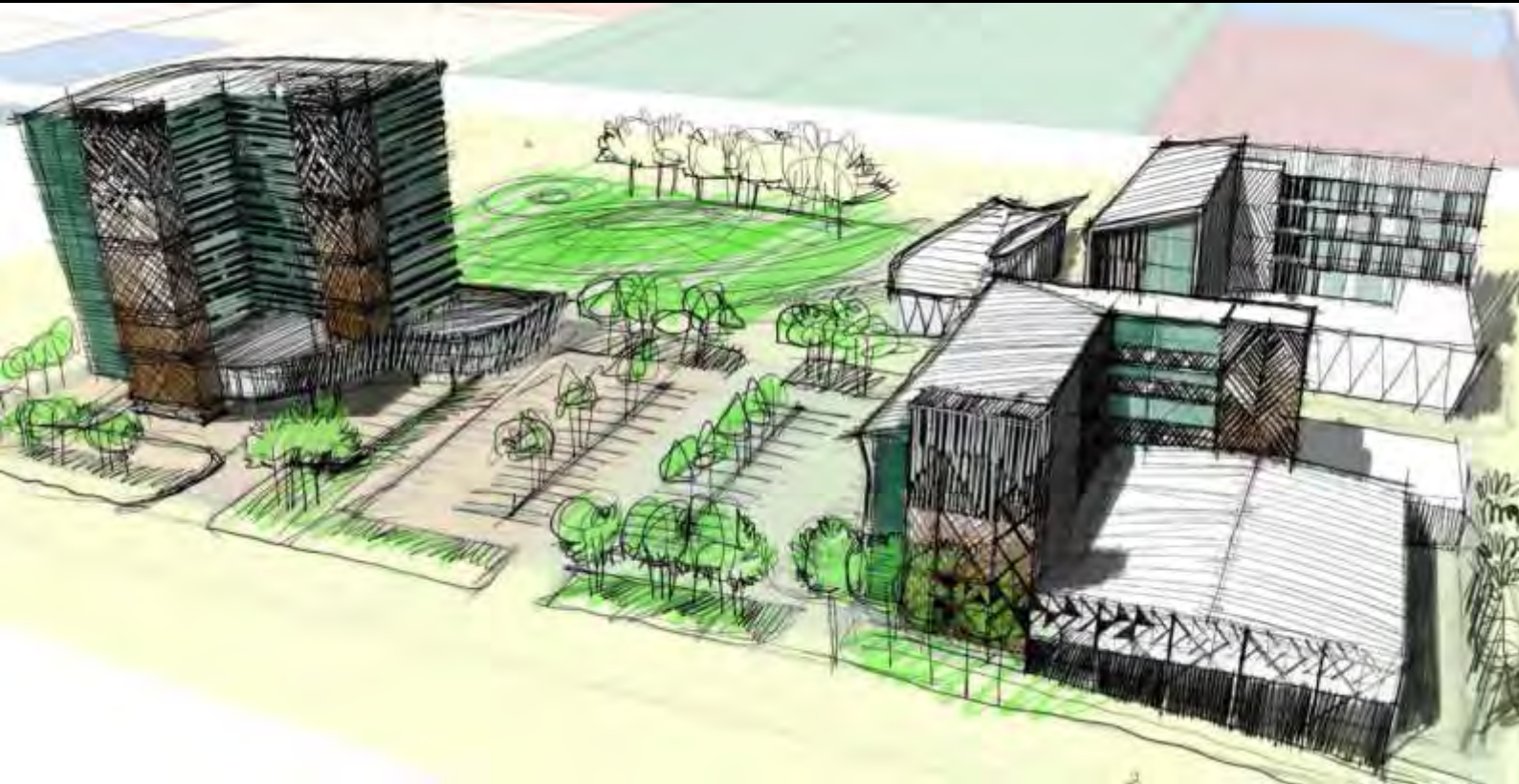
- 6.12 A number of submissions (e.g. #19, #22 and #23) seek the removal of service stations and fast food outlets from the activity table for the THAB zone. As set out above, I agree that it is not appropriate to make provision for these activities adjacent to Karaka Road as a restricted discretionary activity. In my opinion, the underlying zone should be relied on.

## **7.0 Conclusions and recommendations**

- 7.1 The Site forms part of a wider area that has been signalled for a fundamental change from rural to urban through the SP. In my opinion, the PPC is supported by detailed

analysis of the Site and surrounding context, particularly its natural patterns of topography and watercourses.

- 7.2 While there are aspects of the PPC that are consistent with the land-use distribution indicated in the SP, there are two key aspects that differ: the provision of a neighbourhood centre and the distribution of different residential zones. Since the SP was adopted in 2019 there have also been two important changes. The NPS:UD has come into effect which gives national policy guidance about the way growth is to be accommodated. Secondly, while not yet confirmed, the current proposed location for the Drury West rapid transit rail station has been shifted further to the southwest, to the west of Jesmond Road.
- 7.3 In my opinion, there remains some uncertainty about how the land-use pattern enabled by the PPC will integrate with the public transport network and give effect to the policy requirements of the NPS:UD and RPS.
- 7.4 In my opinion, the UDA does not adequately consider the establishment of the proposed neighbourhood centre in relation to the wider evolving urban context. While I consider a neighbourhood centre, as described in the AUP, is appropriate in the location proposed, providing an amenity for the immediately surrounding neighbourhood, I do not consider a clear rationale has been given for the extent, activity mix and scale proposed by the precinct provisions.
- 7.5 Having considered the analysis provided in the UD and LVEA reports and the matters raised in submissions and further submissions, I consider the following matters should be further addressed and amendments to the PC provisions made:
- Reconsider the residential zone distribution in the southern area of the Site. This could result in amending the extent of THAB zone to better reflect a walkable catchment to the Drury West train station. Consideration should be given to limiting the release of Stage 3 land (as depicted in the staging plan on p. 10 of the masterplan document) until the train station is open and suitable pedestrian connections to the station are provided.
  - Strengthen the policy framework and assessment matters for development to ensure adverse amenity effects of development in relation to Karaka Road is avoided and a positive interface is created.
  - Remove precinct provisions enabling service stations and fast-food outlets fronting SH22 as restricted discretionary activities.
  - Reduce the scale of the BNC zone and remove precinct provisions relating to this zone, relying on the underlying zone to provide a suitable neighbourhood centre;
  - Remove the Open Space Informal Recreation zone and replace with indicative locations of open space on Precinct Plan 3, identifying the different categories of space. Include additional policy and assessment guidance about the scale and qualities to be delivered by these spaces through the subdivision process.



## WAIPUKE PC61

## ECONOMIC REVIEW

**Client:** Auckland Council

**Project No:** 51925

**Date:** May 2021



## SCHEDULE

Code	Date	Information / Comments	Project Leader
51925.2	May 2021	Report	Tim Heath / Phil Osborne

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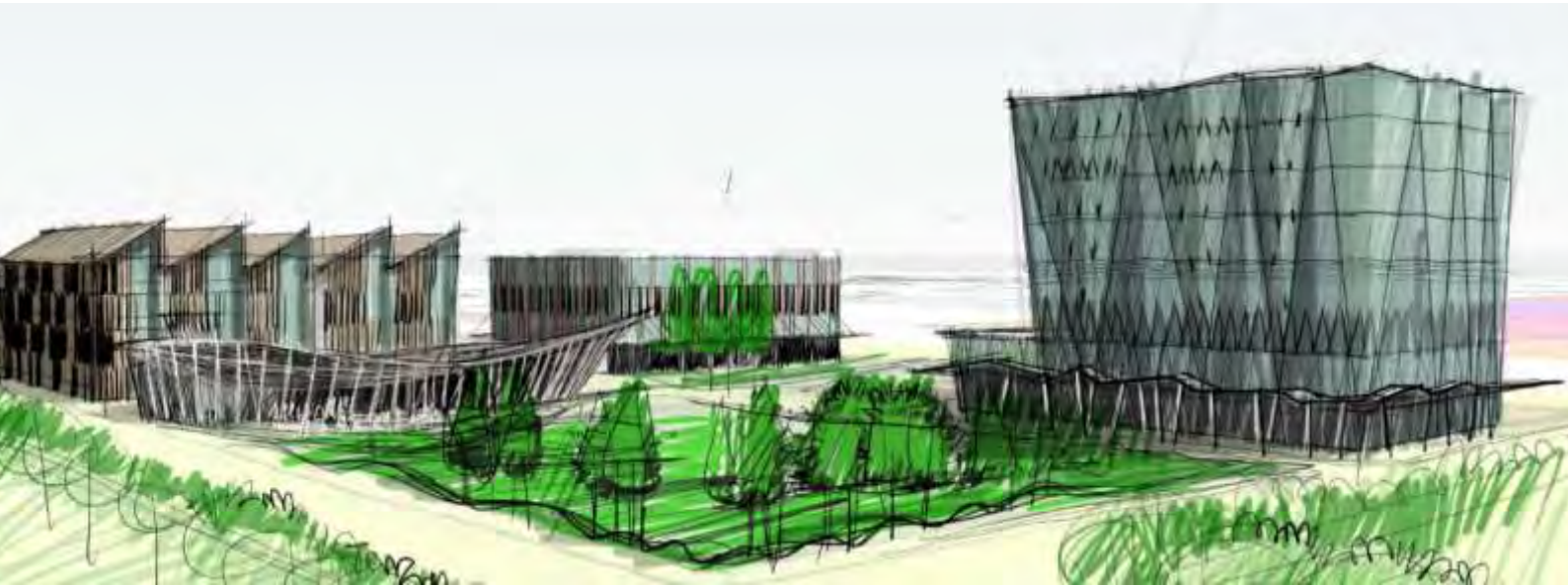
### CONTACT DETAILS

Tim Heath

Mob: 021 557713

Email: [tim@propertyeconomics.co.nz](mailto:tim@propertyeconomics.co.nz)

Web: [www.propertyeconomics.co.nz](http://www.propertyeconomics.co.nz)



## 1. INTRODUCTION

Property Economics has been engaged by Auckland Council to undertake a review of the economic assessments submitted as part of the Lomai Properties Private Plan Change 61 (PC61) to the Auckland Unitary Plan (Operative in Part) which proposes to establish a new residential subdivision and neighbourhood centre in Drury West.

This includes a review of the economic assessment by Insight Economics (IE) dated 8 October 2020. Additionally, the review will address economic effects matters raised in submissions on PC61.

This review is not intended to provide an exhaustive outline of every economic matter raised in the IE report, but traverse matters where residual economic issues remain and form an economic position on PC61 to assist the reporting planner in framing a formal position on PC61 in their s42A report.

As an overarching general comment, Property Economics has a level of comfort around the general thrust of PC61 and its desire to enable a range of residential typologies and densities across the subject land with the central focal point being a neighbourhood centre. The development of residential activity in the broader area of Drury West over time is supported in Council's Drury-Opaheke Structure Plan.

As such any identified economic matters in this review are more about fine tuning rather than being a fundamental issue that threatens PC61 as a proposition in the round.

At a high-level Property Economics does have some issues with the methodological approach taken by IE to justify the neighbourhood centre, however these represent an alternative



economic approach, and are not considered fatal to the economic outcome sought nor would alter the conclusions Property Economics reach.

There are three substantive economic aspects addressed in the IE report. These are:

1. Analysis on the proposed neighbourhood centre;
2. Analysis of the increased dwelling provision; and
3. Potential economic impacts of PC61.

The initial stages of the IE report assess PC61 and the subject land in context to the surrounding environment and zoning framework. The subject land is currently zoned Future Urban Zone (FUZ). The report considers two options:

- First the zoning framework outlined in the Drury-Opaheke Structure Plan which has a majority of Mixed Housing Urban (MHU) and small amount of Terraced Housing and Apartment Buildings (THAB) zones.
- Second the Proposed PC61 provisions which includes significantly more THAB zone provision and commensurately reduced MHU zone. This option also includes a neighbourhood centre. The proposed THAB zone is predominantly located around the neighbourhood centre and public park, but there is also a provision of the same zone fronting Karaka Road.

In effect the IE report focuses its assessment on the proposed up-zoning of the PC61 land to enable increased residential density and a new neighbourhood centre.

### Proposed Neighbourhood Centre

The IE report outlines some general theory and standards around walkability metrics derived from Auckland Transport which are all fairly universal and accepted.

The IE report then assesses an appropriate neighbourhood centre size. The approach adopted by IE appears to consider retail demand (from the Household Expenditure Survey) across all household retail spending categories. The report then considers local capture rates and productivities to estimate sustainable floorspace requirements.

This approach in Property Economics view has a tendency to over estimate future demand for a couple of reasons. First it appears to include demand for some non-convenience retail and commercial / professional service activities that are not suitable / anticipated in neighbourhood centres, and secondly it appears IE do not appropriately account for the proximity of significantly larger **planned centres (Drury Central and Auranga) both within a few minutes' drive of the PC61 land that would have the effect of drawing a lot more convenience spend out of the PC61 area than estimated by IE.**



IE then factor in sales originating from outside the PC61 area (one third of sales) to increase sustainable demand and GFA further. This would have the effect of increasing the sustainable centre size of the neighbourhood centre within PC61.

IE adopt this approach for alternative residential yield scenarios of 1,400 new dwellings (low scenario) and 2,800 new dwellings (high scenario). The estimated sustainable neighbourhood centre size ranges from 3,000sqm GFA under the low scenario to 6,000sqm GFA for the high scenario.

The IE report indicates that just under 1ha of land is zoned for the neighbourhood centre. This would likely yield around 5,000sqm GFA if all the zoned area was developable and efficiently developed.

Property Economics consider this to be too large to be termed a neighbourhood centre zone under the Auckland Unitary Plan (Operative in Part) provision which indicates a neighbourhood centre zone is for single corner stores or small shopping strips located in residential neighbourhoods. This commonly includes your local takeaway shop, dairy and convenience services like hairdressers. These centres provide frequent retail and commercial service needs to local community and passers-by and as such are scattered through the residential areas. Ideally, residents are able to walk or have to drive only a short distance to their local Neighbourhood Centre and they are not designed to rely on public transport.

Given this definition, the proposed centre in PC61 would in my view be too large for a neighbourhood centre and would appear to better fit the definition and size of a Local Centre under the Unitary Plan.

The IE also states that neighbourhood centre zone would appear the appropriate size given some of the land may be foregone to other land uses such as medical centre, hotel and apartments. These land uses are not appropriate for a neighbourhood centre zone and are **better suited to a Town Centre or Metropolitan Centre Zone both within a few minutes' drive of the PC61 site.**

Property Economics concur with findings in the IE report that a small convenience oriented retail centre is appropriate within PC61 where proposed. However, based on the analysis, Property Economics consider the proposed centre to be oversized for the role and function of a neighbourhood centre and incorporates some proposed land uses more appropriately located in town or metropolitan centres. **A neighbourhood centre, based on the Unitary Plan's description, should not incorporate a hotel and medical centre as they will rely in attracting a large proportion of custom from well beyond the PC61 area to be sustainable.**

The IE report then assesses the likely impacts on other centres. The impacts of the proposed neighbourhood centre will vary dependent on the size and land use activities enabled through the hearing process. In terms of existing centre, the impacts will be no more than minor for the simple reason PC61's location means mass volumes of shoppers are unlikely to travel longer





distances to the centre due to the fact they have their own convenience centre provisions in closer proximity (i.e., Pukekohe, Papakura, etc.).

The real potential impacts are associated with the effects on the retail / commercial centre network outlined in the Drury-Opaheke Structure Plan with Drury and Auranga being the two closest. These are higher order (larger) centres that are envisaged to play a broader role and function in the market and incorporate land uses such as hotels and medical centres. The PC61 centre as proposed could have a material effect (beyond trade competition) on Auranga in particular by potentially removing land uses that would otherwise locate in the centre which could potentially delay the centre's development and reduce its offering. In effect the proposed PC61 centre is a neighbourhood centre by name but not by scale, function and land uses, which in reality makes the proposed centre a higher order centre.

Property Economics is aware these 'other' centres are also to go through the hearing process as part of the wider suite of Drury Plan Changes, but based on location, better accessibility (road and rail) they are considered to be better placed to be the larger centres servicing the wider non-convenience retail and commercial demand of the future Drury catchment.

### Increased Dwelling Provision

This section of the IE report analyses dwelling prices across the regional over the last few decades, rental values and affordability. This provides a lot of useful facts and data but is considered a more higher-level justification for higher density yields within PC61.

However, Property Economics' own analysis on the Auckland residential market over recent years indicates at a general level higher density development is a more efficient use of the land resource that can lead to positive economic outcomes. Such development widens the choice of typologies and price points available to better represent the breadth of buyers in the market at any one point in time.

From a location perspective, higher density residential development is typically better placed within close proximity to areas / nodes (centres, employment hubs) of high amenity. The proposed location of the THAB zone in PC61 represents where higher density development is proposed. These areas are located around the proposed centre and public park. These locations are considered appropriate for such development in the context of PC61.

In the fulness of time the PC61 location will be in close proximity to centres and employment hubs, public transport nodes, etc, so in that regard would likely represent an appropriate location for higher density development, subject to the timing of higher density residential development elsewhere in Drury.



## Potential Economic Impacts

Apart from the positive effects of higher density residential development identified above of more consumer choice of typologies and likely lower priced dwellings relative to the lower density standalone product in the balance of PC61, the IE report identifies benefits for the local school network, economic impacts of construction, public amenity benefits and support for compact urban form.

Property Economics agrees these provide economic benefits but they are not site specific to PC61 land, but generic benefits of higher density development anywhere in Auckland, so by themselves are not justification for higher density residential development within PC61.

## 2. SUBMISSIONS

There is one primary submission relevant to economic effects matters in relation to PC61:

- #11 – Linqi Wang

### #11 – Linqi Wang

This submission at 11.2 suggests there is around 2ha zoned for a neighbourhood centre and would like this zone removed altogether and replaced with MHU.

As discussed above, Property Economics agrees a neighbourhood centre zone and a provision of a convenience centre for local residents is a positive and efficient provision for the local PC61 community. However, I would concur with L.Wang that 2ha is too large and if developed to that scale would represent a centre well above its anticipated local convenience role and function. Property Economics considers a smaller scaled centre is appropriate.

The IE report identified around 1ha centre zone provision in PC61, so clarification around the exact extent of the commercial centre zone proposed is important to determine.

At 11.3 of the submission L.Wang recommends if a neighbourhood centre is retained then the building height standards of 13m in the Unitary Plan for a neighbourhood centre is followed rather the 18m and 27m as proposed within PC61. Property Economics would concur a building height of 13m is sufficient to develop commercial activity that delivers an economically efficient and effective neighbourhood centre. A 13m height limit can accommodate multi-level buildings of a scale (up to 4 levels) appropriate for commercial activity in a small convenience centre.



# Private Plan Change 61 Waipupuke

Technical Specialist Report - Transport

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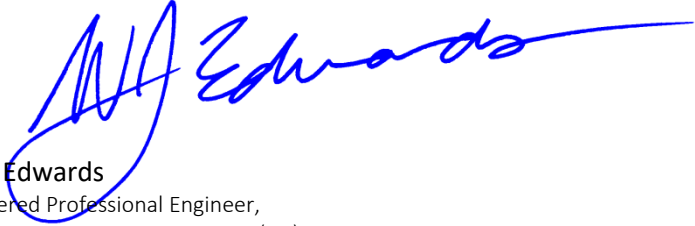
Private Plan Change 61  
Waipupuke  
Technical Specialist Report- Transport

for  
Auckland Council



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Prepared for Auckland Council by

  
Wes Edwards  
Chartered Professional Engineer,  
NZCE, BE, CMEngNZ, MITE, IntPE(NZ)  
Director | Transportation Advisor

Arrive Limited

 16 Whiting Grove  
West Harbour  
Auckland 0618  
New Zealand  
 +64 9 416-3334  
 [info@arrive.nz](mailto:info@arrive.nz)  
 [arrive.nz](http://arrive.nz)

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# 1 Introduction

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Auckland Council has received a request to change the Auckland Unitary Plan – Operative in Part [AUP] to rezone land at Waipupuke in Western Drury, referred to as Private Plan Change 61 [PPC61].

Auckland Council has asked Arrive to review the transport aspects of the plan change to assist the reporting planner in preparing the s42a report and assist the hearings panel in deciding on the plan change.

This report has been prepared by Wes Edwards, Transportation Advisor and Director of Arrive Ltd, a specialist traffic and transport consulting practice. A summary Curriculum Vitae is appended.

In writing this report, I have reviewed the following documents:

- Waipupuke Planning Report and Section 32
- Attachment A Proposed Plan Change
- Attachment B Masterplan Document
- Attachment C Urban Design Assessment
- Attachment I Transport Assessment (v3 28 October 2020)
- Clause 23 Response
- Clause 23(2) Additional Information Response – Traffic effects
- Submissions and Further Submissions relating to transport

## 1.1 Key Transport Issues

This report is structured around the key transport issues for this plan change which are:

1. The provision of transport infrastructure including funding, responsibility, and timing, and the integration of development with infrastructure, potentially including staging of development and infrastructure triggers.
2. Consistency with transport planning policy.
3. The form of development including:
  - a. The location of zoning enabling more intensive development
  - b. The location and design of transport connections within the plan change area
  - c. The availability of transport connections outside the plan change area.
4. Effects on the transport environment and the assessment provided by the applicant.

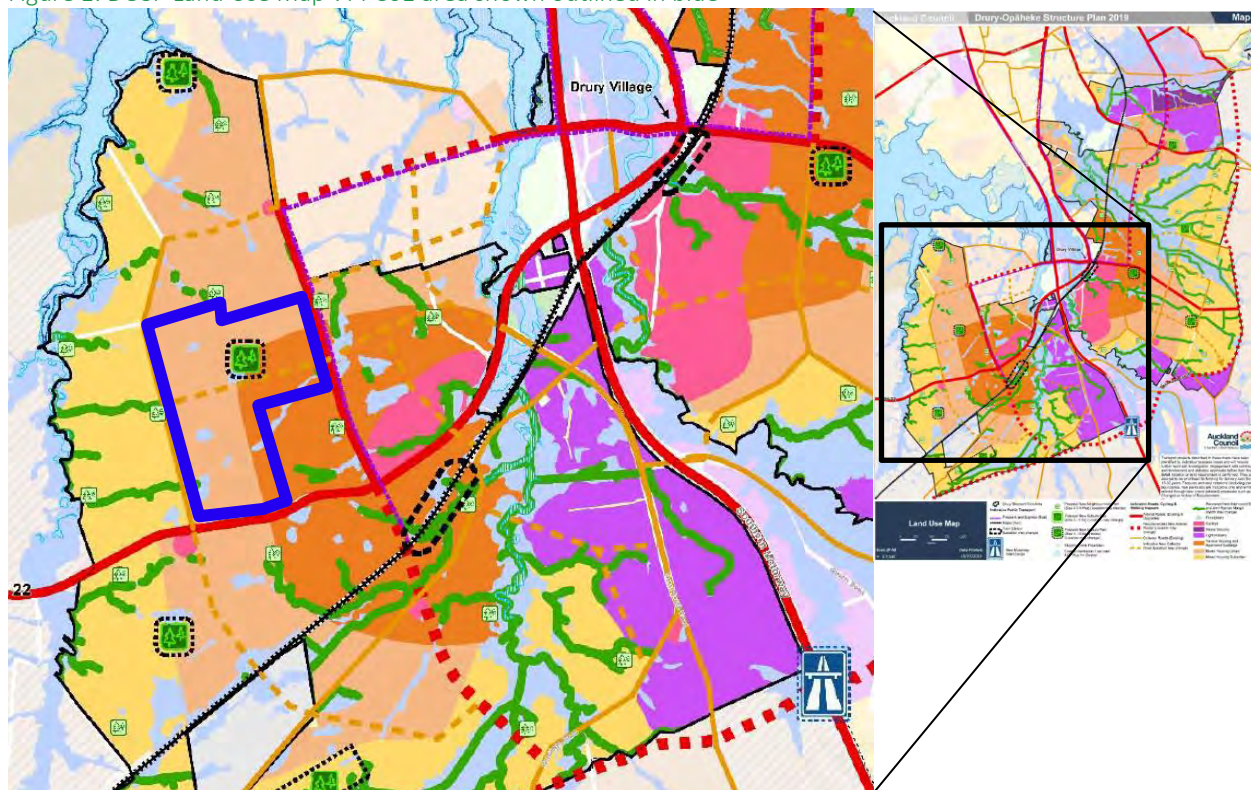
## 2 Context

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The area is expected to experience significant change through the next few decades because of a change from a rural environment to an intensively developed urban environment.

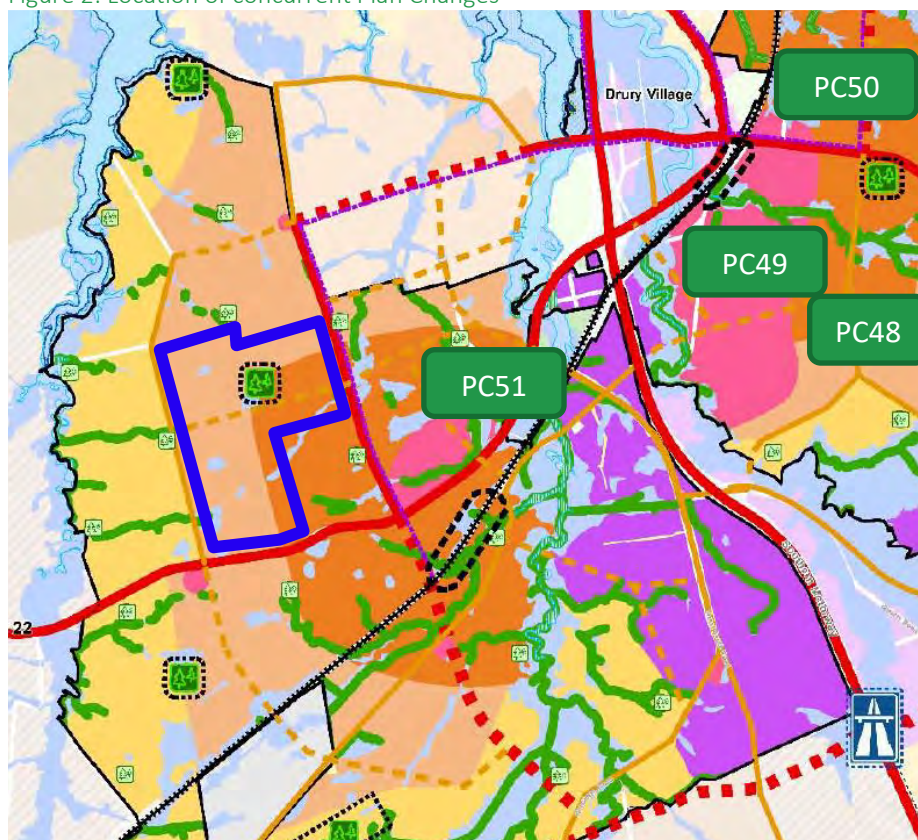
Council approved the Drury-Opāheke Structure Plan [DOSP] in July 2019. The DOSP land use plan map is shown in Figure 1.

Figure 1: DOSP Land Use Map<sup>1</sup>. PPC61 area shown outlined in blue



A few other plan changes in the area are being progressed concurrently with PPC61, and the location of these is shown in Figure 2. Of relevance to PPC61 is that PPC51 includes zoning for the eastern half of a Town Centre proposed east of Jesmond Road and north of Karaka Road.

Figure 2: Location of concurrent Plan Changes

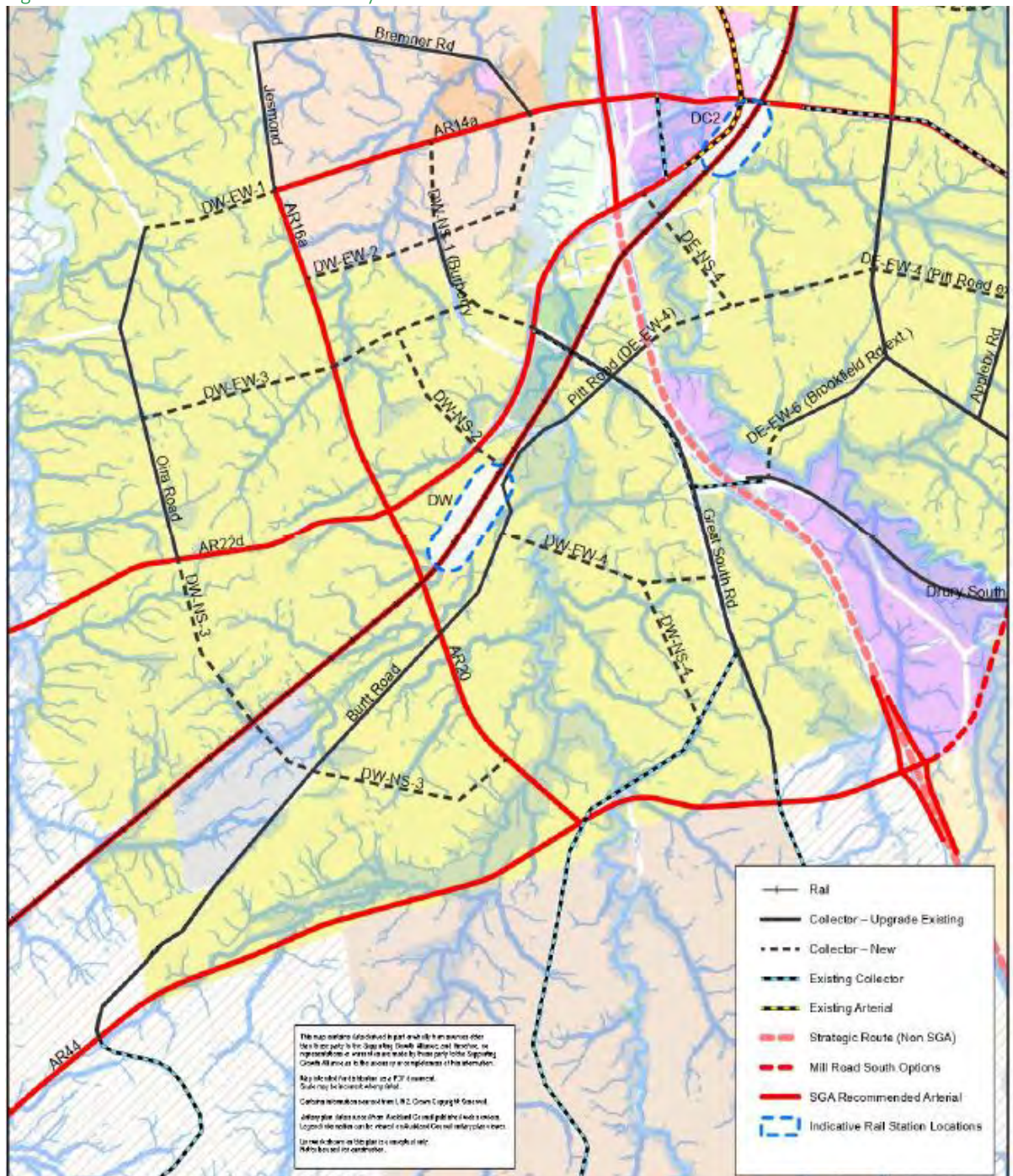


<sup>1</sup> Drury-Opāheke Structure Plan, Supporting Growth, August 2019. Fig 1.

The DOSP was informed and supported by a draft transport assessment which was updated following amendments to the DOSP to respond to consultation prior to the Council approval. The PPC61 Transport Assessment [TA] describes and briefly summarises the Drury-Opāheke and Pukekohe-Paerata Structure Plan Integrated Transport Assessment [DOPPPSP ITA] prepared by the Te Tupu Ngātahi Supporting Growth Alliance [SGA].

The DOPPPSP ITA identifies the transport infrastructure required to provide for the development pattern envisaged in the DOSP and Pukekohe-Paerata Structure Plan [PPSP]. The DOPPPSP ITA planned road network for the Drury West area is shown in Figure 3. The planned road network includes a new Collector Road (DW-EW-3) that runs east from Oira Road and across Jesmond Road to connect with other roads linking to the proposed Town Centre and Karaka Road.

Figure 3: Planned road network for Drury West<sup>2</sup>



<sup>2</sup> DOPPPSP ITA Addendum.

## 3 Provision of Transport Infrastructure and Services

Progress has been made on some projects since the PPC61 TA was prepared as summarised below, together with information about the funding of each project at the time of writing.

### 3.1 Funding

Transport projects are identified in the Regional Land Transport Plan 2021-2031 [RLTP], a companion to Auckland Council's Long-Term Plan, in three categories – “1 committed and essential”, “2 prioritised”, and “3 requires changes to current funding settings”.

### 3.2 Rail Infrastructure

#### 3.2.1 Wiri to Quay Park Third Main

This project adds a third main to the North Island Main Trunk [NIMT] between Wiri and Middlemore, at Westfield Junction, and at Quay Park. This will provide for more frequent Rapid Transit Network [RTN] passenger and freight services and enable express services to pass stopping services.

Council is currently hearing a Notice of Requirement [NoR] by KiwiRail to designate additional land to permit an extra track to be added, and the work is planned to be completed by 2024 prior to the opening of the City Rail Link. Funding for this project (\$318 million) has been committed in the RLTP via the NZUP<sup>3</sup>

#### 3.2.2 Papakura to Pukekohe Electrification

This KiwiRail project extends the existing Auckland electric traction supply from Papakura to Pukekohe enabling electric trains to travel through to a redeveloped Pukekohe station. Funding for this project (\$375 million) has been committed via the NZUP and the project is expected to be completed in 2024.

#### 3.2.3 Drury Stations

This SGA project provides three new rail passenger stations at Drury Central, Drury West, and Paerata together with walking and cycling facilities along the rail corridor.

The Drury West station will be located south of the Karaka Road (State Highway 22 [SH22]) / Jesmond Road intersection. The final location of the station is being determined, with the location currently preferred by SGA being west of Jesmond Road.

Funding for the Drury stations (\$495 million) has been committed through the NZUP<sup>4</sup>. Other elements including additional tracks and active mode (walking and cycling) facilities are expected to be delivered later.

### 3.3 Drury Arterial Roads

Some of the arterial road projects required to support development in the DOPPSP area are in the process of being planned and delivered.

#### 3.3.1 State Highway 22 Upgrade

Waka Kotahi New Zealand Transport Agency [NZTA] has lodged a NoR to provide for the widening of Karaka Road between the Southern Motorway (SH1) Drury Interchange and Oira Creek west of the PPC61 area.

<sup>3</sup> 2021-31 RLTP, page 52.

<sup>4</sup> 2021-31 RLTP, page 52 and Appendix 4.



This project will widen the road corridor to a width of 30m ultimately containing a four-lane divided carriageway with a separate footpath and cycle path on each side. The project includes the installation of traffic signals at the Karaka Road / Jesmond Road intersection and a two-lane roundabout at the Karaka Road/ Oira Road intersection.

The NoR documentation provides an indicative alignment and design, which is subject to change, and provides the following comments (emphasis added):

*As the surrounding area is **urbanised over time and alternative routes are implemented** (particularly the proposed Pukekohe Expressway, collectors through local development, cycleway alongside rail and rail capacity improvements), the function of SH22 will change from a rural state highway to provide an appropriate urban arterial connecting the growth areas of Drury West to the wider network and centres, including **providing a frequent transport bus network**. This is likely to include a reduction in the speed limit to 50kph (currently a combination of 60kph and 80kph though that section). SH22 will improve future connectivity to the proposed Drury West train station which forms part of a separate New Zealand Upgrade Programme (NZUP) project<sup>5</sup>.*

...

*In the short and long term, the upgrade will still significantly improve public transport resilience, provide space for priority vehicles such as buses or high-occupancy vehicles (T2, T3).*

*Prior to implementation of the Pukekohe Expressway, the traffic demands on the upgraded SH 22 will be high. Post-implementation of the Pukekohe Expressway, traffic demand will lessen on SH 22 which will result in the overall traffic declining (lowering of general traffic to below 2019 levels). It is noted that public transport is planned to run in the general traffic lanes along SH 22. There is scope once Pukekohe Expressway is implemented to transition two of the four lanes to further priority public transport lanes.*

*For future public transport services, there is one proposed bus route which will use this section of SH 22 ... #390 Paerata, which has a 12-minute frequency in peak<sup>6</sup>.*

The NoR was notified on 22 April and the work could be carried out in stages as development occurs. It is expected that works may initially be undertaken to improve the safety of the existing road with more substantial work following later, to provide for the “full build-out” of the DOSP and PPSP area that is expected to occur beyond 2048.

The initial safety improvement works are identified as funded in the RLTP for the 2018-2022 period and construction is in progress. It is understood funding for construction of the widened corridor has not been committed, although the project is one of multiple projects identified in the ATAP programme for the 2021-2031 decade.

The Auckland Transport [AT] submission provides the following on public transport services on Karaka Road:

*Bus routes along State Highway 22 are generally not ideal given the high traffic volumes (including heavy vehicle movements) and constraints around pedestrians crossing this corridor. It is therefore unlikely that the proposed Terrace Housing and Apartment Buildings zone fronting the northern side of State Highway 22 will be directly serviced by bus services.*

It is possible that a future frequent bus service may travel along Karaka Road but that bus stops may not be located near the PPC61 area, at least in the short term, as pedestrians could not safely cross Karaka

<sup>5</sup> NoR SH22 Assessment of transport effects, pg. 21

<sup>6</sup> NoR SH22 Assessment of transport effects, pg. 45.

Road in this area. That may change once the Pukekohe Expressway is operational and the traffic volume on Karaka Road is reduced.

### 3.3.2 Jesmond Road and Bremner Road

AT has lodged a NoR for the Jesmond to Waihoehoe West Frequent Transit Network [FTN] Upgrade project and the Bremner Road FTN Upgrade project.

The Jesmond Road project would provide a road corridor 28 to 30m wide to provide a four-lane divided carriageway with a separate footpath and cycle path on each side of the road from Karaka Road to Bremner Road. It is currently proposed that the kerbside lane on each side of the road would be a bus lane to support the proposed introduction of frequent and express bus services between Drury West station and Drury Central via Jesmond Road and Bremner Road.

Funding for construction has not been committed, although these projects are two of multiple projects identified in the ATAP programme for the 2021-2031 decade and the “Drury Local Road Improvements” project is listed in the DRLTP as a “partially funded” project that could be considered if additional funding is available.

## 3.4 Pukekohe Expressway

Structure planning for the area includes the future provision of a new four-lane road known as the Pukekohe Expressway. This is expected to connect Pukekohe to the Southern Motorway at a new Drury South interchange where the future Mill Road corridor is planned to terminate.

This project is not included in ATAP, is not funded, and the timeframe for delivery of this road is uncertain.

As noted above, the delivery of this new road is expected to significantly reduce the volume of traffic using Karaka Road allowing Karaka Road to become a lower-speed urban arterial road in the future.

## 3.5 Other Infrastructure Projects

The NZUP has committed funding for safety improvements to Mill Road retaining two-lanes from Manukau to Papakura. This project is expected to be completed in stages with the first stages completed by 2028. This project also allocates some funding for *“Transport upgrades to release housing and local centres in Drury in a way that supports the Government’s decarbonisation goals. The projects to be considered will include regional cycleways, arterial corridors that provide direct walking, cycling and/or bus access to stations and projects within or crossing state highway corridors to help release additional housing in Drury West.”*

Auckland Transport has a Drury Local Road Improvements project with \$243 million of expenditure identified for the 2027-31 period in Category 3 (changes to funding required). An additional \$1,454 million proportion of that project is unfunded<sup>8</sup>.

The widening of Southern Motorway (SH1) to six lanes between Papakura and Drury South has funding committed through the NZUP<sup>9</sup> and the widening is expected to be completed by 2025. Funding is provided for route protection (investigation and designation) of the SH1 corridor from Drury South to Bombay.

<sup>7</sup> 2021-31 RLTP, Appendix 4.

<sup>8</sup> *ibid*, Appendix 7

<sup>9</sup> *ibid*, Appendix 4

The Ministry of Education [MoE] is planning to construct a primary school in the area, and a secondary school a short distance north of the plan change area on Jesmond Road. The Ministry has recently lodged a NoR for the secondary school that was notified on 25 March.

### 3.6 Public Transport Services

The plan for provision of public transport services is set out in the Auckland Regional Public Transport Plan [RPTP] with the 2018-2028 edition being current at time of writing. Additional information is provided in the AT Future Connect publication, the new AT 10-year plan.

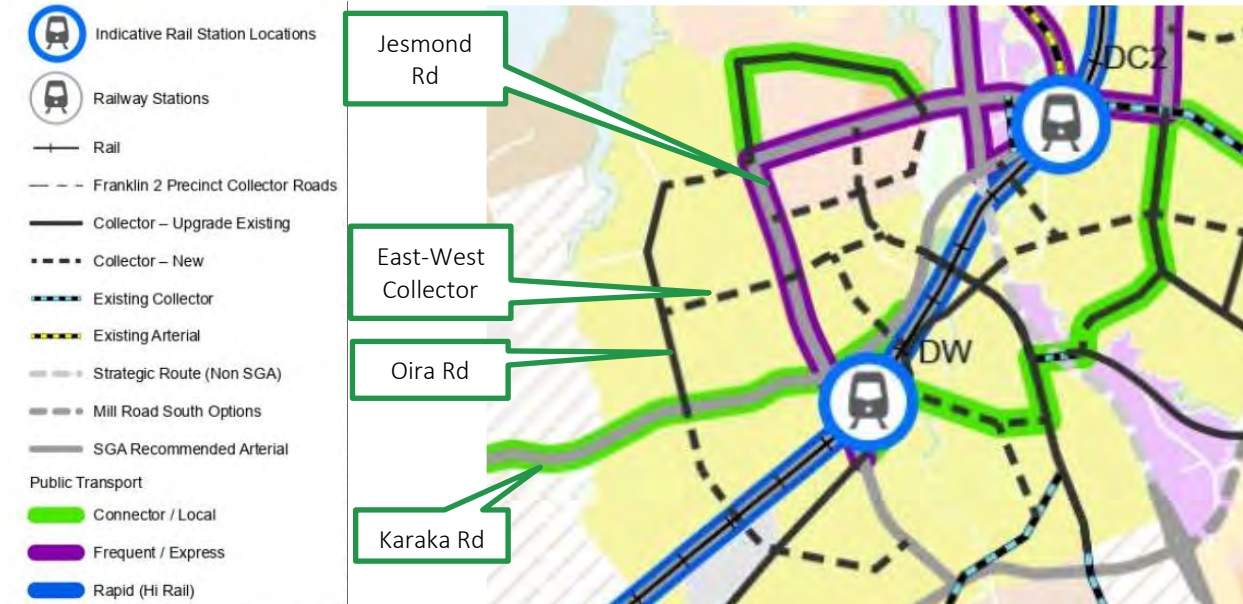
This information indicates that new public transport services are planned for Jesmond Road in the first decade (to 2028), but that the provision of these services is subject to funding. The DOPPSP ITA describes the Jesmond Road services as being part of the FTN.

Neither the RPTP nor Future Connect show any bus services along Karaka Road in the first decade. The DOPPSP ITA includes a map Connector or Local service running along Karaka Road as part of a potential public transport network for full build-out (beyond 2048). The DOPPSP ITA text refers to “conceptual bus operating pattern” that uses Oira Road, but not the recommended east-west collector road through the PPC61 area.

The PPC61 TA contains Figure 7-5, captioned as “Future public transport routes in Drury West”, and this is said to show that “Primary” public transport services would use Karaka Road and Jesmond Road, while “Secondary” public transport services would use Oira Road and the proposed east-west collector road. That is incorrect. The map in the TA is the DOPPSP ITA map of planned active mode (walking and cycling) routes, not the proposed public transport routes. The DOPPSP ITA envisages a primary active mode route along Karaka Road and a secondary active mode route along Oira Road and the east-west collector.

The relevant parts of the DOPPSP ITA public transport map are reproduced in the following figure.

Figure 4: Extract from DOPPSP ITA Addendum Public Transport Map<sup>10</sup>



The DOPPSP ITA public transport map shows “Frequent/ Express” services on Jesmond Road, and a “Connector/ Local” service on Karaka Road. No services are planned on Oira Road or the East-West Collector in the DOPPSP ITA.

<sup>10</sup> DOSP ITA Addendum (September 2019 update post-consultation), Figure 7-5.

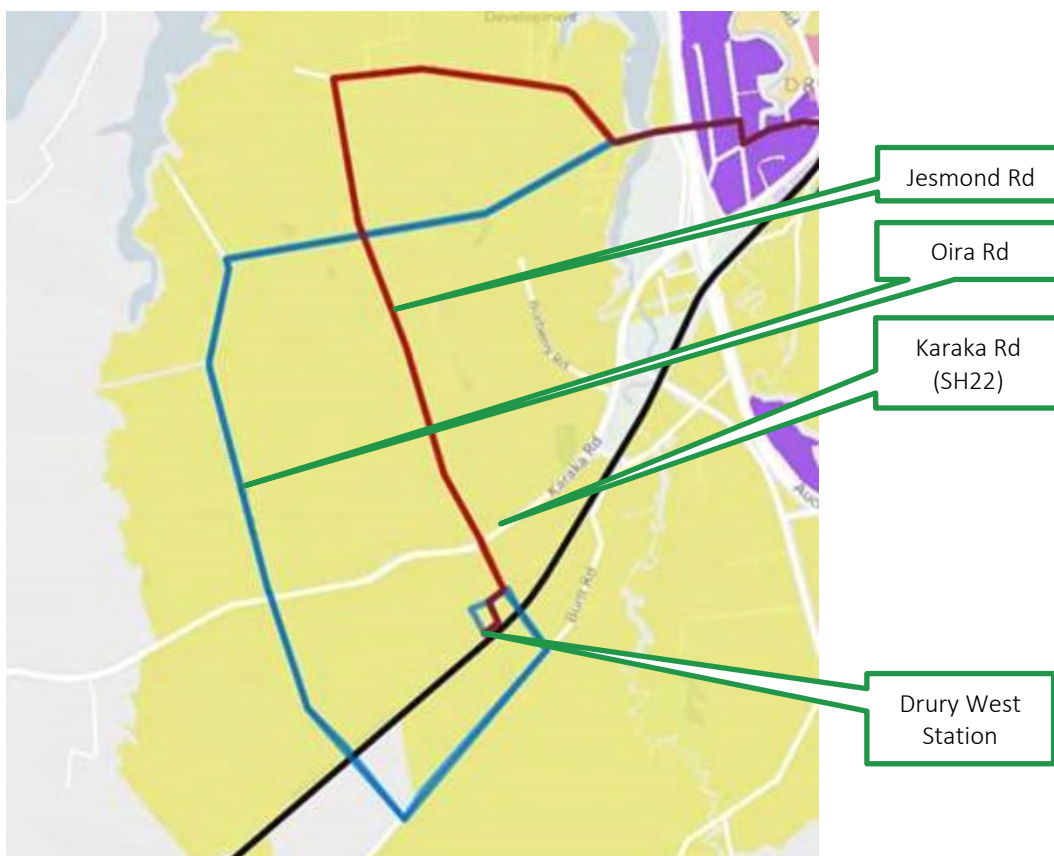
Based on the information provided in the DOPPSP ITA and the SH22 NoR documentation, it is expected that a connector or local bus service may use Karaka Road in the future, but based on the information in the AT submission, it is unlikely that there would be any bus stops on Karaka Road to service this development, at least not in the short to medium term.

The TA describes consultation with AT around public transport would include service 37 passing the site on Jesmond Road, service 33 accessing the station via the Jesmond Road extension, service 374 on Oira Road, and service 390 (Pukekohe to Drury) passing the site along Karaka Road. The TA includes a map showing a service travelling the length of Oira Road and a new road connecting to Jesmond Road near Bremner Road.

The 37 services on Jesmond Road would provide a walkable public transport catchment covering the eastern half of the area. None of the PPC61 area would be within 500m of the service 33 route. As noted earlier, any service on Karaka Road is not likely to be accessible to the PPC61 area until the Pukekohe Expressway is operational, the speed limit is reduced, and pedestrian facilities are provided along Karaka Road.

With respect to services along Oira Road and through the PPC61 area, Auckland Transport have advised me as follows (emphasis and map labelling added):

*AT’s Network Planning and Integrated Network Planning teams have considered the future bus service routes in the context of the various plan changes across the wider Drury area. This is shown below as a subsequent iteration to the Supporting Growth Alliance map. This iteration may be **subject to further changes** and implementation is **subject to funding** availability. The future bus network route planning in Drury West will be influenced by the timing of the Drury West train station. With an operational Drury West station, both Oira Road & Jesmond Road would be expected to function as feeder bus routes to the train station. This could be in conjunction with the east-west collector proposed as part of PPC61 in the absence of the proposed local connector between the western end of the Bremner Road and the northern section of Oira Road.*



...

*At this stage based on current information, AT anticipates Oira Road supporting future public transport services on the assumption that the Drury West station is implemented in conjunction with an east-west collector connection or Bremner Road / Oira Road connection. At present, there are **no details on the frequency, timing or level of service.***

At this point it is not certain if or when a bus service will be located on Oira Road. It also appears that any routing through the PPC61 area may be temporary until the Oira Road connection to Bremner Road is available. Given the proximity to the Jesmond Road FTN services I consider it unlikely any services on Oira Road would be frequent. It is therefore not relevant to the consideration of walkable catchment in the NPS-UD.

### 3.7 Summary

The full build-out of the DOSP area is expected to occur over the next 30 years, and the transport infrastructure and services required to provide for that development are expected to be delivered over a similar timeframe.

While the end-state has been well studied and planned, the interim steps and stages along the way are less well known and understood. A few projects have funding committed and are planned to be delivered within the next ten years. The remaining projects have no funding committed and delivery is uncertain.

## 4 Consistency with Planning Provisions

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Two key policy statements are of relevance to considering the transport aspects of PPC61.

### 4.1 National Policy Statement on Urban Design

The National Policy Statement on Urban Development 2020 [NPS-UD] sets out several objectives and policies and obliges Council to take several matters into account when deciding to zone land.

Following recent direction from the Environment Court, Council's current position is that Policies 3 and 4 should not be applied in the processing of private plan changes.

#### 4.1.1 Policy 2

Policy 2 requires Council to provide sufficient development capacity for housing and business land, and that development capacity must be "infrastructure ready".

Council must also be satisfied that additional infrastructure (not controlled by Council) to service the development capacity is likely to be available. With respect to transport this could include the provision of state highway infrastructure by NZTA and rail infrastructure by KiwiRail.

Some transport infrastructure is expected to be delivered by private parties as the land is developed, and this would include all infrastructure within the PPC61 area, and some infrastructure around the periphery of the area, including upgrading of Oira Road.

The NPS has requirements for short term (3 years), medium term (3 to 10 years), and long term (10 to 30 years). The short and medium terms are within the 10-year planning horizon of the AUP and are more relevant to the zoning of land for development, with the long-term period being of greater relevance to FUZ land.

With respect to the short term, development capacity is infrastructure-ready if there is adequate existing development infrastructure. The existing transport infrastructure is not adequate to support development of PPC61, so PPC61 is not infrastructure ready in the short term.

For medium-term capacity, existing infrastructure must be adequate or funding for adequate infrastructure is to be identified in a long-term plan. Some additional transport infrastructure is identified in the DRLTP, but it is not all funded. Infrastructure that is required for the development of the DOPPPSP area and PPC61 that is not currently funded includes the Karaka Road and Jesmond Road widening projects, so PPC61 is not infrastructure-ready for the medium term. In addition, the Pukekohe Expressway is not identified in the DRLTP, and this is a project that is required for the full build-out of the wider DOSP and PPSP.

For long-term capacity, adequate infrastructure must be identified in Council’s infrastructure strategy. As the infrastructure required to support the development of the DOSP is identified in the DRLTP, the DOSP proposal is infrastructure-ready in the long-term (beyond 10 years), which is consistent with the existing FUZ on the land.

The provisions sought by PPC61 would enable significantly more development than envisaged in the DOPPPSP ITA analysis and infrastructure planning work undertaken to date, and this may have an impact on the infrastructure-readiness of the DOSP area in the long-term. This is discussed further later in this report (6 Effects).

To summarise, PPC61 is not consistent with Policy 2, and achieving consistency would require substantial additional funding to be committed for the infrastructure projects required to support the development.

#### 4.1.2 Policy 3

Policy 3 of the NPS-UD requires the AUP to enable the following:

- (c) *building heights of least 6 storeys within at least a walkable catchment of the following:*
  - (i) *existing and planned rapid transit stops*
  - (ii) *the edge of city centre zones*
  - (iii) *the edge of metropolitan centre zones; and*
- (d) *in all other locations in the tier 1 urban environment, building heights and density of urban form commensurate with the greater of:*
  - (i) *the level of accessibility by existing or planned active or public transport to a range of commercial activities and community services; or*
  - (ii) *relative demand for housing and business use in that location<sup>11</sup>.*

While Policy 3 is not yet being applied by Council, the principle of locating more intensive development within a walkable catchment of public transport services is long-standing best-practice reflected in other planning documents and design guidance.

## 4.2 Regional Policy Statement

Relevant objectives and policies are identified below.

### 4.2.1 B2.2 Urban Growth and Form

*Objective B2.2.1 (1) A quality compact urban form that enables all of the following:*

- ...
- (c) *better use of existing infrastructure and efficient provision of new infrastructure;*
- (d) *improved and more effective public transport;*
- ...

The best and most efficient use of public transport infrastructure would be to locate the most intensive employment, services, and residential development areas within the RTN and FTN walkable catchments.

<sup>11</sup> National Policy Statement on Urban Development, New Zealand Government, July 2020. Pg. 11

## Walkable Catchments

As noted in the PPC61 TA, the AT Roads and Streets Framework [**RASF**] recommends distance of 400 to 600m for neighbourhood walking catchments (to activities such as parks, medical centres, shops, and primary schools), 800m for train stations, and district catchments of 1000m for town centres<sup>12</sup>.

Research undertaken by Auckland Council at rail stations found that more than half of survey respondents walked further than 800m to a third of the rail stations and more than 15% respondents walked further than 1500m to half of the rail stations. The research concluded that “an 800-metre radius is accurate for some stations, but underestimates the actual walking distance for others.”<sup>13</sup>

In Auckland, public transport services are classified as rapid, frequent, connector and local. Rapid includes rail services, busway services, and high-frequency bus services in dedicated lanes, with AT aspiring to have all RTN services running in dedicated corridors in future. Frequent services run less often, sometimes in bus or transit lanes, with AT aspiring to deliver whole-of route priority for the FTN in future. Connector and local services run less frequently and are not as relevant to catchment analysis.

The Ministry for the Environment [**MfE**] has provided guidance on interpreting “walkable catchment” in relation to NPS-UD Policy 3, although much of that guidance is also useful in considering the efficient integration of land use and public transport in other contexts:

*A walkable catchment is the area that an average person could walk from a specific point to get to multiple destinations. A walkable catchment of 400 metres is typically associated with a five-minute average walk and 800 metres with a 10-minute average walk. These distances are also affected by factors such as land form (eg, hills take longer to walk up and can be an obstacle to walking), connectivity or severance (eg, the lack of ease and safety of crossing roads, highways and intersections), and the quality of footpaths. Walkable catchments can be determined either using a simple, radial pedshed analysis or a more detailed GIS (geographic information systems) network analysis.*

*Policy 3(c) of the NPS-UD requires tier 1 local authorities to amend their regional policy statements and district plans to enable building heights of at least six storeys within walkable catchments of existing and planned rapid transit stops and the edge of both city centre zones and metropolitan centre zones. This will require tier 1 local authorities to first determine the locations of these stops and zones, decide appropriate metrics or attributes for walkable catchments, and then use spatial analysis and other methods to determine the catchments<sup>14</sup>.*

The NPS-UD defines rapid transit services:

*any existing or planned frequent, quick, reliable and high-capacity public transport service that operates on a permanent route (road or rail) that is largely separated from other traffic.*

With respect to planned rapid transit stops, the MfE guidance notes (emphasis added):

*It is difficult to determine a walkable catchment for a rapid transit stop before the exact location of a stop has been determined. Determining the walkable catchment requires you to assess the optimal corridor and/or location for a stop, including the potential for uplift, structure planning, transport network planning and detailed design work. Therefore, it **is essential you ensure transport planning for public transport and active modes is done in an integrated and iterative way alongside land-use planning**. This will be especially pertinent when considering the*

<sup>12</sup> Roads and Streets Framework, Auckland Transport. Pages 57, 127.

<sup>13</sup> Walkable Catchments Analysis at Auckland Train and Northern Busway Stations, Auckland Council, Technical Report 2013/014, December 2013. Page i.

<sup>14</sup> Understanding and Implementing Intensification Provisions for the NPS-UD, Ministry for the Environment, Sept 2020. Page 20.

*requirements of the NPS-UD intensification provisions, in both greenfield areas and existing urban areas.*

Walking catchments are typically assessed at distances of 400m and 800m (straight line), which in flat terrain with a permeable network is generally equivalent to walking times of 5 minutes and 10 minutes<sup>15</sup>; however, several factors influence walkability including distance, the permeability of the area for pedestrians, the frequency and quality of services, and the quality of the environment.

The MfE guidance notes that the 800m distance is commonly used and may be a good starting point for the minimum catchment. It also notes:

*While walkable catchments of 400 to 800 metres will be suitable for most tier 1 urban environments, it may be appropriate for larger tier 1 urban environments to consider greater distances in some situations. For example, where rapid transit is of high frequency, there is potential for higher densities and other factors such as high amenity along adjacent main routes and corridors.*

The MfE guidance on walkable catchments is summarised as follows (emphasis added)<sup>16</sup>:

*Although it is up to each local authority to determine the size of walkable catchments appropriate for local circumstances, we offer the following recommendations consistent with long-standing academic and international best practice:*

1. *A distance of **800 metres** from each main entrance to a transit stop is **considered a minimum** walkable catchment in all urban areas.*
2. *For larger tier 2 and all tier 1 local authorities, we **suggest this threshold is extended** further to account for local factors that include:*
  - *Street layout – are the streets laid out in a grid, or well connected through footpaths and open space that permit easier connectivity?*
  - ***Severance – are major pieces of infrastructure or natural landscape interrupting or channelling convenient pedestrian movement?***
  - *Topography – how hilly or steep an area is will affect how easy or difficult it is for people to walk within a period of time.*
  - *Connectivity – are there footpaths on both sides of the roads? Is there access via pathways that run through reserves and open space? Are there pedestrian crossings?*
  - *Urban amenity – what other activities, such as local retail, pharmacy or green space, exist in streets within the extended catchment that would encourage local walking activity and multi-purpose trips?*
  - *Street lighting – are streets well lit, including through local footpath connections, to ensure that vulnerable groups feel secure?*
  - *Passive security – are footpaths and pedestrian routes overlooked by buildings with active frontages or otherwise designed to meet the security needs of vulnerable groups (noting that increased density can improve passive security)?*
  - *Mobility needs – is the street layout and accessible design suitable for those with mobility needs, specifically those using wheelchairs or with pushchairs, those using walking aids and other groups who may not be physically able to walk as far or as fast?*

<sup>15</sup> Urban Design Toolkit, Ministry for the Environment, February 2006. Pg. 12.

<sup>16</sup> MfE Sept 2020. Page 24



- *Other considerations – matters such as **traffic light-controlled intersections**, especially those that require pedestrians to wait for multiple lights to travel across a road, means a pedestrian’s **travel distance** in a fixed period of time **will be shorter**.*

Regardless of the application of NPS-UD Policy 3, or the distance used for a walking catchment, it is useful to bear in mind that the likelihood of a person using public transport tends to reduce as the walking distance between a site and the transit stop increases.

### PPC61 Walkable Catchments

The PPC61 TA provides the rationale for the southern THAB area, as being close to Karaka Road which “caters for a primary bus service”, is within 1km of Drury West station, and has access to a crossing point at the Jesmond Road/ Karaka Road traffic signals.

The TA rationale for the southern THAB area is flawed. There would be no bus service accessible to PPC61 area in the medium term, and any bus service that might be provided in the longer term would not be a frequent service. The station is significantly further than 1km walking distance from this area, and the crossing point at Jesmond Road would only be accessible once paths are provided in the longer term.

The PPC61 TA adopts a walking distance of 1.5km based on superseded 1995 Australian guidance that indicated that distance was “the practical limit” for most non-recreational trips. Later Australian guidance refers to the usual 400m and 800m radii<sup>17</sup>. The TA also provides a diagram of the indicative walking catchment, but this is not useful for determining the walkable catchment from rapid transit as it applies a walking distance of 800m or more from the edges of the PPC61 area.

Figure 5 shows the walking distances from planned rapid and frequent transit. The locations of bus stops along Jesmond Road are not yet known; however, they would typically be located around 400-600m apart, so a catchment distance of 500m from Jesmond Road has been used to provide an approximate 800m walking distance from bus stops. A greater walking distance from the rail station has been used given the higher accessibility provided by the rail services. At the time of writing the location of the Drury West station has not been confirmed, and the currently preferred location has been used with 800m and 1200m distances shown.

The map shows the initial distances assuming rapid transit services are established but neighbouring land to the southwest has not been developed, and active mode paths have not been provided along SH22. The map also shows the distances in future assuming the neighbouring development and SH22 paths are in place.

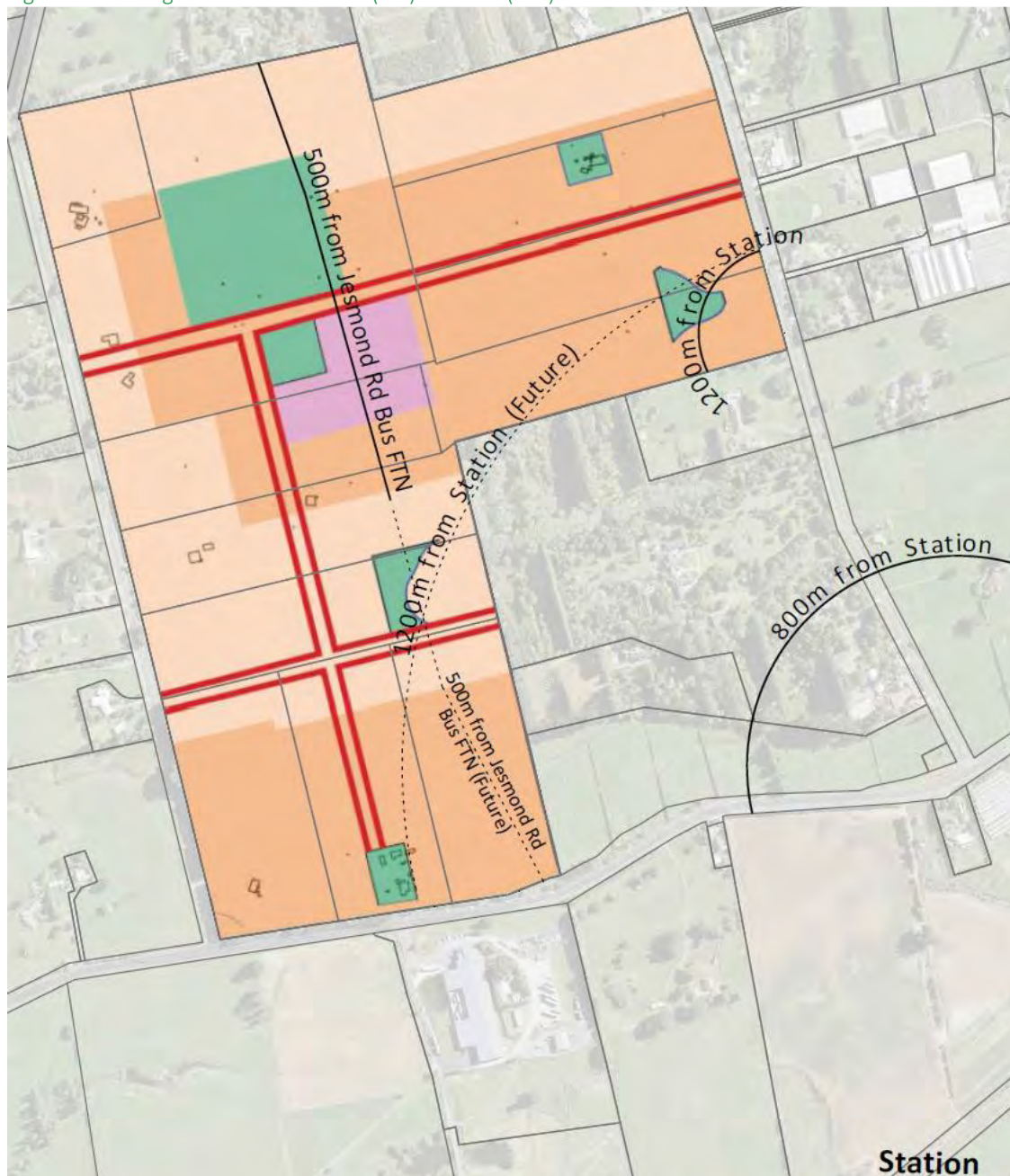
From the map it can be seen:

- Little of the PPC61 area is within the walkable catchment of the rail station (RTN), although some parts of the area could be within 1200m walking distance of the station at some point in future.
- Approximately half of the proposed neighbourhood centre is outside the Jesmond Road FTN walking catchment
- Much of the northern THAB area is more than 500m from the Jesmond Road FTN
- None of the southern THAB area is within the initial walkable catchment; however, once the SH22 footpaths are constructed and the neighbouring land is developed a small part of the southern area may be within the RTN walking catchment.

<sup>17</sup> Guide to Traffic Management Part 7: Activity Centre Transport Management. Austroads, 2020. Page 44.

- The north-eastern part of the PPC61 area is within the FTN bus walkable catchment but is zoned MHU rather than THAB.

Figure 5: Walking distances from RTN (rail) and FTN (bus) services



The TA also provides the rationale for the location of the proposed centre, being close to Jesmond Road and on the east-west collector.

It is noted elsewhere the centre is a lot larger than most neighbourhood centres, and I assume that to reflect a desire to establish a large area of medical activities in this zone. From a transportation perspective, medical activities can have a reasonably large catchment, and it is desirable that these activities that provide employment and services for a large area beyond the PPC61 area are located with good access to public transport.

As noted above, the centre is not close to Jesmond Road, and it is recommended it be relocated so that it is as close as practicable to Jesmond Road; however, locating the centre closer to Jesmond Rd may result in the neighbourhood centre being too close to the Town Centre east of Jesmond Road. In that

case it may be desirable for the medical activities to be located in the Town Centre and for a smaller neighbourhood centre to be located within PPC61, but still within 500m of Jesmond Rd.

To summarise, PPC61 is not consistent with best-practice land-use and transport integration. In my view, the centre zone should be adjacent to Jesmond Road, and certainly all of the centre zone should be within 500m of Jesmond Road. In addition, all land within 500m of Jesmond Road, should be zoned THAB unless precluded by localised site-specific characteristics. If land in the southern part of the site is to be zoned THAB it should be limited to the land that would be within 500m of Jesmond Road or within 1200m of the rail station.

#### 4.2.2 B2.3 A Quality Built Environment

##### *B2.3.2. Policies*

*(1) Manage the form and design of subdivision, use and development so that it 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:*

- (a) providing access for people of all ages and abilities;*
- (b) enabling walking, cycling and public transport and minimising vehicle movements; and*

...

The proposed provisions include Precinct Plan 3 Transport [PP3] that shows the network of Collector Roads, one of which is shown connecting to abutting land. PPC61 therefore must rely on the existing city-wide infrastructure rules to achieve the built environment policies relating to access, and street connections.

#### 4.2.3 B2.4 Residential Growth

*Policy B2.4.2 (6) Ensure development is adequately serviced by existing infrastructure or is provided with infrastructure prior to or at the same time as residential intensification.*

As noted earlier, the provision of infrastructure to adequately service the development is uncertain, particularly with respect to timing, and until funding for those projects is allocated and the timing of infrastructure delivery is known PPC61 is not consistent with this policy.

#### 4.2.4 B2.5. Commercial and Industrial Growth

*Policy B2.5.2 (4) Enable new metropolitan, town and local centres following a structure planning process and plan change process in accordance with Appendix 1 Structure plan guidelines, having regard to all of the following:*

- (a) the proximity of the new centre to existing or planned medium to high intensity residential development;*

...

- (e) any significant adverse effects on existing and planned infrastructure;*
- (f) a **safe and efficient transport system which is integrated with the centre;** and*

...

Half of the proposed centre zone is located beyond the FTN walkable catchment, so PPC61 is not consistent with this policy that requires an efficient transport system to be integrated with the centre.

## 4.2.5 B3.3 Transport

*Objective B3.3.1 (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*
- (e) **facilitates transport choices**, recognises different trip characteristics and enables accessibility and mobility for all sectors of the community.*

*Policy B3.3.2(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;*
- (c) **locating high trip-generating activities** so that they can be **efficiently served by key public transport services** and routes and complement surrounding activities by supporting accessibility to a range of transport modes;*
- (d) requiring proposals for high trip-generating activities which are not located in centres or on corridors or at public transport nodes to avoid, remedy or mitigate adverse effects on the transport network;*
- (e) enabling the supply of parking and associated activities to reflect the demand while taking into account any adverse effects on the transport system; and*
- (f) requiring activities adjacent to transport infrastructure to avoid, remedy or mitigate effects which may compromise the efficient and safe operation of such infrastructure.*

Given the current state of infrastructure funding, PPC61 cannot meet the policy of ensuring that infrastructure is funded and staged to integrate with the growth enabled by it.

By enabling extensive development of the land to precede the provision of the RTN and FTN services, PPC61 would increase the demand for private vehicle trips.

PPC61 locates the higher-intensity zones and higher trip-generating activities in locations outside the RTN and FTN walkable catchments, not allowing them to be efficiently served by key public transport services.

PPC61 is not consistent with this policy.

## 5 Form of development

### 5.1 Access and Connections

#### 5.1.1 Collector Roads

The DOPPSP ITA discusses the provision of collector roads, and why it was considered important to identify the location of such roads on the Structure Plan.

In ideal greenfield development conditions with a regular grid road pattern, good-practice design generally favours a grid pattern with arterial roads interspersed with collector roads, which in turn are interspersed by local streets. The AT Roads and Streets Framework [**RASF**] recommends that higher-density areas have collector roads spaced approximately 200-600m from arterials and other collectors, with spacings of around 400-1000m in lower-density areas.

The block of land broadly bounded by Karaka Road, Jesmond Road, Bremner Road and Oira Road is about 800m wide east-west and 1400m long north-south. The DOPPSP ITA recommends an east-west collector road be located about halfway through this block, and that would place arterial and collector roads about 700-800m apart. This would be consistent with the AT guidance for lower-density areas and other road network design guidance.

PPC61 PP3 shows the locations of the proposed collector road network. The northern east-west road is located approximately 80m north of the DOPPSP location. The relatively small change in location does not appear to be significant provided the connection further east shown in the DOSP is maintained.

Near the proposed collector road intersection Jesmond Road is predominantly straight and with a reasonably even grade, particularly once the Auckland Transport Jesmond Road project has been completed. There should be no difficulty in providing an adequate intersection at that location; however, given existing development on the eastern side of Jesmond Road the DOSP location may be more likely to provide for an eastern connection. For that reason, some flexibility in the location of the collector road may be desirable.

Oira Road is relatively straight along the site frontage and passes through a moderate bend at the northern end of the site. The vertical alignment is currently undulating, with two significant crests and a few watercourses. This vertical alignment constrains the available sight distances at some locations, but the proposed Collector Road locations appear to be around 120m away from the crests, so it should be possible to provide adequate sight distance at these locations provided the speed limit on Oira Road is reduced to 50km/h. Until the speed limit is lowered it may not be possible to provide sufficient sight distance at these locations. As a result, connections to Oira Road may need to be made in other locations, via local streets, in the short term.

A north-south collector is also shown on PP3, approximately 200m from Oira Road and 600m from Jesmond Road. As noted earlier, the higher density development should be in the eastern half of the land as that is within the walkable catchment of the proposed Jesmond Road FTN services. As a result, the western half would have lower density and the north-south collector road is not required. If a north-south collector road is retained it would be best located about halfway between Oira Road and Jesmond Road, or slightly further east. In that location it may provide a suitable boundary between higher and lower density zones.

In addition, a central north-south collector road would usefully provide connections to the land north and southeast of the PPC61 land.

The southern east-west collector road is located about 400m from the first east-west collector, and about 300m from SH22. This spacing is consistent with the RASF and would be appropriate for higher-density development, but as noted above, this area is outside the walkable catchment for transit. If the area is not zoned THAB the southern east-west collector is not needed.

It is recommended that PP3 be modified to either remove the north-south collector road, or show that road further east, about halfway between Oira Road and Jesmond Road, and extending to connect with the neighbouring land to the north. The southern east-west collector road could be removed.

The PPC61 provisions include an indicative cross-section for the collector roads as a minimum requirement. The cross section shows the components required, but no widths other than a range of 18 to 21m for the total reserve width. A range of widths is not compatible with a minimum standard. For reference, the DOPPSP ITA assumes the collector roads would have a 21m wide reserve.

Unless there are exceptional site-specific circumstances, best-practice is to refer to regional design standards and guidelines for the width and design of roads, and precinct provisions should merely

indicate where essential roads are to be located. There are no exceptional circumstances for PPC61, so it is recommended the cross section and standard be deleted.

### 5.1.2 Other Streets

The Masterplan supplied with the PPC61 documentation, and referred to in the TA, is an informative document that does not form part of the proposed Provisions. It shows how additional local streets may be laid out, but there is nothing in the Provisions that would require that road network to be constructed in that form. Equally, there is no need to specify the layout of the local street network in the Provisions.

The masterplan street network is shown with local streets connecting to Oira Road in locations that are likely to have poor sight distances due to the crests and the bend at the northern end of the site, but that is a matter than can be addressed at the time of development.

Another characteristic of the masterplan street network is that no local streets are shown extending to the site boundary. If development followed this street pattern the permeability and connectivity of the area would be extremely poor and would be inconsistent with regional policy. It would be useful for the Provisions to require the local street network to connect with neighbouring land in several locations, either on PP3, or in text, and that would be consistent with provisions in other areas of Auckland.

## 5.2 Location of density

As noted earlier, much of the more intensive zoning is located outside the RTN and FTN walkable catchments with potentially poor access to public transport services. It is recommended that zones enabling higher intensity development be located in the eastern half of the site, as shown on the DOSP.

## 5.3 Development yield

As set out in the PPC61 TA, the transport analysis underpinning the DOPPSP ITA made use of the MSM transport model. The MSM model represents employment and residential activities in broad zones and predicts the number of trips between each zone and which routes those trips are likely to take.

PPC61 represents around 25% by land area of MSM Zone 562. That zone, which includes the land between Jesmond Road and Oira Creek, was assumed by the DOPPSP ITA analysis to provide dwellings and jobs as illustrated in Figure 6 below.

If the yield for the MSM zone is assumed to be uniformly distributed across the area, the PPC61 share of that yield would be around 1000 dwellings.

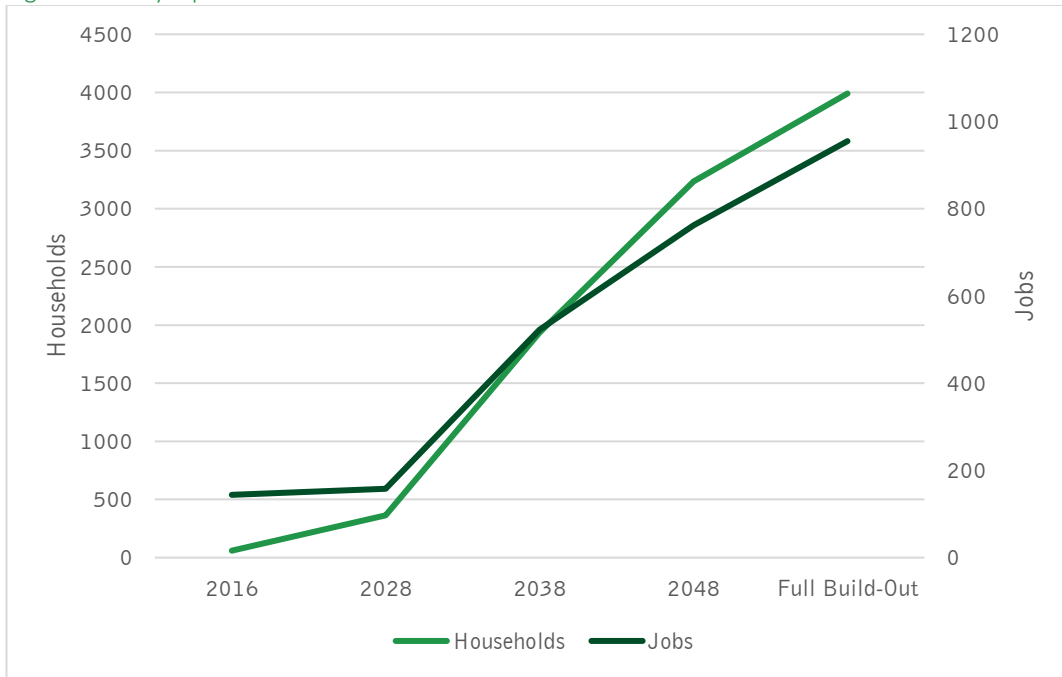
As described in the PPC61 documentation, the yield is expected to be between 1400 and 2800 dwellings, and the proposed Provisions envisage more than 2000 dwellings being constructed in the area. At 2800 dwellings, the PPC61 site would account for 70% of the residential yield assumed for the entire zone, or nearly three times the yield assumed in the DOPPSP ITA analysis.

The provision of more intensive development on the land may provide a considerable benefit with respect to the efficient use of land and increasing the supply of housing, however increased yield produces increased demand for travel.

As explained in the PPC61 TA, the proposed zoning has nearly twice as much land zoned THAB than the DOSP, in addition to a 2ha neighbourhood centre that is not present in the DOSP. If the THAB zoning is confined to the eastern half of the area the residential yield would presumably be more in line with the DOPPSP ITA projections.

The assessment of the traffic impact of PPC61 is addressed in section 6 Effects below.

Figure 6: Drury-Opāheke Structure Plan MSM Zone 526 Estimated Yields and Timeframe



## 6 Effects

### 6.1 Drury-Opāheke Structure Plan

The PPC61 TA is based largely on the DOPPPSP ITA work. As noted above, the DOPPPSP ITA assessment was based on the PPC61 land being developed less intensively, and at a slower rate than would be enabled by the proposed change.

The DOPPPSP ITA used lower trip generation rates for residential and employment activities than are typical for existing developed areas for several reasons, chiefly increased use of public transport. As noted in the TA, the DOPPPSP ITA expected 14% of all DOPPPSP trips to be made by public transport in 2028, increasing to 20% for full build-out.

### 6.2 Trip generation

As noted earlier, the DOPPPSP ITA assessment has used development scenarios for various future years in the MSM transport model using the projected number of dwellings and jobs. Other activities such as retail and medical services are not explicitly represented in the MSM, except that they may be partly accounted for indirectly through a change in the employment and household trip generation rates where a centre is expected to be present. As the DOPPPSP ITA assumed there would be no centre in Zone 562, activities such as retail and services are not accounted for in the MSM assessment of this area.

In the longer-term the 2048 MSM uses peak-hour private-vehicle trip generation rates that are around half the trip rates generated by typical suburban residential areas at present. The lower trip rates are understood to reflect expected future reductions in average household size, increased use of public transport, and increased travel by active modes (walking and cycling).

#### 6.2.1 Residential trip generation

The further information response does undertake some modelling of interim scenarios with higher development yields, and this uses different trip generation rates for the interim scenario. Those rates are higher than the MSM 2048 rates (0.40 – 0.58 trips per hour), but lower than typical suburban residential rates (0.80 - 1.00 t/h).

The rate adopted in the additional information (0.65 t/h) is based on surveys of “medium density residential flat buildings” in metropolitan Sydney prior to 2002<sup>18</sup>. More recent surveys in NSW show that high-density residential dwellings (apartments) in NSW have peak-hour trip rates averaging 0.11 - 0.32 t/h in high-density metropolitan areas with exceptional access to public transport, and 0.10 – 0.67 t/h in regional areas with moderate access to public transport. Low-density dwellings (standalone houses) had rates of 0.18 - 0.78.

The adoption of low trip generation rates that reflect good access to public transport services is appropriate only for the eastern half of the area once Jesmond Road has been upgraded and the FTN service along with RTN services at Drury Station are operational. The trip rates used in the PPC61 ITA and the further information assessment are too low to assess the whole PPC61 area, particularly for the early years. This is exacerbated by the assumption that early development would be accessed only from Oira Road with no road link to Jesmond Road.

### 6.2.2 Business trip generation

The traffic assessment work provided in the further information response makes several assumptions around the trip generation of non-residential activities.

The assessment adopts a trip generation rate of 12.5 trips per hour per 100m<sup>2</sup> of floor area for the neighbourhood centre and medical centre. That rate is the same as that recommended by the RTA guide for “shopping centres” of up to 10,000m<sup>2</sup> in size, and that trip rate would be typical of a shopping mall in the evening peak hour.

The PPC61 ITA assumes that 80% of the trips generated by the proposed neighbourhood centre would remain within the PPC61 area.

There is a limited amount of data about the “internal capture” of trips made between adjoining land uses (including residential, office and retail), but none that I am aware of for medical activities. If the office data is used as a proxy, it shows up to 2% of office trips could go to the residential area and up to 22% of the trips could go to retail activities in the centre (depending on how much retail is present). This would suggest that the 80% assumption is an exaggeration.

Under the full-development scenario without the Pukekohe Expressway, 17% of all trips are assumed to be to and from the west, and this is considered to significantly under-estimate the proportion of trips made to the east, including on SH1.

In the full development scenario traffic can use both the Oira Road and Jesmond Road intersections. This is said to result in the Oira Road intersection having adequate capacity for fewer than 2800 dwellings and the Jesmond Road intersection having adequate capacity for 1600 dwellings. If the trip rate were increased to be more representative of the areas outside the public transport walking catchment, and particularly if the external trip proportion assumption were realistic, the capacity of these intersections would be reached with significantly fewer dwellings. It should be noted the further information analysis assumes there is no other development within the DOSP area over this time.

## 6.3 Mode share

The PPC61 TA relies heavily on the transport assessment and modelling undertaken by SGA for the DOSP, including the work done using the Auckland Regional Macro Strategic Model [**MSM**] which is a relatively coarse-grained model of residential and employment land use patterns across the region.

<sup>18</sup> Guide to Traffic Generating Developments, Version 2.2, October 2002, Roads and Traffic Authority of New South Wales, Sydney.



The DOPPSP ITA predicts that in 2028 14% of trips in the DOSP area will be made by public transport, increasing to 20% by 2048. These are like the public transport mode shares in central-Auckland locations close to RTN rail services (such as Newmarket and Morningside). The DOPPSP ITA assumptions are consistent with the DOSP land use pattern with higher-density zoning near the frequent public transport network, and the anticipated level of employment in the area.

The PPC61 analysis is based on a different land use pattern with a high proportion of dwellings outside the walkable catchment of frequent public transport services. It would therefore be expected that the overall level of public transport usage would be lower than that assumed in the DOPPSP ITA analysis, yet the PPC61 analysis assumes the same level of public transport use would occur. This is not accepted.

The PPC61 responses to further information requests noted (emphasis added):

***Increases in residential and employment yield** within the Waipupuke plan change area and wider area **does not necessarily mean increases in transport infrastructure are required** especially relating to roading upgrade. Indeed, a trend which is commonly observed is that **higher density development often results in less trips per respective dwelling and greater mode shares towards public transport** and active modes (eg better access to public transport, lower cars parks per dwelling). This is particularly relevant in areas with good accessibility to high quality public transport options as will be the case for Waipupuke with access to a rail station and several future FTN routes ((eg RTA “Guide to Traffic Generating Developments” states “Traffic generation rates in inner metropolitan areas where public transport is more accessible could be lower” and also has significantly lower traffic generation rates for medium density dwellings than standard dwellings)).*

*The Drury Opaheke Structure Plan ITA developed forecasts for mode share of the wider Drury area based on the forecast growth and the proposed recommended infrastructure upgrades. In the long term (2048), the overall mode share for the Drury Opaheke structure plan area is forecast to reach 20% with higher portions experienced on trips served by high quality PT services such as trips to Manukau and north which are anticipated to reach 50% mode share.*

*For the 2028 year, the ITA forecasts lower mode shares reflective of only some of the transport infrastructure being complete and partial buildout of the structure plan area. It is important to note that the inclusion of rail stations was not assumed by 2028 and this change is expected to increase PT mode share, particularly for areas such as Waipupuke which are within a walkable catchment.*

*In this regard **Waipupuke is positioned** to best utilise the future public transport in the area and especially **within walking distance (20 minute walk) of the future Drury West station** (see figure below) and thus is the area in zone 562 that is most suited to increase density<sup>19</sup>*

This argument is not accepted. Higher density development does tend to have higher public transport mode share, not because the development is denser, but because higher density is almost always located where there is good access to public transport. Higher density near public transport makes the best use of land in the public transport walkable catchment, and the best use of the public transport investment, which is why this is required by the NPS-UD. As noted earlier, only the eastern part of the PPC61 area is close to frequent public transport services. The remainder of the area is outside the walkable catchment, which would result in a smaller proportion of trips being made on public transport, and a greater proportion of trips being made by private vehicle.

Elsewhere, the further information response states (emphasis added):

*While the numbers are helpful, they are not determinative of traffic effects as there will be a significant variety in traffic movements depending on end uses. **The improvements to the roading***

<sup>19</sup> Clause 23 response, pg. 48.

**and public transport network are fixed and traffic movements additional to the capacity of the network will most likely result in additional public transport usage<sup>20</sup>.**

...

*The potentially higher number of dwellings will need to be accommodated within the enhanced transport network and will increase demand for public transport (which is supported)<sup>21</sup>.*

...

*Overall, the **road network has been determined and will not change**. We understand that Notices of Requirement will be lodged for the arterial road network prior to the end of 2020. The upgrade of Oira Road to a 2 lane collector road that accommodates public transport will also be undertaken. Therefore **the capacity of the road network is relatively fixed and additional people movements will need to be accommodated by public transport**. Again as noted above the issues relating to **wider network impacts are not the responsibility of the applicant<sup>22</sup>**.*

The PPC61 documentation can be summarised as stating that the capacity of the future road network is fixed, no further road infrastructure is considered necessary as all additional demand will be accommodated by public transport. That argument is not accepted, particularly as PPC61 is seeking the application of more intensive zoning to areas outside the walkable catchment of the frequent public transport network. There is no evidence to support the assertion that additional development would not generate additional private-vehicle trips on the network.

In my view, the additional yield sought by PPC61 compared with the yield assumed in the DOPPSP ITA would result in a reduction in the average public transport mode share, and a significant increase in the number of private vehicle trips on the road network.

## 6.4 Traffic Modelling Methodology

The further information response includes the results of traffic modelling of the Karaka Road/ Oira Road and Karaka Road/ Jesmond Road intersections during interim periods of development.

That work concludes that the proposed change to a two-lane roundabout at the Karaka Road/ Oira Road intersection is required to accommodate any development on the site. That form of intersection said to be adequate to service up to 2000 dwellings. If that number of dwellings were located within the PPC61 area no development on other sites with access to Oira Road could be accommodated.

The trip rates used for this assessment are too low, particularly for the early years and the western half of the site.

The assessment provides traffic count data that shows the daily traffic volume on Karaka Road grew at 2% per annum over the five-year period 2015-2019 and uses that figure to reflect growth in peak-hour travel demand on Karaka Road for the assessment. It is expected that growth in other areas, such as Paerata, which was relatively low prior to 2019, would increase at a greater rate over the next decade; however, as the capacity of Karaka Road in its current form is largely used up, it is expected that growth in peak hour travel is likely to be accommodated by longer peak periods rather than increases in the volume carried in the busiest hour. In that case the traffic growth rate assumption is reasonable.

The interim assessment assumes that 20% of the trips generated by the interim development would be to and from the west (Paerata, Pukekohe, Glenbrook etc), despite the Census information provided in the report indicating that 4% of trips made from Drury are to the west. The distribution used in the assessment underestimates the proportion of trips that would travel east and through the SH1 Drury Interchange.

<sup>20</sup> Clause 23 response, pg. 51.

<sup>21</sup> Clause 23 response, pg. 52.

<sup>22</sup> Clause 23 response, pg. 53.

The results of the further information modelling demonstrate that the roundabout would reach capacity in 2028 with fewer than 2000 dwellings. Given the assumptions around trip generation and trip distribution, the capacity of the intersection is likely to be reached with fewer dwellings.

The further information modelling suggests that reducing the trip generation rate from 0.65 to 0.5 t/h/dwelling would result in the intersection being able to accommodate 2400 dwellings instead of 2000. It is likely that a higher trip generation rate more typical of residential development with less access to public transport would result in the intersection reaching capacity with fewer than 1700 dwellings. A distribution with fewer trips to and from the west would likely result in the intersection capacity being reached with still fewer dwellings. In addition, the trip generation from the proposed business and medical activities that could establish in the centre have not been adequately accounted for.

The DOPPSP ITA assessment, although undertaken at a coarser level than appropriate for a plan change to rezone land, assumed MSM Zone 562 would ultimately contain around 3991 dwellings with no business or centre zoning proposed. On a pro-rata basis, the PPC61 area would provide around 1000 dwellings, so there is a reasonable level of comfort, based on the DOPPSP analysis, that the future road network could accommodate 1000 dwellings in the PPC61 area without business or centre activities.

At the time of writing there is insufficient evidence to support the assertion that the upgraded Oira Road intersection could accommodate 2000 dwellings and a centre zone, with or without development elsewhere in Oira Rd. There is some evidence to support a view that the intersection could accommodate 1000 dwellings in the PPC61 area in the long-term with a completed road network, but that work does not provide evidence that a centre zone could be supported with that number of dwellings.

## 6.5 Comparison with DOPPSP ITA Requirements

The DOPPSP ITA contains a section setting out requirements for 'next stage' ITA's in both the main ITA and the Addendum.

These include:

*Future assessments will need to both **substantiate any changes to land use, and account for the effects of any changes.** These may include the following:*

...

- *The potential to provide for **further intensification and/or employment around identified rapid and frequent public transport corridors** to maximise land use-transport integration, and the opportunities to induce modal shift and manage travel demand.*

The PPC61 TA provides some rationale for the proposed changes to the land use pattern but it is based on an incorrect understanding of future public transport services and overly optimistic assessment of walkable catchments.

### Further consideration of local employment to manage travel demand

*The commentary in Chapter 7 notes that the Structure Plan land use provides for 0.5 new jobs per new household. Accordingly, provision for further local employment should be considered as part of a travel demand management strategy.*

PPC61 proposes a centre that could accommodate some additional employment; however, this has not been incorporated into a travel demand management strategy, and the traffic generation of the non-residential development has been significantly underestimated.

*These future ITAs should also **provide an evidence base** to support the future Precinct provisions, which should seek to adopt and ‘follow through’ on the network design principles and access strategies identified in this ITA and through the IBC. Provisions may include:*

- ...
- *Transport **infrastructure thresholds/triggers, including funding and delivery mechanisms** (see below); ...*

The evidence base provided is insufficient to properly determine infrastructure thresholds and triggers and does not yet provide sufficient information on funding and delivery mechanisms; however, the potential issues with providing collector road in areas of fragmented ownership are not a significant issue in this case.

*Further development of staging strategies*

*The **staging strategies** outlined in Chapter 9 of this ITA **will need to be further developed.** ...*

***Future staging scenarios will need to demonstrate the effect of project sequencing decisions on network performance, and specifically mode shift and TDM.***

The proposed staging scenarios addressed in the PPC61 TA are inadequate and do not properly demonstrate the effect of the sequencing on network performance.

*Of particular importance to next stage ITAs are the following matters:*

- *Influencing travel demand by reducing the need to travel (primarily by providing for local employment and services), encouraging a mode shift away from private vehicles, and integrating land use and transport;*
- *Ongoing integration of land use and transport by following through on integration opportunities identified in the draft ITA, including centre and rail station integration and access, the form and function of roads, and addressing funding/implementation risks identified for collector roads; and*
- *Consideration of the desire to induce mode shift away from private vehicles, particularly in progressing the sequencing strategy<sup>23</sup>.*

*...further refinement will occur as a part of the ongoing progression of the planning process. It is important that land use and transport plans continue to be developed in an iterative, coordinated manner to ensure the desired outcomes of mode shift, demand management, and an accessible, connected urban form are realised<sup>24</sup>.*

PPC61 proposes a centre zone that would enable the provision of additional employment and services, reducing the need to travel, but the ability of the centre to encourage mode shift is weak given it is on the edge of the FTN walkable catchment. The DOPPSP ITA desire to induce mode shift away from private vehicles is not supported by PPC61, particularly as THAB and centre zoning is applied to areas away from frequent public transport. In particular, the proposed sequencing and staging of development is not linked to the provision and accessibility of public transport.

When measured against the DOPPSP ITA requirements for plan change ITAs the PPC61 TA addresses many of the relevant matters, however the execution of those assessment is thwarted by a misunderstanding around the extent and nature of public transport services and their accessibility.

<sup>23</sup> Drury-Opāheke and Pukekohe-Paerata Structure Plan Integrated Transport Assessment Addendum, Supporting Growth, Version 1.0, 5 Sep 2019, pg. 13

<sup>24</sup> Drury-Opāheke and Pukekohe-Paerata Structure Plan Integrated Transport Assessment Addendum, Supporting Growth, Version 1.0, 5 Sep 2019, pg. 14

## 6.6 Summary

The further information analysis report provides several conclusions. The conclusion that the Karaka Road / Oira Road intersection needs to be upgraded (with a two-lane roundabout) prior to any development occurring within PPC61 is supported.

The report concludes that the performance of the road network would need to be reassessed for development beyond 2000 dwellings is also supported to the extent it demonstrates the future road network cannot accommodate the proposed yield. The assertion that the proposal could be supported on the basis the projected shortcoming in future road network capacity may not eventuate is not supported.

To conclude, the transport assessment does not provide evidence that the provisions sought by PPC61 can be accommodated by the planned road network. The assessment, even while under-estimating the effects of the plan change, demonstrates that the effects cannot be accommodated by the transport environment, irrespective of the funding and timing of the transport infrastructure that may be delivered.

## 7 Submissions

This section addresses submissions and further submissions that raise transport related matters, with similar submission points grouped into topic areas. Some submitters, like Watercare and Counties Power, make points relating to the delivery of infrastructure other than transport infrastructure. Those submission points [SPs] have elements that are also relevant to the provision of transport infrastructure, and those elements are addressed in this report where relevant to transport infrastructure. Submissions about noise and vibration associated with transport are not addressed in this report.

### 7.1 Integration with Infrastructure Delivery and Staging

#### 7.1.1 Infrastructure Pre-Requisites

- Several submission points including 5.1, 10.1, 11.4, 18.1, 19.2, and 23.1 are concerned that the infrastructure required to accommodate the development of PPC61 is not in place, and may not be in place prior to development, and are seeking that the plan change be declined or that the provisions be modified so that development does not precede development.
- SP 22.9 seeks that infrastructure be provided “in conjunction with or ahead of” development, and provides a list of required infrastructure items
- SP 19.2, and 22.3 seek amendments to include specific infrastructure items that should be in place prior to development occurring.
- SP 20.5 seeks amendments to ensure that all necessary upgrades are accounted for and clearly related to any necessary thresholds.
- SP 22.6, 22.8, and 23.2 seek provisions in relation to staging requirements. SP22.23 requests further assessment of effects, or additional provisions that either restrict the development or require staging provisions, particularly in relation to high trip generating activities.

As noted in the applicant’s further information response, the applicant is not responsible for solving Auckland’s transport shortcomings; however, policy including the NPS-UD and RPS make it clear that development needs to be integrated with the planning and delivery of infrastructure. While it is the responsibility of infrastructure providers to provide the wider network infrastructure, the capacity to deliver the infrastructure required to address all growth aspirations is limited and must be prioritised.

Until adequate infrastructure is provided the development enabled by zoning of the land would produce adverse effects on the safe and efficient operation of the transport environment, and in some cases those effects could be major.

The typical approach to the integration of development and infrastructure has been to stage development based on the provision of discrete transport infrastructure items, and one staging provision (a maximum of 2000 dwellings accessed by Oira Road until access is available via Jesmond Road) has been proposed in the notified provisions.

The provision of the Karaka Road/ Oira Road roundabout is accepted in the PPC61 TA to be necessary to provide for any development of the site. After reviewing the assessment underpinning the proposed quantum of development that could be accommodated by the upgraded intersection there is insufficient evidence to support that number of dwellings on the land. Any threshold would need to be set at a lower level and allow for development in other areas accessed by Oira Road.

The assertion in the PPC61 TA that any non-residential activities in the centre would not generate significant external traffic is not supported, and as a result any threshold or activity trigger should either restrict non-residential development or take non-residential development into account. Excluding non-residential development from the earlier stages is not desirable as services provided in the centre are expected to assist in reducing the demand for travel from the residential areas. For that reason, it is recommended that any threshold specify a maximum projected traffic volume on Oira Road rather than specify the number of dwellings, although that may be problematic to administer.

Other infrastructure items also need to be provided to adequately cater for the development enabled by the proposed zoning. It is important that the Drury West Station and accompanying passenger rail services are operation, and that the Jesmond Road FTN bus services providing access between the PPC61 area and the station are also in operation. Those bus service in turn are dependent upon the upgrade of Jesmond Road, Bremner Road, and the upgrade of Karaka Road including the provision of traffic signals at Jesmond Road. That road infrastructure is currently unfunded, and the delivery timeframes are not known.

Any development occurring before those facilities are in place would result in all travel being by private vehicle, irrespective of any design measures intended to discourage car ownership and travel. While the effects of a small amount of development prior to the provision of the FTN services may be relatively minor, it is considered important that any development remains small in scale until the FTN services are operational.

The infrastructure required, according to submitters, includes:

1. Required for any development:
  - a. Oira Road/ Karaka Road intersection upgrade to a two-lane roundabout (NZTA, AT, Kainga Ora)
  - b. Jesmond Road / Karaka Road intersection upgrade to a two-lane roundabout or traffic signals (NZTA)
2. Required for development in Masterplan Stage 3:
  - a. The upgrade of Karaka Road, including active mode infrastructure, between Oira Road and Jesmond Road. (NZTA)
3. Required for provision of more than 2000 dwellings:
  - a. Oira Road widening and Karaka Road intersection upgrade (NZTA, Kainga Ora)
  - b. Jesmond Road widening and Karaka Road intersection upgrade (NZTA)
  - c. Karaka Road improvements (NZTA)
  - d. Jesmond Road Extension to Drury West station (NZTA)
  - e. Drury West rail station construction (NZTA)
  - f. Rail network upgrade (NZTA)
  - g. Bremner Road works (NZTA)

- h. Pukekohe Expressway (NZTA)
- 4. Unspecified threshold:
  - a. Early active mode access to the rail station and bus services (AT);
  - b. Introduction of public transport services to the Precinct Plan area (AT);
  - c. Any interim improvements to Karaka Road (AT);

Auckland Council (Submitter 23) has stated that any development threshold or staging rules need to be enforceable and effective, and could, for example, include:

- *Threshold rules are not used for infrastructure works to be supplied by third party, e.g. Auckland Transport or NZTA, if these agencies do not have funds allocated for the works.*
- *Threshold rules are not used for infrastructure works which are scheduled beyond the lifetime of the plan (2026).*
- *Threshold rules are not used for works to be funded privately but there is no funding agreement in place.*
- *Threshold rules are not used for works which would require a funding contribution from multiple landowners or developers and there is no agreement to apportion costs and benefits in place.*
- *Threshold rules do not use gross floor area as a metric (the council may not be able to track this with current data systems).*
- *Threshold rules are not used in circumstances where the extent and location of works have not been determined yet.*
- *Use of prohibited activity status for infringement could be considered.*

At the present time some of the required infrastructure works are to be supplied by third parties (including NZTA) that do not have funds allocated to the work, and Council's submission would suggest that a threshold based on the provision of this infrastructure would be inappropriate.

Council's submission also suggests that alternate means of addressing this matter may include:

*"a mechanism has been identified with the agreement of the council that unfunded infrastructure (as of February 2020) will be funded."*

*"parts of the plan change area not constrained by infrastructure funding, timing or location uncertainty and can proceed without significant adverse effects".*

*"Notices of requirement have been lodged for all of the relevant infrastructure by the time of the hearing and proposed lapse dates are consistent with early development".*

A lodged Notice of Requirement is evidence of an intention to deliver an infrastructure project, but without committed funding there is insufficient certainty that the project would be delivered, particularly that it would be delivered in a timeframe that would avoid adverse effects from the development of the land. In addition, the NPS-UD does not consider land to contribute to development capacity unless it is infrastructure ready, and for the medium term that requires funding to be committed.

To date no areas of PPC61 have been identified that could proceed without significant adverse effects being generated without infrastructure being provided. It may be possible for some development to occur with some of the infrastructure in place.

The only remaining means of satisfying these concerns is for an alternate funding mechanism to be identified and agreed. Unless a suitable funding mechanism is identified it is recommended that the plan change be declined.

If the plan change is approved, it is recommended that development be staged. A recommendation for a staging standard is provided later in this report.

### 7.1.2 Responsibility for Infrastructure Delivery

- SP20.4 seeks clarification or amendments to ensure that required upgrades are acknowledged and equitably distributed to ensure individual developers are not burdened by necessary network upgrades.
- SP 22.7 seeks provisions that address “cross-boundary” mitigation measures and determine the responsibility for delivery.

This is a matter that is generic to most development and is not specific to PPC61.

In the absence of an agreement between all relevant land owners for the provision and funding of infrastructure is provided, the only logical means of addressing these concerns would be for a public agency, such as Auckland Transport to either provide the work with financial contributions from individual developers (potentially through the Council development contributions mechanisms in the longer term), or for the first developer to essentially act as banker with Council collecting financial contributions from subsequent developments to repay the first developer.

## 7.2 Intensity and Location of Zoning

### 7.2.1 Extent or Location of Zoning

- SP 17.1 seeks that the THAB zone be extended to cover all the masterplan Stage 2 area.
- SP 20.1 seeks the retention of the proposed zoning and layout.
- SP 22.15 seeks the density and zoning location better align and integrate with the proposed pattern of future bus routes and services.
- SP23.18 seeks the THAB zoning, centre and medical facilities are all located within the Jesmond Road FTN walkable catchment, and the centre is as close as possible to Jesmond Road. SP23.18 also requests that any yield additional to that in the DOPPS is located within the Jesmond Road FTN walkable catchment.
- SP23.19 seeks the deletion of the south-western part of the plan change, or that it is appropriately staged, does not result in excessive car dependency or car trip generation, and does not occur before pedestrian connections are available to the Jesmond Road FTN.

As set out earlier in this report it is recommended that zoning enabling higher density development is confined to the eastern half of the area, i.e. within 500m of Jesmond Road, that all land within 500m of Jesmond Road be zoned for more intensive development as far as practicable whilst reflecting site-specific constraints, and that any centre zoning be located as close as practicable to Jesmond Road.

SP 17.1 and 20.1 are not supported

SP 22.15 and 23.18 are supported.

SP 23.19 is supported in part, to the extent the southern part of the plan change is not zoned for intensive development.



### 7.2.2 Consistency with DOPPSP

- SP 9.1 seeks that the plan change be declined unless proper consideration is given to the wider context of the DOPPSP including transport links.
- SP 11.1 and 11.2 seek the zoning be consistent with the DOPPSP.
- SP 11.6 seeks that Council should lead a plan change for all of Drury West Stage 1, or that PPC61 be expanded to include all that land. SP 14.1, 15.1, 26.1, and 28.1 raise a similar point.
- SP 11.5 seeks a review of infrastructure capacity given the higher densities proposed in PPC61 compared with the DOPPSP
- SP 24.1 is concerned the development should not compromise the development potential of land outside the plan change area, and 316 Jesmond Road in particular.

As discussed earlier, the plan change seeks to enable significantly more development than assessed in the DOPPSP ITA. The effects of this additional development on the transport network have not been adequately assessed, and the PPC61 proposal is based on all additional yield being accommodated by public transport, which is not accepted. As a result, there is a risk that development in other parts of the DOSP would need to be constrained, or that the overall effect of the DOSP on the transport network may be major.

For those reasons, the above submissions are supported unless sufficient additional assessment work is provided.

### 7.2.3 Additional Land Included

- SP20.3 seeks the inclusion of land at 16, 54, 64, and 84 Jesmond Road within PPC61, all to be zoned THAB.

An assessment of the effects of the development enabled by the sought zoning has not been provided with the submission. In the absence of a robust assessment of PPC61 and the additional land is provided, including allowing for development of other areas within the DOSP, the submission point is not supported.

### 7.2.4 Use of THAB Zone

- SP 2.1 opposes the use of THAB zone and seek only single houses and single-storey houses.

Some parts of the PPC61 area are within the walkable catchment of planned FTN bus services on Jesmond Road, and it is desirable to support the efficient operation of those services by locating more dwellings in the catchment. In addition, the provision of more dwellings in this area reduces the land required to provide additional housing elsewhere. If those locations are more remote from frequent public transport services the result is an increase in the demand for private vehicle travel, particularly during peak hours. It is more difficult and expensive to provide for that private vehicle travel than to provide public transport services. The submission point is not supported.

## 7.3 Provision and Design of Roads and Other Transport Links

- SP 17.2 seeks that the roads and connections with neighbouring land to the south east be designed to provide better pedestrian access and connectivity to the rail station.
- SP22.20 seek the addition of provisions to provide connections from public transport routes, and local facilities including schools. It also seeks the provision of safe active mode facilities including the provision of rear access to sites that have frontage to roads with cycle facilities.

- SP22.26 seeks the confirmation and requirement of appropriate links to the east, west and north, and that these be identified in Precinct Plan 3.

As discussed earlier, the provision of road links between the PPC61 and adjoining land is important to provide sufficient connectivity and permeability, principally to support trips being made by active modes, but also to avoid trips being made on the external road network.

The masterplan for the development of the PPC61 area shows no links to adjoining land other than one collector road connection to the east, and this is inadequate. These submissions are supported to the extent that they request additional road connections to adjoining land.

Submission point 22.20 seeks that vehicular access to sites that have a cyclist facility across the frontage be from the rear. Where a cycle path is provided across the frontage of the site there is a significant risk of injury from a cyclist and a vehicle on a driveway colliding, unless the berm is very wide allowing the path to be a considerable distance from the boundary. The most effective way of addressing that risk is to restrict the number of driveways that cross a cycle path, and for all access to be via side roads and rear lanes instead. This is not required to the same extent where the cycle facility is an on-road cycle lane, and is difficult to achieve in some instances.

As other submissions, and the provisions as notified, require a cyclist facility to be provided on all collector roads, the standard sought by the submitter would result in no vehicle access being permitted from a collector road.

There may be instances where access from the rear may be difficult to achieve, or be undesirable, and suitable alternative solutions may exist. That aspect of the submission is supported to the extent that vehicular access across a cycle path on a collector or arterial road is made a Discretionary activity.

- SP22.16 seeks the east-west collector road align with the location shown in the DOPPSP.
- SP22.27 requests that the PPC61 collector road network is aligned with the provision of a direct link from Jesmond Road to the PPC51 Drury 2 Precinct Town Centre.

As noted earlier, some flexibility in the position of roads is desirable to respond to localised conditions, however, the need to link with the roading network outside the area is also important. It is possible that the site investigation work undertaken by the PPC61 team in this area is more detailed than the work undertaken by SGA, and this may have identified some site-specific constraints that would preclude the road being provided in the location shown on the DOPPSP. As a result, these submission points are supported unless evidence is provided that demonstrates the DOPPSP location cannot be constructed, in which case it is still necessary that this road to align with the collector road alignment to the east of Jesmond Rd.

- SP19.4 seeks the reference to a connection between the Collector Road and SH22 shown on the masterplan Connectivity Plan be removed.

The provision of pedestrian links between the PPC61 area and the active mode paths to be provided along Karaka Road in the future are desirable, although in the short term the provision of pedestrian access to the SH22 corridor in the absence of any pedestrian paths or crossing facilities could put pedestrians at significant risk. This point is supported prior to provision of the Karaka Road active mode paths, but provision for those links to be made as development occurs is important. The proposed provisions do not provide for vehicular access to Karaka Road. The masterplan does not form part of the proposed Provisions and has no statutory weight, and for that reason the submission point is not supported.

## 7.4 Precinct Provisions

Multiple submission points seek that various precinct provisions be amended, deleted, or retained. These submissions points are integrated into the consideration of the proposed provisions below.

## 8 Provisions

The plan change seeks to rezone land as shown on Map 1, supported by a few supporting maps and new Precinct Provisions.

### 8.1 Map 1

#### 8.1.1 Neighbourhood Centre Zone

Map 1 shows a large neighbourhood centre zone located in the western half of the site. If a centre zone is to be provided in this area, in my view it is important that it is in the eastern half of the site so it is within the walkable catchment of the FTN bus services proposed for Jesmond Road, and it should ideally be as close to Jesmond Road as possible so that the services and employment in the centre are as accessible as possible by public transport. This would require subsequent amendments to Map 3 Control: Height to relocate the height provisions to match the new zone location.

#### 8.1.2 Terraced Housing and Apartment Building Zone

Map 1 shows two areas of THAB zone. The rationale for the southern area fronting Karaka Road is substantially based on this area being within the walkable catchment of frequent public transport. That is not the case, and as a result the application of this zone to the southern area is not supported.

The northern THAB area extends across most of the northern half of the site, again based on the assumption that all this area would be within a walkable catchment of frequent public transport services. This is not the case for the western half of the site. In my view the THAB zoning should be confined to the eastern half of the site where it is within 500m of Jesmond Road and the proposed FTN bus services to be located there.

Unless precluded by other site-specific constraints, it would be desirable from a transport perspective for the north-eastern part of the site to also be zoned THAB to maximise the number of dwellings within the FTN walkable catchment.

## 8.2 Objectives

Nine precinct-specific objectives are proposed; however, most of the proposed objectives are not site-specific and are not considered essential for the adequate development of this area as the city-wide objectives are adequate.

### 8.2.1 Objective 2

*“Urban growth is based around the Southern Auckland Medical and Specialist Centre within the Neighbourhood Centre”*

This objective is not supported. The assessment provided with the plan change request is insufficient to demonstrate that a large medical centre can be accommodated by the infrastructure planned for this area. In addition, the establishment of such a centre is not guaranteed by the provisions, and in my view it should not be. The objective is not necessary and should be deleted.

### 8.2.2 Objective 3

*“Higher density residential and commercial development is enabled along primary transport corridors, public transport routes and around centres”.*

This objective is superfluous as the zoning pattern, if appropriately modified, would achieve this. If such an objective is retained it should refer to frequent rather than primary public transport routes, and not provide for higher density development along transport corridors and centres that are not serviced by frequent public transport.

“Higher density residential and commercial development is enabled ~~along primary transport corridors, close to frequent~~ public transport ~~stops routes and around centres~~”.

### 8.2.3 Objective 9

*“Subdivision and development (including infrastructure provision) is coordinated with the delivery of the transport, infrastructure and services required to provide for the development”.*

- SP 16.3 and SP25.2 support the retention of this Objective.

This objective, and the submission points calling for retention are supported.

### 8.2.4 Additional Objectives

- SP 22.5 seeks additional objectives and policies are added. This submission point is supported, and the following objectives are recommended.

*“Objective X. Subdivision and development efficiently services key locations by high quality public transport from the outset of development, minimises walk distances to public transport nodes and stops, mitigates barriers to safely accessing public transport, locates a variety of land uses to reduce travel distances and enables local trips by active modes.”*

- SP 22.11 seeks an additional objective addressing the safe and efficient operation of the key strategic routes supporting the plan change area.

Policy E27.3(1) requires development to manage adverse effects on the transport network, or to undertake improvements to the local transport network, except that the policy does not apply to development in the THAB zone. That is presumably because the THAB zone should only be located close to frequent public transport which is one method of integrating development with transport.

This submission point is supported to the extent that PPC61 as notified could generate adverse effects on the strategic transport network due to the THAB zone being located outside the FTN walkable catchment; however, if the extent of the THAB zone is amended as recommended elsewhere in this report, this additional objective is not considered necessary.

## 8.3 Policies

### 8.3.1 Policy 5

*Locate more intensive accommodation and commercial development opportunities adjacent to primary transport corridors, public transport routes and the neighbourhood centre.*

Like Objective 3, this policy is superfluous as the zoning pattern, if appropriately modified, would enable this outcome. If retained this policy should be modified.

Locate more intensive ~~accommodation residential~~ and commercial development opportunities adjacent to ~~primary transport corridors, frequent~~ public transport ~~stops routes and the neighbourhood centre~~.

### 8.3.2 Policy 10

*“Require subdivision and development to provide appropriate transport and other infrastructure capacity within the precinct and to provide connections to the adjoining road network in accordance with Precinct Plan 3”.*

- SP 16.5 and SP25.5 supports this policy.

This policy is supported, although it should also refer to the provision of upgraded infrastructure on the periphery of the precinct, such as the upgrading of Oira Road. The recommended wording is:

Require subdivision and development to provide appropriate transport and other infrastructure capacity within the precinct, on the periphery of the precinct, and to provide connections to the adjoining road network in accordance with Precinct Plan 3.

### 8.3.3 Additional Policies

- SP22.12 requests an additional policy addressing the management of adverse effects on the effective, efficient, and safe operation of Karaka Road (SH22) and Jesmond Road for all transport users through the application of vehicle access restrictions.

Vehicle Access Restrictions apply, and access is controlled, via standard E27.6.4.1 on any road classified as an Arterial Road. Karaka Road is currently classified as an Arterial.

As notified, vehicle access to Karaka Road and Jesmond Road is not permitted (aside from one exception) by proposed standard IXXX.6.5. Provided Jesmond Road is classified as an Arterial Road in the Unitary Plan (as sought in another submission point), and standard IXXX.6.5 continues to control access, this submission point is not supported.

## 8.4 Activity Tables

Several precinct-specific activity classifications are sought. With respect to transport, in my view the justification to provide precinct-specific classifications that are more permissive than the regional classifications is missing.

### 8.4.1 Table IXXX.4.1 Residential - Terrace House and Apartment Building Zone

#### THAB Activities A2 and A3 – Service Stations and Fast-Food Outlets

The table seeks that Service Stations and Fast-Food Outlets fronting State Highway 22 are Restricted Discretionary activities.

- SP 19.10, 19.11, 22.21 and 23.21 seek the removal of these rows and the associated matters of discretion and assessment criteria.

At present, Karaka Road (SH22) is a Limited Access Road, and standard IXXX.6.5 as notified does not permit vehicular access to Karaka Road. In the long term, once the Pukekohe Expressway is operational it is expected that the traffic volume on Karaka Road may diminish. It is not known if Karaka Road will remain a State Highway, or of that classification may be lifted. In any case, the provision of direct vehicle access to properties from Karaka Road is undesirable and should remain even if Karaka Road is no longer a State Highway.

Service station and fast-food activities could attract significant volumes to and from Karaka Road via side road access points located close to the Karaka Road intersections, and this is likely to be undesirable. It is important that Council has sufficient discretion to fully assess the impacts of any such proposal.

It is recommended that table rows (A2) and (A3) are deleted, and SP 19.10 and 19.11 are supported. If these rows are to be retained, they should refer to Karaka Road instead of State Highway 22, be relocated to a table that applies to all zones, and the activities should be Discretionary.

<del>(A2)</del>	<del>Service Stations fronting State Highway 22</del>	<del>RD</del>
<del>(A3)</del>	<del>Fast food outlet (including drive through facility) fronting SH22</del>	<del>RD</del>

#### THAB Activities A14 and A15 – Collector Roads

Rows (A14) and (A15) provide for the construction of a Collector Road identified on Precinct Plan 3 be a Permitted activity if it complies with Standard IXXX.6.6.3, and a Restricted Discretionary activity if it does not comply with the standard.

Rows (A10) and (A11) in Table IXXX.4.2 are the same, but for roads in the MHU zone.

It is essential that Council has sufficient discretion to adequately consider the detailed design and location of any road, so I do not support the activity classifications proposed.

In my view it would be appropriate for a Collector Road consistent with the Standard (when appropriately modified) to be a Restricted Discretionary activity, and for roads that do not comply to be a Discretionary activity. In some other precincts roads that are not in accordance with the relevant precinct plan are often a Non-Complying activity; however, in my view more detailed investigations that occur prior to subdivision and road construction often justify a better outcome can be achieved with a different arrangement, and an activity classification of Discretionary better enables such outcomes.

As proposed, these provisions are in the activity table for the THAB zone. It is recommended that these provisions be modified as follows:

(A14)	The construction of a Collector Road identified on Precinct Plan 3 that complies with Standard IXXX.6.3	<del>P</del> RD
(A15)	The construction of a Collector Road identified on Precinct Plan 3 that does not comply with Standard IXXX.6.3	<del>RD</del> D

#### THAB Activity A17 – Arterial Road Access

- SP19.12 and 22.10 support this provision as notified.

These submission points are supported. It is recommended that this provision be relocated to a precinct-wide activity table.

### 8.4.2 Table IXXX.4.2 Residential – Mixed Housing Urban Zone

#### MHU Activities A10 and A11 – Collector Roads.

See above.

#### MHU Activity A12 – Pedestrian and Cycle Paths

This proposed provision makes any pedestrian and cycle path a Permitted activity.

- SP19.13 supports this provision as notified.

E27.4.1 (A10) already makes any “Off-road pedestrian and cycling facilities” a permitted activity, so the proposed activity is not necessary and it is recommended it be removed to avoid duplication.

#### MHU Activity A13 – Arterial Road Access

- SP22.10 supports this provision as notified.

See above. This submission point is supported.

### 8.4.3 Table IXXX.4.3 Business – Neighbourhood Centre Zone

SP23.23 seeks the deletion of A1, A4, A5, A6, A7, A8, A9, A10, A11, A12 and A13

NC Activity A6 – Retail (excluding supermarkets) up to 3,500m<sup>2</sup> per site

- SP 23.23 seeks this row be deleted.

As there has been no assessment of the effect of these activities, this submission point is supported. It would be desirable for some small-scale convenience retail and commercial service activities to be permitted in the neighbourhood centre, but this is adequately addressed by the citywide provisions and no precinct-specific provisions are justified. This submission point is supported.

NC Activity A7 – Retail (excluding supermarkets) greater than 3,500m<sup>2</sup> per site

- SP 19.14 and 23.23 seek this row be deleted (SP 19.14 unless additional assessment of traffic effects of large format retail on the transport network is added).

As there has been no assessment of the effect of these activities, these submission points are supported.

NC Activity A8 – Medical and Specialist Facility

- SP 19.15 seeks this row be deleted unless additional assessment of traffic effects of these activities on the transport network is added.

As there has been no assessment of the effect of these activities, and there appears to be no site-specific characteristics that would justify a special approach for this precinct, this submission point is supported.

NC Activities A16 and A17 – Collector Roads.

See above.

NC Activity A18 – Pedestrian and Cycle Paths

See above.

NC Activity A19 – Arterial Road Access

See above.

### 8.4.4 Table IXXX.4.4 Open Space – Informal Recreation Zone

See above.

### 8.4.5 New Rows

Arterial Road Intersections

- SP 19.9 seeks the addition of an activity classification for all zones classifying any activity not in accordance with IXXX.6.8. Arterial Road Intersections to be a Non-Complying activity.

This submission point is supported and is addressed below with that standard.

## 8.5 Standards

### 8.5.1 Standard IXXX.6.3 Collector Roads

As notified, this standard requires collector roads to be provided as shown on Precinct Plan 3 and in a road cross-section.

- This provision is supported by SP 16.6
- SP22.13 seeks the provision of appropriate cross-sections and SP 22.17 seeks the deletion of the road cross-section diagram and provisions around the minimum road reserve widths, key design requirements, and functional requirements of new and existing roads.

The provision of collector roads in accordance with Precinct Plan 3, when appropriately modified, is supported. As set out earlier, the use of a precinct-specific cross-section is not supported, particularly the proposed cross-section which provide a range of widths as a minimum requirement.

SP 16.6 and SP22.13 are not supported. SP22.17 is supported.

### 8.5.2 Standard IXXX.6.5 Arterial Road Access.

As notified this standard controls vehicle access onto Jesmond Road and State Highway 22.

- (1) *No road intersections shall be permitted directly onto Jesmond Road except for the proposed collector road as indicated on Precinct Plan 3.*
- (2) *No private vehicle access from any property shall be permitted directly onto Jesmond Road, except for one vehicle access located to the south of the Protected Stream identified on Precinct Plan 2.*
- (3) *No road intersections or private vehicle access from any property shall be permitted directly onto State Highway 22.*

- This standard is supported by SP 16.7 and SP 22.10. SP 19.17 seeks the retention of part (3)

The area south of the stream identified on Precinct Plan 2 is approximately 7,500m<sup>2</sup> in area and is intended to be zoned THAB. That land may be able to accommodate a sizeable development, and it may be appropriate for that land to be accessed by a local street instead of a private vehicle access, so the standard would ideally provide for either outcome.

To provide for the possibility that Karaka Road may no longer be a State Highway in the future, it is recommended that the standard refer to Karaka Road rather than State Highway 22.

The recommended wording is as follows:

- (1) No road intersections or private vehicle access shall be permitted directly onto Jesmond Road except for the ~~proposed~~ collector road as indicated on Precinct Plan 3 and either one local road or one private vehicle access located to the south of the Protected Stream identified on Precinct Plan 2.
- ~~(2) No private vehicle access from any property shall be permitted directly onto Jesmond Road, except for one vehicle access located to the south of the Protected Stream identified on Precinct Plan 2.~~



- (3) No road intersections or private vehicle access from any property shall be permitted directly onto State Highway 22 Karaka Road.

### 8.5.3 Standard IXXX.6.8 Arterial Road Intersections

As notified, this standard is intended to provide for staged implementation linked to the provision of transport infrastructure.

*Purpose:*

- *Assess the performance of the SH22/Oira Road and SH22/Jesmond Road intersections after 2,000 dwellings have been consented within Waipupuke Precinct.*

*(1) A restricted discretionary resource consent application shall be required under this standard for any residential dwelling resource consent application after 2,000 residential dwellings have been consented within Waipupuke Precinct.*

*(2) This standard shall not apply if the following transport upgrades are provided prior to the 2,000 residential dwelling number being reached within Waipupuke Precinct:*

- a. Oira Road widening and SH22 intersection upgrade.*
- b. Jesmond Road widening and SH22 intersection upgrade.*
- c. SH22 improvements*
- d. Jesmond Road Extension*
- e. Drury West rail station construction*
- f. Rail network upgrade*
- g. Bremner Road works*
- h. Pukekohe Expressway*

- SP 16.8 by MoE seeks to remove part (2) on the basis that there would still be a need for intersection analysis when more than 2000 dwellings are proposed.
- SP19.18 seeks that the standard be amended to reflect appropriate triggers as per the wording suggested by NZTA on the basis that development other than dwellings would generate traffic, that the Jesmond Road/ Karaka Road intersection is close to capacity, and that intersection should also be included in the standard. The wording of this standard proposed by NZTA is:

*Purpose:*

*- To ensure the ongoing safe and efficient functioning of the transport network.*

- 1) No subdivision or development shall occur prior to the following infrastructure being provided (unless an alternative solution has been agreed with Waka Kotahi):*
  - a. The intersection of Oira Road and State Highway 22 being upgraded to a two-lane roundabout;*
  - b. The intersection of Jesmond Road and State Highway 22 being upgraded with a two-lane roundabout with approach lanes, or traffic signals (including approach lanes) where the posted speed limit supports their implementation to provide a safety and capacity solution*
- 2) No subdivision or development within the area defined as 'Stage 3' of the Masterplan shall occur prior to the following infrastructure being provided (unless an alternative solution has been agreed with Waka Kotahi)*
  - a. The Upgrade of State Highway 22, including separate walking and cycling infrastructure, from Oira Road to Jesmond Road.*
- 3) No more than 2,000 dwellings shall be constructed before the following transport upgrades have been implemented:*

- a. *Oira Road widening and SH22 intersection upgrade.*
- b. *Jesmond Road widening and SH22 intersection upgrade.*
- c. *SH22 improvements*
- d. *Jesmond Road Extension*
- e. *Drury West rail station construction*
- f. *Rail network upgrade*
- g. *Bremner Road works*
- h. *Pukekohe Expressway*

As discussed earlier, the PPC61 TA assessment does not provide sufficient evidence to support the figure of 2000 dwellings being an appropriate threshold for the capacity of the Karaka Road/ Oira Road intersection, or indeed any other part of the road network. It is possible, although not yet proven, that the transport network may be able to accommodate that number of dwellings, or more, once the Pukekohe Expressway is operational, however, that is not expected to occur within the current 10-year planning horizon.

In addition, the non-residential activities would generate traffic, and other development in Oira Road could also generate traffic and reduce the capacity of this intersection to accommodate development within PPC61.

While development of the PPC61 area may commence from Oira Road, it could potentially also be accessed from Jesmond Road, and any staging provisions also need to include the Karaka Road / Jesmond Road intersection.

As noted elsewhere, this standard does not require the Karaka Road/ Oira Road roundabout or the Karaka Road/ Jesmond Road traffic signals to be operational.

The standard is not referenced in the proposed activity tables.

As notified, the proposed provision is inappropriate and would need to be modified.

SP 16.8 is of the view that an assessment of the Karaka Road/ Jesmond Road intersection would be required in any case. To the extent that PPC61 proposes significantly more yield than assumed for the design of this intersection, that point is supported.

The alternate wording proposed by NZTA in SP19.18 is supported in part. The alternate purpose is supported, as is the inclusion of an upgrade to the Karaka Road/ Jesmond Road intersection. The threshold of 2000 dwellings is not supported, and it is recommended that the description of the required infrastructure is made more explicit. The masterplan provided with the PPC61 material is not a part of the Provisions and should not be referenced in the provisions. In addition, the NZTA wording could enable this standard to be circumvented by agreeing an alternate solution with NZTA which may not be fully compatible with Council's function as the consenting authority. It is recommended that the alternate solutions be provided for through a consent process.

Other submission points seek the early availability of, and access to, public transport services to avoid residents relying on private vehicle travel. As notified the standard would allow for substantial residential development to occur prior to the availability of any public transport services, and this is undesirable for a development area predicated upon transit-oriented design and a high standard of access to public transport. For that reason, it is recommended that the development of the precinct be constrained until public transport services are not available; however, it seems reasonable to allow for a limited amount of development to proceed without public transport being available. An arbitrary value of 500 dwellings seems like a reasonable compromise.

It also seems reasonable to provide for some non-residential activity in the precinct, particularly as such activity may provide goods and services to local residents and reduce the demand for travel; however, given the potential for non-residential activities to generate high levels of vehicular traffic, some control is warranted.

The following wording is recommended for this standard, in addition to adding rows to the relevant activity tables to make a proposal not complying with the standard being a Non-Complying Activity.

Purpose:

- To integrate development with the provision of transport infrastructure to ensure the ongoing safe and efficient functioning of the transport network.
1. No subdivision or development with vehicular access to Oira Road shall occur prior to the provision of a two-lane roundabout with approach lanes at the intersection of Oira Road and Karaka Road and the upgrading of Oira Road to an urban collector standard along the frontage of the PPC61 area;
  2. No subdivision or development with vehicular access to Jesmond Road shall occur prior to the intersection of Karaka Road and Jesmond Road being controlled by either a two-lane roundabout with approach lanes; or traffic signals with three approach lanes and two departure lanes on each road.
  3. No subdivision or development providing for non-residential activities generating more than 100 external vehicle movements per hour or more than 500 dwellings total within the precinct shall occur prior to all the following infrastructure being provided:
    - a. Passenger rail services at the Drury West rail station with vehicular and pedestrian access links from Karaka Road
    - b. Frequent bus services along Jesmond Road
  4. No subdivision or development providing for non-residential activities generating more than 200 external vehicle movements per hour or more than 1000 dwellings total within the precinct shall occur prior to all the following infrastructure being provided:
    - a. Four vehicle lanes and separate walking and cycling infrastructure on Karaka Road between Oira Road and Jesmond Road.

In the event additional evidence is provided demonstrating a greater level of development could be accommodated, for example once the Pukekohe Expressway is operational, it may be desirable to add the following provision:

5. *No subdivision or development providing for more than 2000 dwellings within the precinct shall occur prior to the Pukekohe Expressway being provided.*

The following row should be added to the relevant activity table(s) to give effect to this standard.

(AXX)	Infringement of Standard IXXX.6.8 – Arterial Road Intersections	NC
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### 8.6 Precinct Plan 3

As notified, Precinct Plan 3 – transport shows the location and extent of the Collector Road network.

- SP 22.13 seeks the addition of vehicle access restrictions along Karaka Road and Jesmond to Precinct Plan 3.

That point is supported.

As noted earlier, other submission points (17.2, 19.4, 22.16, 22.20, 22.27, and 22.36) request changes that could be or should be reflected on a modified PP3, and other changes are considered desirable from a transport perspective.

It is recommended that the following changes are made to PP3:

- The northern east-west collector road alignment is made consistent with the DOPPSP location, unless evidence is provided that the DOPPSP location is not possible.
- The continuation of the northern east-west collector road east of Jesmond Road is shown.
- The southern east-west collector is deleted
- The north-south collector road is either:
  - deleted; or
  - is moved to be centred between Oira Road and Jesmond Road, extended to the adjoining land to the north, and terminate at the southern east-west collector road (if that road remains).
- Areas where vehicle access is restricted along Karaka Road and Jesmond Road are shown.
- The need to provide multiple local street connections to adjoining land is shown (if not otherwise

## 8.7 Matters of Discretion and Assessment Criteria

Some changes to the notified matters of discretion and assessment criteria are necessary to reflect other changes recommended above.

### IXXX.7 Assessment – Restricted Discretionary Activities

#### IXXX.7.1 Matters of discretion

The Council will restrict its discretion to all 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 zone, overlay or Auckland wide provisions:

It is recommended the precinct-specific provisions for service stations and fast-food outlets are deleted so those activities are subject to the city-wide provisions

- ~~(1) Service Station and Fast Food (including drive through facilities) fronting State Highway 22~~
  - ~~a. Traffic and transport including access, manoeuvring, loading, road capacity, safety, trip movements and parking~~
  - ~~b. Hazardous substance transport, storage and use~~
  - ~~c. Functional requirements of the service station and ancillary activities~~
  - ~~d. Safety and efficiency of SH22 operation~~
  - ~~e. Pedestrian and cyclist safety~~
  - ~~f. Residential amenity on adjoining or nearby sites~~

It is recommended additional matters of discretion are included for Collector Roads

- (4) Construction Provision of a Collector Road that does not comply with Standard IXXX.6.3
  - a. Alternative Locations for the and alignments of Collector roads

- b. Alternative eCross sections for the Collector roads
- c. Connections with the wider road network
- d. Connections with adjoining land

It is recommended that matters of discretion are restricted for proposals that comply with standard IXXX.6.8 to ensure that the transport network operates adequately. Proposals that do not comply with the standard are recommended to be Discretionary activities (or potentially Non-Complying). Changes are recommended for consistency with other parts of the AUP.

(13) Arterial Road Intersections

- ~~a. Traffic network efficiency and functionality~~ Effects on the transport network
- ~~b. Trip generation and traffic volumes~~ Connectivity, safety, efficiency and amenity for pedestrians and other active modes, including to public transport services
- ~~c. Road and intersection performance~~
- ~~d. Available travel modes~~
- ~~e. Travel Demand management~~
- ~~f. Transport Improvements~~

**IXXX.7.2 Assessment criteria**

The Council will consider the relevant assessment criteria identified below for restricted discretionary activities, in addition to the assessment criteria specified for assessment of the relevant restricted discretionary activities in the zone, Auckland wide or overlay provisions.

- ~~(1) Service Station and Fast Food (including drive through facilities) fronting State Highway 22~~
  - ~~a. The effects of the design and location of parking areas and vehicle access and servicing arrangements on visual amenity of the streetscape and on pedestrian safety.~~
  - ~~b. Measures proposed to ensure vehicle, truck, cyclist and pedestrian safety.~~
  - ~~c. The extent to which safe and efficient loading and unloading is provided for.~~
  - ~~d. Measures proposed to ensure safe and efficient hazardous substance transport, storage and use.~~
  - ~~e. Measures to mitigate effects on residential neighbours including sufficient separation distances, boundary landscaping, screening of outdoor storage and refuse areas and boundary fencing.~~

(4) Construction of a Collector Road that does not comply with Standard IXXX.6.3

- a. The extent to which the alternative location achieves a safe and efficient road network within the Precinct.
- b. The extent to which the road network connects with external roads in a safe and efficient manner.
- c. The design of intersections with the external road network.
- d. The extent to which the capacity of the collector road sufficiently provides for vehicles, roads, rain gardens, on street parking, pedestrians, cyclists, trees and vegetation and infrastructure.
- e. The extent to which the proposed roads satisfy suitable safety audit requirements.
- f. The extent to which the roads connect with adjoining land

(13) Arterial Road Intersections

- ~~a. Additional traffic numbers and directional movements at SH22/Oira Road and SH22/Jesmond Road intersections~~

- ~~b. Levels of Service for the above intersections~~
- ~~c. Any Travel Demand Management measures proposed~~
- ~~d. Rooding/Transport improvements planned or proposed~~
- ~~e. Alternative travel modes available~~
- a. the extent to which the proposal and its access arrangements have an adverse effect on the effective, efficient, and safe operation of the transport network, particularly at peak times, including:
  - the safety of pedestrians and cyclists;
  - amenity for pedestrians and cyclists; and
  - the operation of public transport services and related infrastructure.
- b. the implementation of mitigation measures proposed to address adverse effects which may include measures such as travel planning, providing alternatives to private vehicle trips including accessibility to public transport, staging development, or contributing to improvements to the local transport network;
- c. the trip characteristics of the proposed activity

## 8.8 Other Parts of the Unitary Plan

- SP 22.14 seeks the identification of Jesmond Road as an Arterial Road on the planning maps when it is upgraded.

This submission point is supported.

## 9 Conclusion

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The Drury area is expected to experience significant change through the next few decades because of a change from a rural environment to an intensively developed urban environment.

The development of the area has been planned and assessed through the DOSP process, and transport infrastructure required to support development of the area has been identified. While some of the required infrastructure has committed funding, other projects are currently not funded and the delivery of those projects is uncertain.

Improvements to the rail network and services have committed funding. Route protection processes (NoRs) for some roading projects, including the widening of Karaka Road and Jesmond Road, are underway but those projects do not have funding and the timeframe for delivery is uncertain.

The Pukekohe Expressway, required to allow the full urbanisation of Karaka Road is not funded, and the timeframe for delivery of this road is uncertain. Future bus public transport services are not funded.

PPC61 is not consistent with the NPS-UD or the RPS.

The plan change could be substantially improved and made more consistent with policy if the zones enabling more intensive development were located exclusively within 500m of Jesmond Road, although issues around the availability of infrastructure would remain. These may be capable of being dealt with by staging and sequencing provisions in conjunction with suitable funding arrangements.

The proposed road network does not provide adequate connections to adjoining land to facilitate connections to public transport services and a permeable well-connected network. It is capable of being modified to a more appropriate form with suitable provisions.

The plan change proposes the enabling of up to three times the yield allowed for in the DOPPSP ITA analysis, although the yield would be reduced to some extent by confining the more intensive zones to the eastern part of the area. The plan change documentation states the capacity of the road network is fixed and could not accommodate the level of development proposed with the remainder of the DOSP developed. The documentation suggests that all the additional travel demand could be accommodated by the public transport network; however, that would require an unprecedented level of public transport use by development located remote from public transport services, and that premise is not accepted.

One staging provision is proposed in the notified provisions, and that does not provide for an adequate staging and sequencing outcome, and there is insufficient evidence to robustly determine appropriate staging thresholds or triggers; however, some recommended thresholds are provided. Given the caveats around staging thresholds and conditions contained in the Auckland Council submission, it is not known if any suitable staging provisions could be derived.

To conclude, the applicant has not adequately assessed the effects of the plan change on the transport environment. The plan change is not consistent with national or regional policy.

I am unable to support the plan change as notified.

I could support the plan change if it were modified as follows and additional analysis and evidence was provided to demonstrate that the modified proposal could be accommodated by the road network:

- a) The yield was substantially reduced to be in line with the DOPPSP ITA projections
- b) The more intensive zones were exclusively in the eastern half of the land close to the FTN network
- c) Development of the land was sequenced to be integrated with the provision of arterial road infrastructure and public transport services
- d) The collector road network was modified (realigned and with connections to adjoining land)
- e) The local street network was widely connected to adjoining land
- f) Appropriate modifications were made to the precinct provisions as set out in the body of this report.

## Appendix A

### Curriculum Vitae

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Wes Edwards is Managing Director of Arrive Limited, a specialist traffic engineering and transportation planning practice he founded in 2002. Wes specialises in assessing the transport implications of projects, integrating transport with planning and urban design, and the master-planning and design of residential streets and suburbs, particularly in relation to liveable neighbourhoods, and has participated in providing for over 14,000 new dwellings over the past 12 years.

Wes has 36 years engineering experience with over 29 of those as a traffic specialist in local authorities and independent consulting companies working on a wide range of engagements including, strategic structure plans, plan changes, notices of requirement, residential areas, infrastructure projects, and commercial developments.

Wes has served as an expert witness in mediations, council hearings, arbitrations, tribunals, EPA Board of Inquiry, Environment Court, District Court, and High Court. He has completed the Ministry for the Environment *Making Good Decisions* programme.

### Qualifications

- Chartered Professional Engineer
- International Professional (APEC) Engineer
- Bachelor of Engineering (Civil)
- New Zealand Certificate in Engineering (Civil)
- KiwiRail Level Crossing Safety Impact Assessor
- New Zealand Transport Agency Site Traffic Management Specialist (L2/3-NP)

### Associations

- Chartered Member of Engineering New Zealand
- Member of Institute of Transportation Engineers (USA)
- Member of Association of Consulting and Engineering, New Zealand.

### Specialisations

- Strategic transportation inputs into structure plans, and plan changes
- Traffic Impact Assessments and Integrated Transportation Assessments
- Street and street network design, particularly for liveable residential neighbourhoods
- Computer modelling of traffic networks and intersections
- Design of infrastructure such as roundabouts, traffic signals, parking areas, and streets
- Analysis of crash data, road safety improvements, road safety audits, crash investigations
- Preparation and presentation of expert evidence in traffic engineering

### Experience

#### Plan Changes, Masterplans, Structure Plans, District Plans, Notices of Requirement

Wes has participated in master planning of over 14,000 homes plus several retirement villages, town centres, business parks, and industrial developments, for a variety of private and government clients, including providing advice to Councils with respect to proposed plan changes and subdivision consents. He has also been involved in several Notice of Requirement processes and in the preparation of District Plans.



Project	Client	Scale	Period
AT Designation Lincoln Rd	Auckland Council	Road widening designation	2021
Plan Change, Schnapper Rock	Auckland Council	Residential, 4.0 ha	2020-21
PC43 McLaughlins Quarry	Auckland Council	Industrial, 24.9ha	2020-21
NoR KiwiRail Wiri – Quay Park	Auckland Council	Rail corridor widening designation	2020-21
NoR NZTA SH1 Warkworth	Middle Hill*	Road widening designation	2019-21
PC45 Clevedon-Kawakawa Rd	Auckland Council	Countryside Living, 9.9 ha	2019-21
PC55 Patumahoe	Auckland Council	Residential, Industrial, 34.5ha	2019-21
PC25 Warkworth North	Middle Hill*	Residential, business, centre, 99ha	2019-21
NoR NZTA East-West Link	Submitter*	New road designation	2017
Springfield (East Tamaki)	Stride Property	5.2ha light industrial	2016-17
SHA Plan Variation, Paerata Rise	Grafton Downs	294ha, 5000 homes, town centre	2013-19
Plan Change Snells Beach	Auckland Council	7.9ha residential	2013-15
Waipa Proposed District Plan	Waipa District Council	Rezoning near Hamilton Airport	2012
NoR NZTA SH1 Whangarei	Whangarei District Council*	Road widening designation	2010-15
Plan Change Hingaia 1b	Landowners	600 homes	2009-11
Plan Change Kingseat Village	Landowners	5000 population village.	2009-11
Subdivision, Waiata Shores	Fletcher Residential	500 homes	2011-17
Plan Change Waterside	Trans-Tasman Properties	26ha business park	2008-09
Plan Changes Pokeno Village	Pokeno Village Holdings	5900 population, 1880 jobs	2007-21
Plan Change Belmont	Landowners	600 homes and school	2007-10
East Urban Lands (Taupo)	Taupo District Council	2000 homes, town centre	2007-09
Plan Change McLennan	Housing New Zealand	450 homes and school	2006-07
Kohimarama Retirement	Landowners	200 retirement units	2006-08
Subdivision Anselmi Ridge	McConnell Property	500 homes	2005-08
Plan Change Addison	McConnell Property	1500 homes, town centre.	2005-17
Plan Change Cosgrave	Landowners	800 homes	2004-08
Plan Change Kirikiri	Landowners	500 homes	2004-08
Plan Change Hingaia 1a	Landowners	1300 homes, shopping centre	2003-06

\*Environment Court / Land Valuation Tribunal / Board of Inquiry

## Appendix B

# Summary of Recommended Responses to Submissions

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Submitter	Point	Summary	Comment	Recommendation
2. Song Wanping	2.1	Oppose Terraced Housing and Apartment Building zone. Only allow single houses and single storey houses.	Zoning that enables denser development close to rapid and frequent public transport is important and consistent with the NPS-UD	Reject
5. Watercare Services Limited	5.1	(a) Amend Objective 9 as follows: (9) Subdivision and development (including infrastructure provision) is coordinated with, and does not precede, the delivery of the transport, infrastructure and <u>water and wastewater services</u> required to provide for the development.	The staging of development in accordance with the infrastructure required to accommodate it is important	Support
9. Soco Homes Limited	9.1	PC61 to be amended to address the issues outlined in its submission.  Decline the plan change unless proper consideration is given to the wider context of the Drury Structure Plan area, including transport grid links and servicing infrastructure connections.  Additional information and clarification is needed, particularly around the impacts of the proposed transport and infrastructure networks on the surrounding area.	The plan change seeks significantly higher yields than expected by the DOPPSP ITA without providing additional infrastructure, and provides insufficient evidence of effects.  That may require development in other parts of the DOSP to be curtailed	Support
10. Katherine Grace de Courcy and Robert Russell Maunganui Smith	10.1	Decline the plan change in its entirety. The infrastructure required to service the development such as an upgrade to Jesmond Road is not in place, and may be several years away.	The staging of development in accordance with the infrastructure required to accommodate it is important	Support
11. Linqi Wang	11.1	The proposed PC61 zoning should be amended to be consistent with the Drury-Opakeke Structure Plan: - Less THAB and more MHU - More uniform THAB zone - THAB zone surrounded by MHU zone before transitioning to MHS	The plan change seeks significantly higher yields than expected by the DOPPSP ITA without providing additional infrastructure, and provides insufficient evidence of effects.  The zones enabling more intensive development are proposed outside the walkable catchment of frequent public transport.	Support
	11.2	Remove the 2 ha proposed zoning for Business: Neighbourhood Centre and instead zone it MHU	The zoned area is large for a neighbourhood centre and is proposed outside the walkable catchment of frequent public transport. This could be addressed in part by locating the centre closer to Jesmond Road	Support in part
	11.4	Transport infrastructure funding and delivery of the roading upgrades should be addressed prior to approval of PC61.	The staging of development in accordance with the infrastructure required to accommodate it is important	Support
	11.5	A review of infrastructure capacity is required given the higher densities proposed in PC61 relative to that envisaged in the structure plan.	The plan change seeks significantly higher yields than expected by the DOPPSP ITA without providing additional infrastructure, and provides insufficient evidence of effects.	Support
15. The Te Henga Family Trust	15.1	Decline the plan change in its entirety. Should be a Council led plan change for consistency and clarity in outcome for the Drury/Opakeke area. Infrastructure and	The staging of development in accordance with the infrastructure required to accommodate it is important	Support in part

Submitter	Point	Summary	Comment	Recommendation
		services required for the development should be appropriately funded and delivered prior to approval of plan change.		
16. Ministry of Education	16.3	The following provision in the proposed Waipupuke Precinct is supported: Objective IXXX.2 (9)	This objective seeks that development is co-ordinated with the delivery of infrastructure	Support
	16.5	The following provision in the proposed Waipupuke Precinct is supported: Policy IXXX.3 (10)	This policy requires connections to the road network, but amendments are recommended	Support in part
	16.6	The following provision in the proposed Waipupuke Precinct is supported: Permitted Activity Standard: IXXX.6.3 Collector Roads	The use of a precinct-specific road cross-section is not supported	Support in part
	16.7	The following provision in the proposed Waipupuke Precinct is supported: Permitted Activity Standard IXXX.6.5 Arterial Road Access.	Amendments to this standard are recommended	Support in part
	16.8	Amendment is sought on the following provision in the Waipupuke Precinct: Permitted Activity Standard IXXX.6.8 Arterial Road Intersections (change is shown as <del>strikethrough</del> ).	It is recommended that the standard be amended, but in a different form than proposed by the submitter	Support in part
		<del>(2) This standard shall not apply if the following transport upgrades are provided prior to the 2,000 residential dwelling number being reached within Waipupuke Precinct:</del>		
		<del>a. Oira Road widening and SH22 intersection upgrade.</del>		
		<del>b. Jesmond Road widening and SH22 intersection upgrade.</del>		
		<del>c. SH22 improvements</del>		
		<del>d. Jesmond Road Extension</del>		
		<del>e. Drury West rail station construction</del>		
		<del>f. Rail network upgrade</del>		
		<del>g. Bremner Road works</del>		
		<del>h. Pukekohe Expressway</del>		
17. Ministry of Housing and Urban Development (HUD)	17.1	Increase the extent of the THAB so that it also includes also all of the stage 2 (Superlot Overlay - Masterplan prepared by Buchan) area currently proposed for MHU.	Zones enabling higher density should be located within the FTN walkable catchment. Almost none of the Stage 2 area is in the FTN catchment	Reject
	17.2	The road layouts and connections with the neighbouring land at the corner of Jesmond Road and SH22 should be designed to provide better pedestrian access and connectivity to the location of the planned rail station.	Better connectivity to neighbouring land is required	Support
18. Elly S Pan	18.1	In its current form, decline the plan change in its entirety. PC61 needs to address its effects on surrounding properties in terms of required infrastructure upgrades which has no clear funding mechanism. The downstream effects of development needs consideration and consultation with affected landowners as there are no means to ensure infrastructure is in place before the levels of demand degrade service performance.	The plan change seeks significantly higher yields than expected by the DOPSP ITA without providing additional infrastructure, and provides insufficient evidence of effects.  The staging of development in accordance with the infrastructure required to accommodate it is important	Support
19. NZ Transport Agency (Waka kotahi)	19.1	Support the levels of residential density consistent with the Drury-Opaheke Structure Plan, subject to the specific amendments and relief sought in the NZTA submission.	The DOSP shows higher density only within the walkable catchment of the FTN.  Some of the proposed amendments are supported and in some cases alternate amendments are recommended	Support in part

Submitter	Point	Summary	Comment	Recommendation
	19.2	Amend PC61 to provide clarity over staging of development and any associated triggers for staging. In particular, Stage 3 should be developed in conjunction with the Upgrade of State Highway 22 and associated walking and cycling facilities, as well as the Drury West station. A proposed suite of infrastructure triggers is proposed in Attachment 1 to the NZTA submission.	The staging of development in accordance with the infrastructure required to accommodate it is important.	Support in part
	19.3	Retain reference to setback along State Highway 22 in the Connectivity Plan in the Masterplan prepared by Buchan.	Alternative amendments are recommended. The masterplan has no statutory relevance. Allowance for road widening is addressed by the NoR process.	Reject.
	19.4	In the Connectivity Plan in the Masterplan prepared by Buchan, remove reference to a connection between the Collector Road and State Highway 22.	The masterplan has no statutory relevance. Provisions do not permit vehicle access to Karaka Road and a road connection is not shown on Precinct Plan 3. It is recommended that Precinct Plan 3 be amended to show no vehicle access to Karaka Road	Support in part
	19.9	Add a new non-complying activity reference in all Zones as follows: <u>(AXX) Any activity not in accordance with Standard IXXX.6.8 Arterial Road Intersections</u>	An activity reference to the standard is required	Support
	19.10	Delete Activity A2 (service stations) from Table IXXX.4.1	There is inadequate justification for a precinct-specific standard	Support
	19.11	Delete Activity A3 (fast food outlets) from Table IXXX.4.1	There is inadequate justification for a precinct-specific standard	Support
	19.12	Retain the following provision as notified: A17 – Infringement of Standard IXXX.6.5 – Arterial Road Access in Table IXXX.4.1 Residential -Terrace House and Apartment Building Zone	The provision is appropriate, although it is recommended it be relocated to a precinct-wide table to avoid duplication	Support in part
	19.13	Retain the following provision as notified: A12 – Infringement of Standard IXXX.6.5 – Arterial Road Access in Table IXXX.4.2 Residential -Mixed Housing Urban Zone	The provision is appropriate, although it is recommended it be relocated to a precinct-wide table to avoid duplication	Support in part
	19.14	Delete Activity A6 (Retail (excluding supermarkets) greater than 3,500m2 GFA per site) from Table IXXX.4.3 unless additional assessment as to the traffic effects of large format retail on the transport network is provided.	There is inadequate justification for a precinct-specific standard	Support
	19.15	Delete Activity A8 (Medical and Specialist Facility) from Table IXXX.4.3 unless additional assessment as to the traffic effects of these additional activities on the transport network.	There is inadequate justification for a precinct-specific standard	Support
	19.16	Delete Rule IXXX.5 (Notification) in the proposed Waipupuke Precinct.	There is inadequate justification for a precinct-specific standard	Support
	19.17	Retain Rule IXXX.6.5(3)- Arterial Road Access in the proposed Waipupuke Precinct	It is recommended part (3) refer to Karaka Road rather than SH22	Support in part
	19.18	Amend Standard IXXX.6.8 (Arterial Road Intersections) to reflect the appropriate triggers, as identified in the ITA and in the suggested wording included as Attachment 1 of NZTA's submission.	This standard requires amendment to reflect appropriate triggers.	Support in part
	19.19	Insert activity controls as per attachment 2 of NZTA's submission.	Alternative amendments are recommended Alternative amendments are recommended	Support in part

Submitter	Point	Summary	Comment	Recommendation
20. Kāinga Ora – Homes and Communities	20.1	Kāinga Ora seeks the retention of the proposed zoning and the layout in the spatial extent of the Proposed Waipupuke Precinct.	The plan change seeks significantly higher yields than expected by the DOPPSP ITA without providing additional infrastructure, and provides insufficient evidence of effects.	Reject
	20.3	Kāinga Ora submit that it is appropriate for the land indicated in Attachment 1 of its submission to be included as part of PC61, and to be zoned Residential – Terrace Housing and Apartment Buildings (‘THAB’) in accordance with the Drury-Opaheke Structure Plan. For the avoidance of doubt, that land comprises the following: 16 Jesmond Road, Drury; 64 Jesmond Road, Drury; 54 Jesmond Road, Drury; and 84 Jesmond Road, Drury.	Zones enabling higher density should be located within the FTN walkable catchment. There is insufficient evidence to demonstrate the effect of additional land development on the transport network.	Reject
	20.4	The land situated at 85 Jesmond Road is owned by Kāinga Ora, which is opposite the spatial extent of the proposed precinct’s interface with Jesmond Road. Additional traffic generation and consequential effects on the existing transport will therefore have an effect on future development in the wider area. Kāinga Ora seeks clarification and/or amendments to the proposed Waipupuke Precinct Provisions to ensure that any localised traffic effects that may require certain upgrades to the roading network, are sufficiently acknowledged within respective Precincts and equitably distributed to ensure that individual developers are not burdened with sole-responsibility for necessary network upgrades.	The plan change seeks significantly higher yields than expected by the DOPPSP ITA without providing additional infrastructure, and provides insufficient evidence of effects.	Supported in part
	20.5	It would appear that the provisions of the proposed Waipupuke Precinct as-notified enables development of up to 2,000 dwellings to occur without any upgrade to the Oira Road intersection with SH22. The supporting Commute report however states that this intersection needs to be upgraded prior to any development within Waipupuke. Therefore, Kāinga Ora seeks amendment to IXX 6.8 to ensure that all necessary upgrades to the existing road network are accounted for, and clearly related to any necessary thresholds and/or timeframes.	Appropriate staging provisions are required. The evidence for the proposed staging triggers is inadequate. Alternative amendments are recommended	Support in part
	20.6	Kāinga Ora submits that limited notification is appropriate for the following activities and seeks that the limited notification exclusion (at least) does not apply to: alternative collector road locations (x.4.1 (A15)), (x.4.2 (A11)), (x.4.3 (A17)); Community Centres and Halls (x.4.4 (A1)), Clubrooms (x.4.4 (A3)) and Recreation Facilities (x.4.4 (A5)).	It is important that the collector road network is properly integrated with the surrounding road network.	Reject
21. Karaka and Drury Limited	21.1	PC61 be approved as notified. The submitter does not support any changes being made to PPC 61 as notified, to the extent that such changes may impact on the quality of planning outcomes that the submitter seeks to achieve for Drury West, or the timing of when those outcomes can be delivered.	The plan change seeks significantly higher yields than expected by the DOPPSP ITA without providing additional infrastructure, and provides insufficient evidence of effects. The plan change is inconsistent with national and regional policy	Reject
22. Auckland Transport	22.1	Decline PPC 61 unless the reasons for this submission, as outlined in the main body of this submission and in this table, including Auckland Transport’s concerns about	The plan change seeks significantly higher yields than expected by the DOPPSP ITA without providing	Support

Submitter	Point Summary	Comment	Recommendation
	transport infrastructure and services funding deficit, are appropriately addressed and resolved. If PPC 61 is not declined, there is a need to consider a range of mitigation methods including the potential deferral of development or a review and implementation of land development staging to ensure co-ordination and alignment with the required transport network mitigation.	The staging of development in accordance with the infrastructure required to accommodate it is important	additional infrastructure, and provides insufficient evidence of effects.
22.2	Decline PPC 61 unless Auckland Transport's concerns are addressed and resolved including the funding of transport infrastructure and services. If PPC 61 is not declined, there is a need to consider a range of mitigation methods including the potential deferral or review of land development staging to ensure co-ordination and alignment with the required transport network mitigation.	The staging of development in accordance with the infrastructure required to accommodate it is important	Support
22.3	Amend PPC 61 to incorporate provisions and / or mechanisms which address the following in relation to the upgrade of Oira Road, State Highway 22 / Karaka Road and Jesmond Road: <ul style="list-style-type: none"> <li>• Vesting and formation of frontage, drainage and carriageway upgrades</li> <li>• Timing of upgrade requirements</li> <li>• Funding and delivery of the above work.</li> </ul>	Amendments are required. Alternate amendments are recommended	Support in part
22.4	Decline PPC 61 on the basis that the area is not giving effect to the Regional Policy Statement (RPS) or alternatively reconcile the discrepancy between the relevant RPS provisions (B2.2.1 Objective 2 and B2.2.2 Policy 4) and the Drury – Opāheke Structure Plan in the context of statutory regional planning guidance on future urban zones in Auckland.	The plan change is inconsistent with national and regional policy	Support
22.5	Amend PPC 61 to incorporate amended and/or additional objectives and policies to address the application of transport and land use integration principles including: <ul style="list-style-type: none"> <li>• efficiently servicing key origins/destinations by high quality public transport from the outset of development;</li> <li>• minimising walk distances to public transport nodes and stops;</li> <li>• mitigating barriers to safely accessing public transport;</li> <li>• locating a variety of land uses within a defined catchment to reduce travel distances / enable local trips by active modes; and</li> <li>• encouraging travel demand management initiatives.</li> </ul>	Amended or additional objectives and policies are required	Support in part
22.6	Amend PPC 61 to include appropriate activity rules, standards, matters of discretion and assessment criteria in relation to staging requirements.	The staging of development in accordance with the infrastructure required to accommodate it is important	Support
22.7	Amend PPC 61 to incorporate provisions that address cross boundary transport network mitigation requirements and determining the responsibility for the delivery to ensure interim adverse effects on the transport network are mitigated.	There appear to be no cross-boundary transport mitigation requirements for this plan change	Reject
22.8	Decline PPC 61 or alternatively amend the plan change to incorporate provisions addressing the staging and timing of transport infrastructure and services with the proposed development build-out and the interim effects of development proceeding ahead of the ultimate planned network, including:	The staging of development in accordance with the infrastructure required to accommodate it is important  Alternative amendments are recommended	Support in part

Submitter	Point Summary	Comment	Recommendation
	<ul style="list-style-type: none"> <li>The requirement for transport infrastructure and services to be delivered prior to the construction of anticipated stages of development enabled by the plan change.</li> <li>The appropriate application of development staging rules and standards including the activity status when breaching triggers for transport infrastructure requirements.</li> <li>Recognising the associated processes necessary to bring about delivery of transport infrastructure and services as the basis for defining the timeframes for transport infrastructure and services in relation to the staging of the enabled land use development.</li> <li>The transport infrastructure requirements to include:                             <ul style="list-style-type: none"> <li>Early active mode access to the proposed new rail station and / or bus services;</li> <li>Introduction of public transport services to the Precinct Plan area;</li> <li>Any interim improvements to State Highway 22;</li> <li>Upgrade of the State Highway 22 / Oira Road intersection to a roundabout; and</li> <li>Internal collector and local connections identified within precinct plan.</li> </ul> </li> </ul>		
22.9	<p>Amend PPC 61 precinct provisions to provide for the mitigation of operational transport effects as part of the suite of transport staging provisions.</p> <p>These effects will potentially include but are not limited to the following:</p> <ul style="list-style-type: none"> <li>Accelerated rate of damage on roading assets generated by increased vehicle movements</li> <li>Consideration of the requirements to build significant utility infrastructure in the existing road corridors which are also likely to disturb the in situ pavements.</li> <li>Rerouting of traffic via Bremner Road (i.e. as a rat run east west across Drury) based on the development timing and the potential effects on Jesmond Road and its intersection controls.</li> <li>Rerouting of traffic and network impacts due to temporary construction detours</li> </ul>	<p>It is expected that matters such as traffic management during construction and damage to pavements can be addressed through conditions of consent on subdivision and development proposals.</p>	Reject
22.10	<p>Given the status of State Highway 22 / Karaka Road and Jesmond Road as key parts of the transport network, Auckland Transport supports the proposed arterial road access restrictions (Table IXXX.4.1 (A17), Table IXXX.4.2 (A13), Table IXXX.4.3 (A19), Table IXXX.4.4(A23) and IXXX.6.5 Arterial Road Access).</p>	<p>Amendments to these provisions are recommended</p>	Support in part
22.11	<p>State Highway 22 / Karaka Road is part of the State Highway network managed by Waka Kotahi and is classified as an arterial road in the AUPOP. Jesmond Road has been identified as a future arterial road as part of the Supporting Growth Programme’s strategic network.</p> <p>Amend PPC 61 to include an additional objective in the precinct provisions addressing the safe and efficient operation of the key strategic routes supporting the plan change area.</p>	<p>Standard E27.3(1) addresses this matter except that it does not apply to development in the THAB zone.</p> <p>There appears to be no justification for applying a similar standard to the PPC61 THAB zone where it does not apply to THAB zones elsewhere.</p>	Reject
22.12	<p>Amend PPC 61 to include an additional policy in the precinct provisions addressing the management of adverse effects on the effective, efficient and safe operation of</p>	<p>Vehicle access restrictions are proposed to apply as an outcome of the recommendation to classify Jesmond Road as an Arterial.</p>	Support in part



Submitter	Point	Summary	Comment	Recommendation
		State Highway 22 / Karaka Road and Jesmond Road for all transport users through the application of vehicle access restrictions		
	22.13	Amend PPC 61 to indicate the extent of the vehicle access restrictions on IXXX9.3 Waipupuke Precinct Plan 3: Transport and provide appropriate cross references in the relevant standards.	Vehicle access restrictions are proposed to be shown on Precinct Plan 3	Support
	22.14	As and when Jesmond Road is upgraded to an arterial route, amend the AUPOP planning maps (arterial road control) to identify it as an arterial road.	It is recommended that Jesmond Road be classified as an Arterial Road immediately	Support in part
	22.15	Amend PPC 61 land uses in terms of density and zoning location to better align and integrate with the proposed pattern of future bus routes and services.	Zones enabling higher density should be located only within the FTN walkable catchment	Support
	22.16	Amend PPC 61 east-west collector network to align with the proposed collector network shown in the Drury - Opaheke Structure Plan 2019.	It is important the east-west collector road aligns with the collector road to the east of Jesmond Road. It is recommended that the road be relocated to the DOSP location unless evidence that is not practical is provided.	Support in part
	22.17	Delete IXXX.6.3(1) road cross-section diagram, and:  Amend PPC 61 to include provisions relating to the minimum road reserve widths and key design elements and functional requirements of new roads and roads which need to be upgraded to urban standards including but not limited to: <ul style="list-style-type: none"> <li>• Carriageway</li> <li>• Footpaths</li> <li>• Cycleways</li> <li>• Public Transport</li> <li>• Ancillary Zone (parking, street trees etc.)</li> <li>• Berm</li> <li>• Frontage</li> <li>• Building Setback</li> <li>• Design Speed (e.g. to support safe active mode movements)</li> <li>• Confirming that the proposed width of collector roads is adequate to accommodate required design elements and increase if necessary</li> </ul>	There is inadequate justification for a precinct-specific road cross-section	Support
	22.18	Auckland Transport supports the use of precinct provisions to set out any specific transport related mitigation, assessment or staging requirements.	The staging of development in accordance with the infrastructure required to accommodate it is important.	Support
	22.19	Amend the notification rule (IXXX.5 Notification for restricted discretionary activities so that the normal tests for notification under the relevant sections of the Resource Management Act apply.		Support
	22.20	Amend the PPC61 precinct provisions to incorporate policies, standards and assessment criteria as appropriate to provide for efficient and effective active mode movements reflecting the following transport outcomes: <ul style="list-style-type: none"> <li>• Walking and pedestrian connections to / from public transport routes (including Jesmond Road Frequent Transit Network and Oira Road), stops and future rail stations</li> </ul>	The provision of attractive and safe movement by active modes is a key component of supporting public transport use and reducing demand for private vehicle travel during peak periods.  While the provision of active mode links, particularly to adjoining land is important, it is more appropriate	Support in part

Submitter	Point	Summary	Comment	Recommendation
		<ul style="list-style-type: none"> <li>Walking and pedestrian connections to / from local facilities and destinations including schools.</li> <li>Safe walking and cycling facilities provided for as part of the proposed road/street network including local roads and access ways and provisions for rear access along roads with cycle facilities</li> <li>To include pedestrian and cycleway linkages as shown in the PPC 61 masterplan documents on IXXX9.3 Waipupuke Precinct Plan 3: Transport and any additional items as noted above.</li> </ul>	to provide for this requirement as a rule rather than show it on Precinct Plan 3.	
22.21		Amend the PPC 61 precinct provisions by removing activities (A2) Service Stations fronting State Highway 22 and (A3) Fast food outlet (including drive through facilities) fronting State Highway 22 from Table IXXX.4.1 Residential - Terrace House and Apartment Buildings zone and removing related matters of discretion (IXXX.7.1(1)) and assessment criteria (IXXX.7.2.(1)).	There is inadequate justification for a precinct-specific provision for these activities	Support
22.23		Further assessment of the transport effects of the enabled land use activities proposed in the PPC 61 precinct plan provisions is sought from the applicant. Depending on the outcome of this assessment, to include amended and / or additional provisions (objectives, policies, rules, standards and assessment criteria) are sought within PPC 61 that: <ul style="list-style-type: none"> <li>Restrict the overall scale and intensity of activities that can be provided without any identified transport mitigation measures OR provide for appropriate transport mitigation measures with the staged development of PPC 61.</li> <li>Provide for the further assessment (through later resource consents or similar) of any development at a scale beyond that which can be shown to be satisfactorily accommodated by the transport network, without any identified transport mitigation measures.</li> <li>Provide for an appropriate activity status for high trip generating activities, including associated assessment criteria to consider effects on the operation of the transport network.</li> </ul>	The assessment provided to date is insufficient to demonstrate that the effects of the plan change on the transport environment can be accommodated.  Alternative amendments to provisions are recommended.	Support in part
22.26		Auckland Transport seeks the following: <ul style="list-style-type: none"> <li>That feasible and optimal future network link alignments to the east and west and north of PPC 61 be confirmed and integrated with PPC 61 and wider network requirements</li> <li>That these be identified within the Precinct Plan or by other means where they continue beyond it.</li> </ul>	It is recommended that the collector road east of Jesmond Road be added to Precinct Plan 3, and that connections with neighbouring land be required	Support in part
22.27		As part of Auckland Transport's submission on PC 51 (Private): Drury 2 Precinct it was suggested that there should be a direct east west link from Jesmond Road to the town centre and north south collector network which is capable of accommodating buses. Auckland Transport requests that the PPC61 collector network is aligned with the provision of a direct link from Jesmond Road to the town centre being considered as part of PPC 51: Drury 2 Precinct.	It is recommended that the collector road east of Jesmond Road be added to Precinct Plan 3	Support
23. Auckland Council	23.1	Decline the plan change in its entirety until there is a fully funded and appropriately staged solution for the integration of land use, infrastructure and development for	The staging of development in accordance with the infrastructure required to accommodate it is important.	Support in part

Submitter	Point	Summary	Comment	Recommendation
		<p>the Precinct and Sub Region. If the plan change is not declined, amend to retain the provisions as set out in council's submission.</p>	<p>Alternative amendments are recommended in the event the plan change is not declined</p>	
	23.2	<p>Ensure that the council's concerns about bulk infrastructure: funding deficit, timing and location uncertainty are resolved by the following or other means:</p> <ol style="list-style-type: none"> <li>Evidence is presented at the hearing that a mechanism has been identified with the agreement of the council that unfunded infrastructure (as of October 2020) will be funded.</li> <li>Evidence is presented at the hearing that parts of the plan change area are not constrained by infrastructure funding, timing or location uncertainty and can proceed without significant adverse effects.</li> <li>Infrastructure development threshold or staging rules can be devised that are enforceable and effective, and supported by robust objective and policy provisions. This could for example include:                             <ul style="list-style-type: none"> <li>Threshold rules are not used for infrastructure works to be supplied by third party, e.g. Auckland Transport or NZTA, if these agencies do not have funds allocated for the works.</li> <li>Threshold rules are not used for infrastructure works which are scheduled beyond the lifetime of the plan (2026)</li> <li>Threshold rules are not used for works to be funded privately but there is no funding agreement in place.</li> <li>Threshold rules are not used for works which would require a funding contribution from multiple landowners or developers and there is no agreement to apportion costs and benefits in place</li> <li>Threshold rules do not use gross floor area as a metric (the council may not be able to track this with current data systems)</li> <li>Use of prohibited activity status for infringement could be considered.</li> </ul> </li> <li>Notices of requirement have been lodged for the relevant infrastructure by the time of the hearing.</li> </ol>	<p>The staging of development in accordance with the infrastructure required to accommodate it is important.</p> <p>Alternative amendments are recommended in the event the plan change is not declined.</p> <p>The lodging of a Notice of Requirement does not provide certainty the infrastructure will be provided, or provided in a timeframe suitable for addressing the effects of the development</p>	<p>Support in part</p>
	23.18	<p>Ensure that any residential yield that is additional to that estimated for the Drury – Opāheke Structure Plan August 2019 and Integrated Transport Assessment, is located within a consistent realistic walkable distance of the proposed Jesmond Road FTN route.</p> <p>Ensure that the Terrace Housing and Apartment Buildings Zone (THAB), the proposed centre zoning and medical facilities are all contained within a consistent and realistic walkable distance of the proposed Jesmond Road FTN route. In particular, the centre should be located as close as possible to the FTN route.</p> <p>If necessary, additional height could be considered close to (within 200m) of the FTN route, to offset any reduction in potential yield further west in the PC 61 area.</p>	<p>Zones enabling higher density should be located only within the FTN walkable catchment</p>	<p>Support</p>
	23.19	<p>Delete the south western part of plan change area from 99 Oira Road southwards, or ensure:</p>	<p>Zones enabling higher density should be located only within the FTN walkable catchment, and the</p>	<p>Support</p>

Submitter	Point	Summary	Comment	Recommendation
		<ul style="list-style-type: none"> <li>that it is staged with development of the infrastructure listed in the bullet points opposite</li> <li>that the zoned intensity does not result in excessive car dependency and car trip generation in the context of a realistic assumption of mode shift to public transport in this location.</li> <li>that development does not occur before walkable pedestrian connections are available to the proposed Jesmond Road FTN.</li> </ul>	southern area is not within the walkable catchment of FTN or RTN services.	
	23.20	Review the size, type and location of the proposed centre zone to ensure that the most appropriate zoning and height options are applied.	The centre zones should be located only within the FTN walkable catchment	Support
	23.21	Delete rules (A1), (A2), (A3), (A4), and (A5) in Table IXXX.4.1 Residential – Terrace House and Apartment Building Zone.	There is insufficient justification for precinct-specific rules for Service Stations and Fast-Food activities	Support
	23.23	Delete rules (A1), (A4), (A5), (A6), (A7), (A8), (A9), (A10), (A11), (A12) and (A13) in Table IXXX.4.3 Business – Neighbourhood Centre Zone.	There is insufficient justification for precinct-specific rules for these activities	Support
		Refer also to related submission points on the type of centre zone, location of centre zone and medical and specialist facility.		
	23.24	Delete the proposed definition of Medical and Specialist Facility. If it is retained, then place it within the precinct rather than section J1 of the AUP.	There is insufficient justification for precinct-specific rules for this activity	Support
24. GYL Holdings Limited	24.1	Should proposed Plan Change 61 be approved at the scale proposed, it should not compromise the development potential of land outside the proposed Plan Change area. In particular that consideration is made to the scale of the proposed Neighbourhood Centre Zone and corresponding THAB zone and whether this would restrict or inhibit development on the property at 316 Jesmond Road.	The plan change seeks significantly higher yields than expected by the DOPPS ITA without providing additional infrastructure, and provides insufficient evidence of effects.	Support in part
		That may require development in other parts of the DOSP to be curtailed		
25. Counties Power	25.3	Retain Objective Ixxx.2 (9) in the proposed Waipupuke Precinct as notified.		Support
	25.5	Retain Policy Ixxx.3 (10) in the proposed Waipupuke Precinct as notified.	Some amendments to this policy are recommended	Support in part
	25.7	Standard IXXX.6.3 is supported in part. Counties Power seeks alternative road design to ensure appropriate electricity infrastructure can be provided to service the developments within the plan change area. These changes include: <ul style="list-style-type: none"> <li>700mm grass covered strip at the back of the berm along both sides of the road</li> <li>suitable provision required for distribution substations within the road reserve in agreement with Counties Power.</li> </ul>	Alternative amendments are recommended	Support in part
	25.10	Retain Assessment criteria IXXX.7.2 (4) in the proposed Waipupuke Precinct as notified.	An amendment to this provision is recommended	Support in part
26. Hao Li	26.1	Supports the idea of a plan change, but requests that Auckland Council lead the process and include properties surrounding PC61 in the plan change. The impacts of new infrastructure on downstream infrastructure needs to be properly identified so as to not hinder the future development of properties outside the PC61 area.	The plan change seeks significantly higher yields than expected by the DOPPS ITA without providing additional infrastructure, and provides insufficient evidence of effects.	Support in part
		That may require development in other parts of the DOSP to be curtailed		

Submitter	Point	Summary	Comment	Recommendation
28. Tingran Doreen	28.1	The plan change should include the wider area, particularly areas around Jesmond Road. A council masterplan and better integration of the plan change with surrounding infrastructure (including proposed train stations, underground services and roads) is sought.	The Council approved the Drury-Opāheke Structure Plan after consultation in 2019.  There is no evidence to support the rezoning of additional areas to enable development The upgrade of Jesmond Road is subject to a separate process.	Reject
29. Mark Lewis Grey	29.1	Decline the plan change in its entirety. The proposed upgrade of Jesmond Road is not supported.		Reject

Auckland Council  
jimmy.zhang@aucklandcouncil.govt.nz

27 May 2021

Our Ref: 200328-B

Attention: Mr Jimmy Zhang

Dear Mr Zhang

## **GEOTECHNICAL ASSESSMENT PROPOSED PRIVATE PLAN CHANGE 61: WAIPUPEKE CORNER OIRA ROAD AND KARAKA ROAD, KARAKA**

### **1.0 Introduction**

Riley Consultants Ltd (RILEY) has been engaged by Auckland Council (Council) to review the geotechnical aspects of the proposed Private Plan Change 61 (PPC61) for the site at the corner of Oira Road and Karaka Road, Karaka and provide technical advice to assist them to prepare their Section 42A Report.

### **2.0 Key Issues**

The key geotechnical issues identified for the proposed PPC61 land are slope stability, ground settlement potential and liquefaction/lateral spread.

### **3.0 Review**

In preparing this geotechnical assessment, we have reviewed the following report:

- Preliminary Geotechnical Appraisal Report (PGAR), prepared by Lander Geotechnical Ltd (LGL), for the Waipupuke Plan Change, Karaka, reference J01380 (Rev. A), dated 27 July 2020.

Following review of the LGL PGAR, we considered that the relevant geotechnical issues, had been suitably addressed for the site.

### **4.0 Assessment**

From consideration of the PGAR provided, we consider that the geotechnical investigations carried out to-date are sufficient to support the application. Further, we consider that the recommendations presented by LGL in relation to the PPC61 proposal are appropriate.

LGL's assessment of slope stability identified some existing areas of localised shallow type instability and soil creep. They considered that these localised areas would likely be eliminated by future site earthworks and that further assessments will be required during the resource consent phase. We agree with their approach and consider that slope stability is unlikely to be a significant geotechnical issue here.

LGL has identified some near surface lenses of soft/compressible soils within relatively confined gully areas and a potentially soft/compressible horizon at 6.5m depth in MH01 in a pumiceous silt horizon. They concluded that compressible soils were a low-risk for the site and noted that where present they could be remediated through conventional methods such as undercutting or pre-loading. They also recommended that further investigation and analysis be carried out to support future resource consent applications. We concur with this approach and consider that with the use of the conventional mitigation methods outlined, compressible soils should not pose a significant risk to the site.

The LGL liquefaction and lateral spread assessment identifies that the surficial soils are not susceptible to liquefactions due to their composition. Further, their quantitative liquefaction analysis indicates that during a ULS seismic event, liquefaction is not expected to occur within the upper 10m of the soil profile. They conclude that for a ULS seismic event there should be negligible deformation of the ground and small settlements. We agree with this assessment and note that their investigations indicate a significant depth of non-liquefiable soils from the ground surface.

Lateral spread is dismissed by LGL as a significant geotechnical hazard on account of the relatively shallow nature of the existing gullies. We also note that the soils near the gully free face have been identified as being non-liquefiable. We concur with their assessment in this regard.

We note that LGL recommend further geotechnical investigation, analysis, and reporting to support future resource applications. We concur that further geotechnical input is required and would need to address all geotechnical hazards to future development.

## **5.0 Submissions**

A total of 29 submissions have been received and considered. From our review of the submissions received, none of the submissions raised geotechnical issues or queries.

## **6.0 Recommendation**

We consider that the geotechnical investigations, reporting carried out by LGL in support of PPC61, has demonstrated that the site can accommodate the proposal from a geotechnical perspective.

Notwithstanding this, further geotechnical input will be required to support future resource consent applications to Council. This input will need to include specific geotechnical investigations, analysis, and reporting to address the identified geotechnical risks, and to ensure that all relevant geotechnical issues are appropriately addressed in relation to future development proposals.

## **7.0 Limitation**

This report has been prepared solely for the benefit of Auckland Council as our client with respect to the brief. The reliance by other parties on the information or opinions contained in the report shall, without our prior review and agreement in writing, be at such parties' sole risk.

If you have any questions or require further information, please do not hesitate to contact us.

Yours faithfully

**RILEY CONSULTANTS LTD**

Prepared by:



James Beaumont  
**Senior Geotechnical Engineer**

Reviewed and approved for issue by:



Scott Vaughan  
**Project Director, CPEng**



22 June 2021.

**To: Jimmy Zhang: Policy Planner, Plans and Places, Auckland Council**  
**From: Ruben Naidoo: Specialist Environmental Health-Resources Consent**

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**Subject: PC61 Waipupuke Specialist Report - Contamination Assessment**

## **1.0 Introduction**

1.1 I have undertaken a review of the Plan Change on behalf of Auckland Council in relation to effects of the discharge of contaminants from contaminated land or land containing elevated levels of contaminants into air, or into water, or onto or into land pursuant to section 15 of the Resource Management Act 1991; and the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011.

1.2 In writing this memo, I have reviewed the following documents:

- Request for Private Plan Change- Waipupuke, Tattico Ltd, Jan 2021
- Preliminary Site Investigation (PSI), Waipupuke, PDP, July 2020.
- Detailed Site Investigation (DSI), Waipupuke, PDP, July 2020.
- Contaminated Site Management Plan and Remedial Action Plan (CSMP), Waipupuke, July 2020.
- Note to Support Waipupuke Plan Change, Waipupuke, PDP, July 2020.

## **2 Key Contamination Issues**

### **Proposal**

This PPC relates to an application for a Private Plan Change (PPC) of several adjoining properties in Drury West, South Auckland, currently within a Future Urban Zone under the Auckland Unitary Plan: Operative in Part (AUP: OP) and is identified in the Drury-Opāheke Structure Plan (Structure Plan) as 'Waipupuke'.

Waipupuke comprises 12 adjacent lots collectively forming a 56ha parcel of land. The PPC land is proposed to comprise Mixed Housing Urban (MHU) and Terrace Housing and Apartment Buildings (THAB), zonings which allow for higher density residential development, and a supporting Business Neighbourhood Centre zone providing a community 'Hub'.

### **2.1. Assessment Criteria**

The applicant is required to investigate whether the site historically and/or currently is identified as having HAIL activities (MfE, 2011) with the potential for contamination, and if so, is suitable for the intended change of use to a more sensitive landuse (residential/ commercial purposes) without being a risk to the environment or human health.

An assessment is required to identify any potential contamination and address the likely contaminated land requirements for the proposed end use and the soil disturbance and earthworks under the following legislation:

#### **2.1.1 Human Health Risks- change in landuse & soil disturbance**

- Resource Management (National Environment Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) (NESCS) Regulations 2011.
- Guidelines for Assessing and Managing Petroleum Hydrocarbon Contaminated Sites in New Zealand (MfE, 1999).

- Regional Screening Levels, US Environmental Protection Agency (USEPA, 2012).
- New Zealand Guidelines for Assessing and Managing Asbestos in Soil (2017)

### 2.1.2 Environmental Risks

- Background Concentrations of Inorganic Elements in Soil from the Auckland Region. Background ranges for metals in volcanic range soils- referred to as the Auckland Background Concentrations. Auckland Regional Council, 2002
- Auckland Unitary Plan (Operative in part). Table E30.6.1.4.1 Permitted Activity Criteria. Auckland Council, 2016.

The objective of which is to identify areas of soil contamination which may require remediation / management with respect to risks to human health and to the environment based on the contaminants of concern identified.

Provide advice regarding appropriate remediation strategies, soil management and disposal of contaminated / excess soils.

## 3 Applicant's assessment

### 3.1 PSI & DSI

The applicant commissioned PDP to undertake an investigation of the site and in this regard, PDP has prepared a Preliminary Site Investigation (PSI) and Detailed Site Investigation (DSI) in support of the Plan Change Request with the intention of identifying areas of contaminated land within the subject site. The PSI identified sources with the potential for ground contamination that was restricted to the areas immediately surrounding, adjacent to and / or below buildings and storage areas, and as such, the following potential HAIL and ground contamination sources were identified:

- Land subject to potential impact from lead-based paint – all except one of the buildings at the site including dwellings and barns/sheds fit the construction dates associated with the use of lead-based paint (i.e., prior to 1990s) and show construction which has extensive painted surfaces; and,
- Land subject to potential impact from asbestos in a degraded condition – all buildings/structures onsite may be subject to the inclusion of asbestos containing materials in their construction (as based on construction dates prior to 1 Jan 2000). Impacts to surrounding ground may be present if ACMs are positively identified, found to be in a degraded condition, and are found to be in contact with the surrounding soils.

However, the applicant has not identified the waste -water disposal areas supporting the residential dwellings as a potential source of contamination, nor have these areas been investigated. However, investigations of sites having waste water disposal fields have demonstrated low level contamination, unlikely to be a risk to human health or the environment, if managed appropriately.

The DSI comprised a sampling and analysis plan to investigate the sources of contamination identified during the PSI. The sampling confirmed that soils within and surrounding the footprint of many built structures at the site exceeded the applicable site-specific SCSs and SGVs for lead and arsenic (i.e., the NES-CS residential 10% produce and the AUP-OP discharge criteria).

Semi-quantitative analysis of a single soil sample collected adjacent to 139 Oira Road (where asbestos in a degraded condition was observed) reported asbestos fibres and ACM fragments, but at concentrations below guideline levels.

Visual observations of suspected ACM content of a small stockpile of soil adjacent to the onsite haybarn at 125 Oira Road were also noted.

The report recommends remediation via excavation and disposal of the impacted areas where results exceeded the adopted site-specific screening criteria.

In this regard the concentration of contaminants and the expected volume of soil disturbance and removal, consents under the NES-CS and AUP-OP would be required prior to beginning the proposed earthworks.

As asbestos containing material was identified in buildings and in soil, however, below the asbestos guideline values, remediation of identified asbestos contaminated soils can be undertaken as 'Unlicensed Works' under the BRANZ Guidelines.

### **3.2 Contaminated Site Management Plan and Remedial Action Plan (CSMP)**

The CSMP identifies contaminated areas where remedial action is required and identifies the remediation objectives and criteria applicable to the proposed end use, including the site specific and general control measures applicable to the site, and site validation and reporting.

The remediation goals set for arsenic, lead and asbestos contaminated soils is to meet compliance with the NES-CS Residential - 10% produce criteria.

The specific management and health and safety controls relating to asbestos in soils and / or ACM are also detailed within the CSMP.

The CSMP includes site specific management control measures relating to the specific contamination identified and general management control measures relating to the soil disturbance and earthworks.

The applicant may be required to amend the CSMP at resource consent stage to reflect the management and disposal of potentially contaminated soil within the wastewater disposal areas of the site, accompanied by validation sampling to demonstrate no risk to human health or the environment.

#### **3.2. Applicant's Conclusion:**

The NESCS applies to certain activities taking place on HAIL land. The following activities are triggered for this site:

Disturbing Soil,  
Change in Land Use  
Subdivision

As the lead and arsenic concentrations of surface soils surrounding some structures exceeded the NES-CS SCS for residential land use, it has been concluded that the soil disturbance required to facilitate the remediation of the site will require a restricted discretionary consent under regulation 10 of the NES-CS.

In terms of subdivision and change in land use, the current land use will be changing from what is deemed productive land (horticulture)/HAIL site to residential/commercial purposes. Soil contamination onsite has been demonstrated to exceed any applicable standard of Regulation 7 of the NESCS and the DSI is considered thorough and appropriate in assessing any potential risk present with the subdivision and change in land use.

A restricted discretionary activity is therefore required under Regulation 9 of the NESCS for this activity.

Soil sampling and analysis have identified some areas of the site having concentrations of lead that do not meet the AUP-OP PA discharge activity criteria, and volume of disturbance is expected to exceed 200 m<sup>3</sup>.

Therefore, the proposed soil disturbance will not meet the permitted activity under Rule E30.6.1.4., and as such any soil disturbance / removal in these areas will be considered a controlled activity under Rule E30.6.2.1 of the AUP-OP.

Comments:

The applicant has engaged a suitably qualified and experienced environmental consultant to undertake a detailed site investigation and prepare the soil contamination assessment reports. These assessments have been undertaken and reported in general accordance with the Ministry for the Environment (MfE) Contaminated Land Management Guidelines No. 1 – Reporting on Contaminated Sites in New Zealand (2011) and MfE Contaminated Land Management Guidelines No. 5 – Site Investigation and Analysis (2011).

The applicant has concluded on a “more likely than not” basis that HAIL activities have been identified at the site. In this regard a Contaminated Site Management Plan and Remedial Action Plan has been provided for the remediation and management of identified contaminated soils, including asbestos removal, in a manner to appropriately manage any risk to human health and the environment.

The land disturbance and change of use activities associated with the proposed development will require resource consent under Regulation 10 of the NESCS as a Restricted Discretionary activity.

I concur with the assessment and the conclusion arrived at, and overall, the application will be assessed as a restricted discretionary activity

#### **4 Assessment of Contamination and management methods**

The applicant has identified potential contamination sources and confirmed contamination impact to the site resulting from current/historical activities. Remediation of these areas has been recommended to ensure that the remaining concentration of contaminants in site soils meet the applicable residential guideline criteria for the future intended land-use.

However, the applicant may be required to amend the CSMP at resource consent stage to reflect the management and disposal of potentially contaminated soil within the wastewater disposal areas of the site, accompanied by validation sampling to demonstrate no risk to human health or the environment.

#### **5 Submissions**

Nil

#### **6 Conclusions and recommendations.**

- I concur with the conclusions of the AEE, and the soil contamination reports, including the provisions of the Contaminated Site Management Plan and Remedial Action Plan that the risk to human health can be appropriately managed and the site being appropriately validated to demonstrate compliance.

**Ruben Naidoo**

June 2021

To: Jimmy Zhang, Policy Planner, Auckland Council

From: Robin Rawson, Xyst Ltd, Parks Planner on behalf of Auckland Council

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**Subject: Private Plan Change – PC 61: Waipupuke, Drury – Parks Planning Assessment**

## **1.0 Introduction**

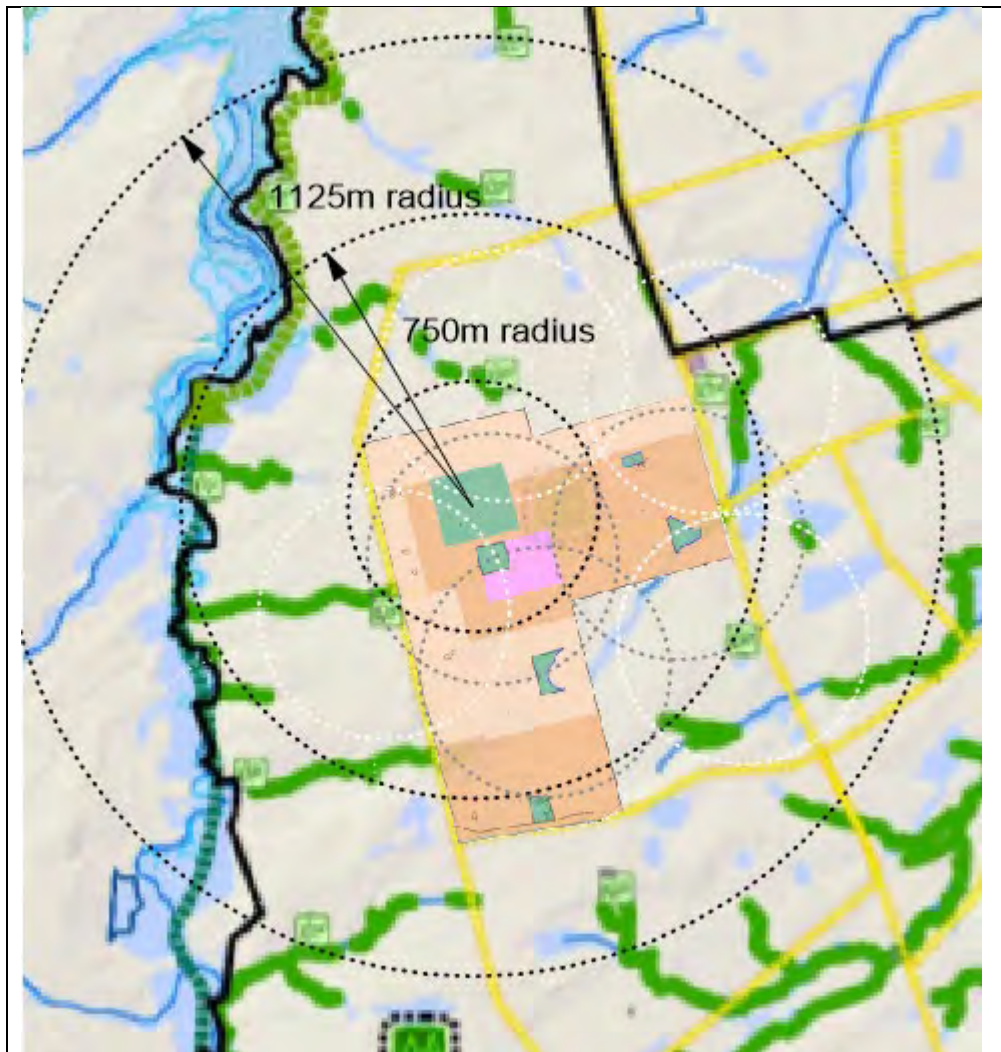
- 1.1 I have reviewed private plan change PC 61 on behalf of Auckland Council in relation to the planning of open space for future residents and Parks, Sport and Recreation effects.
- 1.2 I am a registered landscape architect, and my qualifications include a Bachelor of Landscape Architecture with Honours from Lincoln University, and a Bachelor of Science from Auckland University. My experience in parks and recreation planning includes seven years working within the Manukau City Council Parks Department as a Parks Officer and Landscape Architect, and seven years working as a Planner within the Infrastructure Department at Whangarei District Council where the work for the Council Parks Department was a larger part of the role.
- 1.3 In writing this memo, I have reviewed the following documents from the PC 61 Private Plan Change application:
  - Waipupuke Plan Change Report Section 32 Analysis / AEE
  - Proposed Plan Change (Attachment A)
  - Open Space Framework (Attachment F)
  - Landscape and Visual Assessment (Attachment G)
  - Ecological Assessment (Attachment L)
  - Transport Assessment (Attachment I)
  - Clause 23 Response.
- 1.4 I am familiar with the area surrounding the site, and have been informed by the application including the 'Landscape and Visual Assessment', 'Existing Landscape and Open Space Description' included as page 3 of the 'Open Space Framework' and the 'Site, Locality and Uses' section of the Section 32 Analysis.
- 1.5 Auckland Council non-regulatory documents supporting the Auckland Regional Policy Statement referred to in this report include:
  - Drury-Opāheke Structure Plan 2019
  - Open Space Provision Policy 2016
  - Parks and Open Space Acquisition Policy 2013
  - Southern Structure Plan Area Neighbourhood Design Statement Revision B Drury-Opāheke and Pukekohe-Paerata 2019
  - Drury-Opāheke Structure Plan Parks and Open Space Report March 2019.

## **2.0 Key Parks and Recreation Issues**

### General

- 2.1 This assessment covers the open space provision of the proposed plan change area including any open space that may be vested in Council.
- 2.2 The PC 61 plan change proposes the rezoning of approximately 56 hectares of Future Urban Zone (FUZ) land as follows:
  - 2.02 hectares as Business: Neighbourhood Centre Zone
  - 27.52 hectares as Residential: Terrace Housing and Apartment Buildings (THAB) Zone
  - 21.2 hectares as Residential Mixed Housing Urban (MHU) Zone
  - 4.79 hectares for development of an open space and drainage network.

- 2.3 Proposed open space within the PC 61 area consists of the following:
- A 3.0 hectares Suburb Park is located in the northern part of the subject land. ▪
  - A 0.44 hectare Civic Space Park located adjacent to the Neighbourhood Centre. ▪
  - A 0.3 hectare pocket park at the entrance to Karaka Road and
  - a 0.25 hectare pocket park on the eastern side of the subject land. ▪
  - Two neighbourhood parks located within the southern neighbourhood (0.39 hectare) and eastern part of the subject land (0.35 hectare) respectively.
  - Seven stormwater parks with areas between 0.51 and 0.94 hectares.



**Figure 1:** PC 61 proposed plan change overlain on the Drury-Opāheke Structure Plan blue-green network map. All circles have radii 300m except as dimensioned, Black circles centred on proposed suburb park, grey circles centred on proposed neighbourhood parks, white circles centred on indicative neighbourhood parks from Drury-Opāheke Structure Plan where the access circle overlays PC 61 site.

2.4 The Drury-Opāheke Structure Plan land use map shows approximately 14 hectares of the PC 61 area to be zoned as THAB, a suburb park expected to be in the range of 3-5 hectares, and the remaining area as MHU. If approved as proposed, the PC 61 plan change area is expected to provide a higher residential density than anticipated by the structure plan due to the greater areas of THAB zone.

#### Planning Context

2.5 Objective B2.7.1. (1) of the **Auckland Regional Policy Statement** directs that: '*Recreational needs of people and communities are met through the provision of a range of quality open spaces and recreation facilities*'. The Regional Policy Statement includes policies requiring that a range of open spaces are provided in locations that are accessible to people and communities, and the urban subdivision section of the **Auckland Unitary Plan (AUP)** includes policies

requiring that subdivision provides open spaces for the recreation and amenity needs of residents that are in proportion to the future density of the neighbourhood.

- 2.6 The **Drury-Opāheke Structure Plan** establishes a framework of indicative open space and a walking and cycling network that supports key outcomes including a *'Quality-built environment'* and *'A well-connected Drury – Opāheke'*. The 'Blue-Green Network Map' within the structure plan provides an indicative open space framework that includes a suburb park located towards the northern end of the subject site and areas of green corridors that extend into adjoining sites.
- 2.7 The **Open Space Provision Policy** anticipates that in medium density areas neighbourhood reserves will be provided within a 400m walk and that suburb parks will be provided within a 1000m walk (of residences), and that pocket parks will not be provided. This policy also supports the creation of a green network creating links between open spaces.
- 2.8 The **Parks and Open Space Acquisition Policy** directs staff to acquire land on a priority basis, with the lowest priority given to land in areas with *'adequate access and capacity of parks and open space'*.

#### Suburb Park provision

- 2.9 The Open Space Provision Policy describes suburb parks as follows:  
*'Provides a variety of informal recreation and social experiences for residents from across a suburb. Located in prominent locations and help form the identity of a suburb. Suburb parks will often accommodate organised sport facilities, such as sportsfields. New suburb parks are typically 3 to 5 hectares if providing for informal recreation uses only and up to 10 hectares or larger if also accommodating organised sport uses'*.
- 2.10 In medium density residential areas, the Open Space Provision Policy directs that suburb parks should be provided within a 1 kilometre walk of most residential properties, approximated by a 750m radial distance.
- 2.11 The proposed 3.0 hectare suburb park is located approximately 200m to the west of the indicative site in the Drury-Opāheke Structure Plan where it would still provide good coverage to the surrounding area including areas to the west. If areas to the west of the PC 61 area are zoned low density residential in the future, a radial distance of 1125m would apply to these areas and the position originally indicated in the Drury-Opāheke Structure Plan would provide more optimal coverage to the wider Drury-Opāheke area.
- 2.12 The 3 hectare area proposed to be vested as suburb park would allow sufficient space for informal recreation activities shown in the Open Space Framework including a ball kick area, a playground and walking paths, and the activities considered are consistent with typical uses of parks of this size. The size would not allow for most sports activities. The location and size of the proposed suburb park is consistent with the Drury-Opāheke Structure Plan and the Open Space Provision Policy.

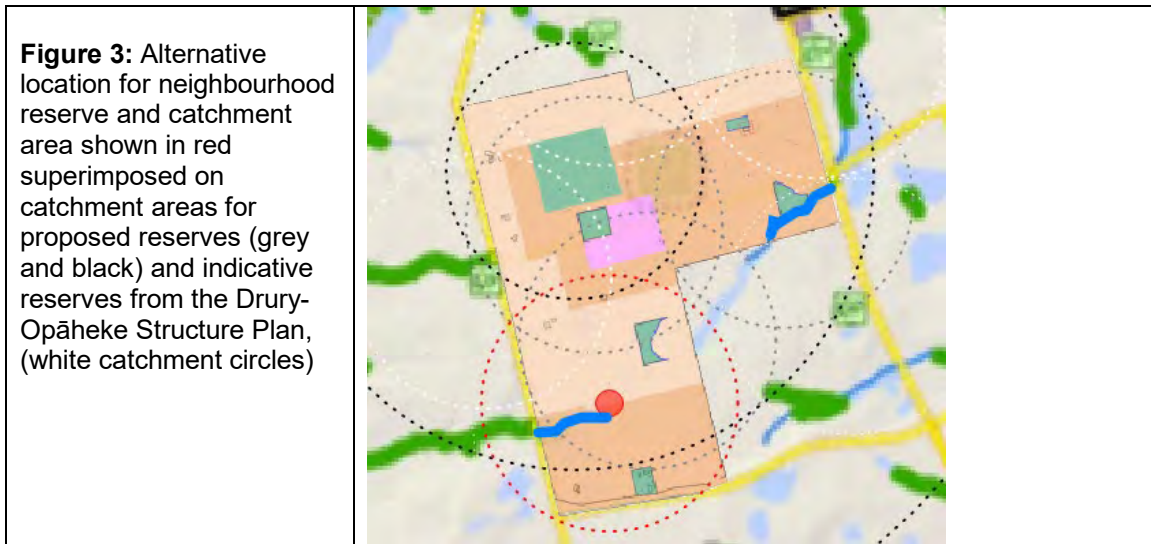
#### Neighbourhood Park provision

- 2.13 The description of neighbourhood parks in the 'Open Space Provision Policy 2016' is that they offer *'basic informal recreation and social opportunities within a short walk of surrounding residential areas'*. Provision targets for neighbourhood parks identified in this policy are that they are available within a 400m walk to residents in high and medium density residential areas, which is approximated by a 300m radial distance.
- 2.14 The expected catchment area for a neighbourhood park in high and medium density residential areas is 28.3 hectares which is the area of a circle with a 300m radius, although the catchment area is reduced where walking barriers such as rivers and highways cut across the circle. A suburb park also provides for neighbourhood park activities and does not need to be duplicated with an additional neighbourhood reserve in the neighbourhood catchment area. The PC 61 site has an area of 56 hectares, and although there are no neighbourhood parks indicated in the PC 61 area in the Drury-Opāheke Structure Plan, the need for an additional neighbourhood park to within walking distance of future residents is supported both by the size of the site, which is double the walking catchment of a neighbourhood reserve, and by a gap in the coverage provided for in the Drury-Opāheke Structure Plan, (refer Figure 2 below).



- 2.15 As noted in the ‘Open Space Provision Policy’ new neighbourhood parks are typically between 0.3 to 0.5 hectares. 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’.
- 2.16 Two neighbourhood parks with areas of 0.39 hectares and 0.35 hectares are proposed to be located within the southern and eastern areas of the PC 51 area. Both would be co-located with drainage reserves. Figure 1 shows relatively high areas of overlap of the access circles around these parks (grey circles) and indicative neighbourhood parks included in the Drury-Opāheke Structure Plan, (white circles), highlighting an over-supply of parks. Additional provision of neighbourhood parks provides only a marginal benefit that is not expected to meet Council’s acquisition or maintenance priorities. The civic park is also included in this analysis as it has an area of greater than 0.3 hectares, and is considered further below.
- 2.17 The supply of neighbourhood parks outside of the PC 61 area are uncertain until locations are confirmed through acquisition processes. Neighbourhood reserve coverage to future residents in the plan change area is not provided by reserves to the south of the PC 61 area as Karaka Road /SH22 creates a geographic barrier that impedes easy access.
- 2.18 The southern neighbourhood reserve proposed would provide reasonable coverage to the south of the site, although an alternative location slightly further south would provide a more optimal coverage with less overlap to the neighbourhood reserve function provided by the suburb park, and could be associated with the blue-green network identified in the Drury-Opāheke Structure Plan and the Ecological Assessment and the stormwater reserve, (refer Figure 3 below). A neighbourhood park in either location would be aligned with the ‘potential future open space walking and cycling connections’ identified in Figure 7-3 of the Transport Assessment.
- 2.19 Provision of one neighbourhood park in addition to the suburb park located in a suitable location towards the southern end of the site would be consistent with the Open space framework identified in the Drury-Opāheke Structure Plan and would provide community (parks) infrastructure that was consistent with the National Policy Statement on Urban Development 2020.





#### Civic space park provision

- 2.20 Civic spaces include squares, plazas and greens associated with urban centres. The Open Space Provision Policy notes that one small civic space is appropriate for local centres, and that an appropriate size for a small civic space is 0.1 hectares.
- 2.21 PC 61 proposes a Civic Space Park with an area of 0.44 hectares that would be located adjacent to the Neighbourhood Centre (area 2.02 hectares), and across the road from the proposed suburb park. The Open Space Framework indicates a high level of development is intended including a water feature / water play.
- 2.22 The size of the civic space does not meet Council's framework and is not supported, and a 0.10 hectare civic space would be a more appropriate size. The Open space Provision Policy supports appropriately sized pocket parks provided at no cost to Council however the approval to acquire these, even at no capital cost, sits with the governing body of Auckland Council and is not delegated to staff. Alternatively the civic space park, either at 0.44 or 0.1 hectares could be privately owned.

#### Other parks

- 2.23 Two pocket parks are proposed, one to the north of the homestead at 140 Jesmond Road and one at the site entrance from Karaka Road. The Open Space Provision Policy notes that pocket parks should be located in urban centres or high-density residential areas rather than medium density areas.
- 2.24 The pocket park at the entrance includes the road carriageway and a relatively narrow section of land to the east of the carriageway. This narrowness of the space and proximity to a collector road and Karaka Road / SH22 reduce the attractiveness of this area as a park and will not encourage sustained public use. Any play opportunities in this park area would have a poor walking catchment due to the geographic barrier provided by Karaka Road / SH22. The contribution of the road network to open space outcomes is recognised in Auckland Council Policies including the Open Space Provision Policy, and supporting documents including the Auckland Transport Urban Street and Road Design Guide, and it is my assessment that cycle connections, planting and other wayfinding are better incorporated into vested road rather than an area of park. As the park as proposed would include an access road, it would not be appropriate for it to be held in private ownership.
- 2.25 In earlier discussions Council Parks Staff advised the applicant that the pocket park associated with the homestead at 140 Jesmond Road is not expected to meet Council's acquisition directions and the Applicant has signalled that this area and other open space above Council's open space needs would be retained as private open space. With suitable uses, the area adjoining the homestead may be more appropriately held as private open space.
- 2.26 Sports facilities in the local area include significant multisport facilities at Karaka Sports Park, Drury Sports Complex and Opāheke Sports Park. The need for additional sports facilities within

the PC 61 area has not been considered at this time, and a strategic sports network assessment would be required to quantify requirements.

### Park design and frontage

- 2.27 The suburb park is surrounded by roads on three sides and is proposed to be located on flatter land which is suitable for recreational development. All park areas have been designed with good road frontage to roads.
- 2.28 Locating amenity areas including neighbourhood reserves to drainage reserves generally allows for improved amenity from increased greenery, longer visual fields, and opportunities for extended walkways either through or around the drainage areas. This approach is supported by the Southern Structure Plan Area Neighbourhood Design Statement. The PC 61 proposal appropriately distinguishes between the primary purpose of these co-located areas of reserve.

### Summary of key Parks and Recreation issues

- 2.29 The plan change proposes the creation of a suburb park, two neighbourhood parks, two pocket parks and a civic space park. The suburb park and one of the neighbourhood parks would be located and of a size that would provide good informal park coverage for future residents and would be consistent with the Drury-Opāheke Structure Plan and the Open Space Provision Policy. The civic space park is larger than the Open Space Provision Policy directs, and other parks are in excess of recreation needs identified by this policy for medium density development and are not supported as public parks.
- 2.30 While the proposed neighbourhood park towards the south of the site is located to provide reasonable coverage for future residents, although this could be more optimally located for residents nearer Karaka Road. The shape of this park is somewhat irregular and narrows in the centre, however this may be acceptable if the space is appropriately designed and there are no barriers such as fences in the immediately adjoining area of the drainage reserve.

## **3.0 Applicant's assessment and review**

### Park provision

- 3.1 The application includes a comprehensive and considered assessment of parks and open space including possible design details provided in the 'Open Space Framework', and provides a high level of certainty around park areas, shapes and road frontages.
- 3.2 The 'Open Space Framework' notes that *'a higher provision of open spaces have been offered than requested by Council or anticipated by the Structure Plan'* and that *'The additional open spaces over and above Council's requirement are proposed to be privately managed'*. The Section 32 Analysis states that *'It is considered that providing a larger number of parks than the Structure Plan anticipated will be important given the extent of medium and high density housing and to create very high amenity values for future residents of Waipupuke'*. The Clause 23 response notes that *'Initial discussions were undertaken with the Council Parks Department and through that process it was confirmed that the officers would support (subject to Council and Local Board support) one 3ha suburban park and one other neighbourhood park of approximately 0.5ha in size). As a result, the remaining 4 public open spaces (6 in total) will most likely remain in private ownership'*. As discussed above, private ownership and management of the pocket park adjoining the property at 140 Jesmond Road and the civic park space may be appropriate. Stakeholders for a neighbourhood park adjoining the drainage reserve at the eastern end of the site are less direct, and no mechanism for management is proposed. The creation of a park at the Jesmond Road entrance is not supported even if it is privately owned.

### Zoning

- 3.3 The Clause 23 response notes that *'The public open spaces could be provided for on a more flexible basis similar to the stormwater parks. Consideration has been given to this suggestion however the overall framework relies on the provision of these open spaces and this has been discussed with the Council's Parks Department. Therefore, the proposed approach is to sought to be retained'*. Spatially located parks provide more certainty around parks planning outcomes including the wider parks framework, however less certainty fits Council's parks acquisition processes to a greater extent and allows more flexibility in changes that come from design development of the structure plan area. The open space network should be indicative and

shown on an open space network precinct plan. Rezoning would then occur after subdivision and / or acquisition by Council.

- 3.4 The plan changes proposes that all areas would be zoned as Open-Space Informal Recreation Zone. The AUP notes that the *'Open Space – Civic Spaces Zone applies to open spaces such as squares and plazas in centres and other urban areas. Civic spaces are becoming increasingly important as Auckland grows and becomes more compact, and access to high amenity open spaces is needed for residents, workers and visitors. Civic spaces contribute to the character of centres and urban areas and provide opportunities for informal recreation, social interaction and community gatherings and events. They also support local character and sense of identity'*.
- 3.5 From this definition, the civic space adjoining the Neighbourhood Centre would be more appropriately zoned as 'Open Space – Civic Spaces Zone'. Neighbourhood and suburb parks would be appropriately zoned as 'Open Space Informal Recreation'. The proposed zone of any privately owned open space should be considered in relation to future use and management of these areas. Zones and localities should be indicative at this time to allow for flexibility in acquisition.

#### Greenways

- 3.6 The applicant has confirmed that there are no watercourses within the site that are 3m or more in width at annual fullest flow, so no esplanade reserves are required to be vested. Restoration planting to protect two sections of intermittent streams is proposed in the Ecological Assessment.
- 3.7 The Clause 23 response notes the following:  
*Following on from this base analysis the applicants' open space designers in conjunction with the ecologists and planners have proposed a design solution that links the Oira Stream network with the Ngakaroa Stream network. This is achieved through the proposed street, footpath, cycle and vegetated network proposed within Waipupuke.*
- 3.8 Proposed objectives and policies that a connected and accessible blue-green network with access, recreation and conservation outcomes are included in the following table.

**Table 1:** Proposed Plan Change Text relevant to parks planning

Reference	Proposed text	Comment
Objectives	(6) An accessible blue green network is established through the Precinct which supports pedestrian, cycle and vehicle access.	These objectives and policies are consistent with the intent of the Drury-Opāheke Structure Plan and the Open Space Provision Policy and are supported.
	(7) A connected network of public open spaces and riparian margins is established, that create a variety of open space types and locations, while providing for the health and well-being of the community.	
Policies	(5) Provide for pedestrian, cyclist, vehicle and riparian connections throughout the Precinct.	
	(6) Provide for a blue-green open space network through a series of public open spaces within the Precinct.	
	(7) Retain the protected streams identified on Precinct Plan 2 and enhance their 10m margins through the removal of harmful species and vegetation and replacement with native vegetation, positive ecological outcomes and ongoing maintenance.	
	(8) Manage the effects of stormwater on water quality in streams through riparian margin planting, and at source hydrological mitigation.	

### Comments on Proposed Activity Status table

3.9 The proposed plan change includes a proposed activity status table for areas to be zoned Open Space –Informal Recreation Zone included as Table IXXX.4.4. This table is not supported for the following reasons:

- It would establish planning status for open space sites that departs from existing open space provisions in the AUP, and the application does not establish compelling reasons for this. It is my assessment that the AUP Activity status table for Open Space Informal Recreation would be appropriate for all proposed parks except the Civic Space, and activity status table for Open Spaces Civic Spaces is appropriate for any future civic spaces, with zoning to occur at subdivision or acquisition by Council
- The differences between the table and existing activity status tables in the AUP would have the effect of creating a new open space zone which would be confusing for staff and the general public in dealing with open space issues, particularly in relation to reverse sensitivity effects of activities
- The Activity Status Table proposes that Community Centres and Halls, Clubrooms and Recreation Facilities would be restricted discretionary activities, and that organised sport and recreation would be a permitted activity for the proposed parks. These activities are not compatible with the size of the proposed parks including the suburb park which has an area that only provides for informal recreation uses
- If a Civic space was appropriately zoned as Open Space Civic Spaces, markets would be a permitted activity.
- Outdoor seating with a height of under 1.5 metres is already a permitted activity in Open Space zones as are pedestrian and cycle paths, and does not require specific provision.

### Recommended additions to proposed Plan Change Text

3.10 Park frontages are ideally open and unfenced, and above ground infrastructure in the road reserve can detract from the amenity of parks. The following standard is recommended if this plan change is approved:

*Above ground infrastructure excluding street lights will not be located within road reserve adjacent to parks.*

### Review summary

3.11 The open space network should be indicative and shown on an open space network precinct plan that includes indicative zones. The zone of the civic space park adjoining the Neighbourhood Centre should be indicated as 'Open Space – Civic Spaces' zone, and the zone of neighbourhood and suburb parks should be indicated as 'Open Space Informal Recreation' zone. There should be no variation from the existing AUP activity status for any open space zones.

3.12 Proposed Objectives 6 and 7, and proposed Policies 5-8 provide support to a connected and accessible blue-green network with access, recreation and conservation outcomes as directed by the Open Space Provision Policy, the Drury-Opāheke Structure Plan and supporting documents.

3.13 The Applicant has stated that open spaces greater than Council's requirements could be privately managed, however a mechanism for this is not proposed, and it is unclear how a neighbourhood park would be privately managed. As noted above, private ownership of the pocket park at the entrance is not supported.

## 4.0 Submissions

### Submissions

4.1 Submissions relevant to parks planning issues are considered in the following table:

Table 3: Comment on Submissions

Ref	Submitter	Submission	Comment
16.1	Ministry of Education	Support for Objective IXXX.2 (6) An accessible blue green network is established through the Precinct...	<b>Agree</b> - as noted above, this objective is supported.
16.4		Support for Policy IXXX.3 (6) Provide for pedestrian, cyclist, vehicle and riparian connections throughout the Precinct	<b>Agree</b> - As noted above, this policy is supported.
22.17	Auckland Transport	Amend PC 61 to include provisions relating to the minimum road reserve...	Agreement to the extent that well-planned infrastructure within the road reserve with dedicated space for street trees supports more street trees and improved life spans of street trees. Root and aerial space for street trees should be considered in relation to any changes to the road reserve width.
23.5	Auckland Council	Amend IXXX.6 to provide a standard that requires management of effects of weed removal including potential stream bank erosion for the following rules: ... Rule (A17) in Table IXXX.4.4 Open Space – Informal Recreation Zone	As noted above, an activity status table for areas to be zoned as open space is not supported as this is better covered by general AUP rules for citywide consistency.
23.6		... Delete rules (A18) and (A19) in Table IXXX.4.4. in the Open Space Informal Recreation Zone ...	As noted above, an activity status table for areas to be zoned as open space is not supported as this is better covered by general AUP rules for citywide consistency. A rule supporting the removal of native vegetation is not supported.
23.10		Delete the proposed Open Space – Informal Recreation Zone from the zone maps. Insert indicative open space within one of the precinct plans and amend the title and key of the precinct plan to that effect <i>Reasons (abridged) include:</i> ...all open space acquisitions (even those at no capital cost) require approval by... Council All proposed open space acquisitions must be consistent with ... Council policies Locking in detailed open space...is undesirable before political approval to acquire the land is obtained	<b>Agree</b> - The open space network should be indicative and shown on an open space network precinct plan, and zoning should be indicative only
23.11		... delete the rules in Table IXXX.4.4 Open Space Informal Recreation Zone ... The rules in the in the underlying open space zones are appropriate for management of effects. The AUP open space rules were developed through the input of many internal	<b>Agree</b> - as discussed above open space within the plan change area should generally not depart from the existing AUP open space framework.

		and external stakeholders and specialists, and the public. Precinct rules should only depart from the underlying AUP provisions if the natural or human environment of the precinct has exceptional features that warrant a different regulatory approach. That case has not been made out in PC 61 for the majority of the proposed open space rules.	
23.12		... retain rule (A7) in Table IXXX4.4 Open Space – Informal Recreation Zone (allowing for Mana Whenua Cultural Identity Marker as a permitted activity)	<b>Agree</b> - Rule (A7) is consistent with the Southern Structure Plan Area Neighbourhood Design Statement which includes Te Aranga Māori Design Principles, and should be considered as a departure from open space activity status provisions.
25.2	Counties Power	...Counties Power seeks alternative road corridor design to ensure appropriate electricity infrastructure can be provided to service the development... these changes include * 700mm grass covered strip at the back of the berm along both sides of the road * suitable provision required for distribution substations within the road reserve in agreement with Counties Power	Agreement to the extent that well-planned infrastructure within the road reserve with dedicated space for street trees supports a greater number of street trees and improved life spans of street trees. Any changes to the road corridor design should take into account root and aerial space available for street trees. Distribution substations in front of open space reduce the amenity and openness, and these locations should be specifically excluded.
25.7		Standard IXXX.6.3 (Collector Road cross-section) is supported in part. Counties Power seeks alternative road design to ensure appropriate electricity infrastructure can be provided to service the developments within the plan change area. These changes include: Suitable provision required for distribution substations within the road reserve in agreement with Counties Power	Do not disagree, however if plan change wording further enables substation provision this should generally prevent above ground infrastructure being located in front of open space (excepting street lights).
27.3	Heritage NZ Pouhere Taonga	The adaptive reuse of the villa is also supported, toward an appropriate publicly accessible use, as is the use of the adjoining pocket Park ... 'as a place of learning / waananga'	<b>Disagree</b> – as noted above, this area is not strategic public open space because of the location and size
27.5		... The proposed plan change is amended to locate the entire proposed 'John Fitzgerald Homestead' Historic Heritage Place Extent of Place within Open Space – Informal Recreation zone...	<b>Disagree</b> – as noted above, this area is not strategic public open space because of the location and size.
27.8		To locate the entire proposed 'John Fitzgerald Homestead' Historic Heritage Place Extent of Place within Open Space – Informal Recreation zone...	<b>Disagree</b> – as noted above, this area is not strategic public open space because of the location and size.

#### Further Submissions

4.1 The points raised in further submission have been adequately considered in table 3 above.

## 5.0 Conclusions and recommendations

- 5.1 The plan change proposes the creation of open space in excess of the recreational needs identified by the Open Space Provision Policy, and thereby meets or exceeds the directives of the Auckland Regional Policy Statement, the Auckland Unitary Plan and the Drury-Opāheke Structure Plan with respect to parks provision. While the suburb park and the southern neighbourhood park would be located and of a size that they would provide good accessibility of future residents to informal parks as defined by the Open Space Provision Policy, additional areas of open space including pocket parks are not expected to form part of the Council Parks network and are not supported.
- 5.2 It is recommended that the plan change include a Precinct Plan that includes indicative locations of open space, streams to be retained and riparian areas to be enhanced, wetland locations, and an indicative greenway route that are consistent with the Drury-Opāheke Structure Plan rather than propose the zoning of areas.
- 5.3 It is recommended that no wording in the proposed plan change implies (and potentially creates a legitimate expectation) that any of the indicative open space on the proposed Precinct Plan will be acquired by the Council. This includes land shown as proposed drainage reserve on any of the plan change documents and the parks indicated on the Drury-Opāheke Structure. This also applies to land that is to be acquired at no cost; land acquisition can be addressed during the subdivision and resource consenting processes.
- 5.4 The southern neighbourhood park as proposed is located in a generally suitable location but could be more optimally located to the south-west where it could be co-located with a drainage reserve.
- 5.5 When the location of parks is finalised, neighbourhood and suburb parks would be appropriately zoned as 'Open Space Informal Recreation' in the existing AUP rules framework. The proposed civic space park is larger than the Open Space Provision Policy directs. A smaller civic space park could be considered in relation to Council acquisition. If approved by Council, this park would be more appropriately zoned as 'Open Space – Civic Spaces Zone'.
- 5.6 It is recommended that there is no general departure from the existing AUP activity status for these zones, and the activity status table for open space zone is not supported. Departure could be considered in relation to the Mana Whenua Cultural Identity Markers as this is consistent with the Southern Structure Plan Area Neighbourhood Design Statement which includes Te Aranga Māori Design Principles.
- 5.7 Proposed Objectives and Policies support a connected and accessible blue-green network with access, recreation and conservation outcomes as directed by the Open Space Provision Policy, the Drury-Opāheke Structure Plan and supporting documents.
- 5.8 Comment is provided above in relation to submissions to the proposed plan change. Well planned infrastructure within the road reserve with dedicated space for street trees supports the provision of a greater number of street trees and longer life expectancy of street trees. If changes are made to the proposal so that wording further enables substation provision this should preclude above ground infrastructure being located in front of open space.

25 August 2021

To: Jimmy Zhang, Policy Planner, Auckland Council

From: Carl Tutt – Ecologist, Auckland Council

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**Subject: Private Plan Change – PC61 – Waipupuki, Drury – Terrestrial Ecological Assessment**

## **1.0 Introduction**

1.1 I have undertaken a review of the private plan change, on behalf of Auckland Council in relation to ecological effects.

1.1.1 I hold the qualifications of Bachelor of Science in Biology and Post Graduate Diploma in Environmental Management from Auckland. I have 8 years' experience working as an ecologist in private and local government sectors.

1.1.2 I have completed the Auckland Council Stream Ecological Valuation (SEV) training (2015).

1.1.3 I am a professional member of the New Zealand Ecological Society, Environment Institute of Australia and New Zealand, New Zealand Freshwater Sciences Society and New Zealand Herpetological Society.

1.2 In writing this memo, I have reviewed the application material in full. The following documents specifically address ecological matters:

- 'Plan Change Report Section 32 Analysis Assessment of Environmental Effects', by Tattico and dated July 2020.
- 'Waipupuke Private Plan Change', by Freshwater Solutions and dated July 2020.
- 'Arboricultural Assessment', by Greenscene NZ and dated July 2020.
- 'Further information requested under Clause 23 First Schedule of the Resource Management Act 1991', by Tattico, and dated 2 October 2020.

1.3 I undertook a site visit with Auckland Council's streamwork specialist on 13 October 2020.

## **2.0 Key terrestrial ecological Issues**

2.1 There are no substantive terrestrial ecological issues associated with this proposal.

2.2 Not being able to undertake a survey of bats leaves a level of uncertainty around the habitat value of some of the trees on site. The applicant's ecologist appears to have applied a conservative approach to this fauna assessment. Further discussion on this is in paragraph 3.2 below.

2.3 All riparian areas associated with stream A and D will be restored. The proposed precinct plan wording indicated that these streams will be protected but does not include any detail of how these areas will be legally protected.

## **3.0 Applicant's assessment**

3.1 The assessment of terrestrial values and effects was based on both a desktop assessment and site visit for the plan change area as presented in section 3 of the ecology report.

3.2 The arborist and ecological reports (section 5) both conclude that there are no significant trees within the site that are deemed worthy of protection under the Auckland Unitary Plan: Operative in Part (AUP:OP). While I concur with this statement, some of the large trees (oak, pine, macrocarpa) are mature trees which likely provide habitat value to



native fauna (birds, lizards and bats). For bats in particular, the applicant planned to undertake a bat survey across the site. This was not able to be completed due to Covid-19 restrictions over the survey period. This survey would have helped further inform the habitat value of individual trees or groups of trees on site, providing further justification for or against the protection and retention of vegetation if bats had been detected.

- 3.3 The arborist report concludes (section 5) that there are 34 protected trees in the road reserve and another five groups and 167 individual non-protected trees in neighbouring properties. None of these trees are proposed to be removed and all of them have tree protection zones ensuring that activities (i.e. earthworks) within the tree protection zone do not impact the trees.

#### **4.0 Proposed precinct provisions.**

- 4.1 All of the following rules should be deleted as the same outcomes can be achieved under existing AUP:OP chapter 15 provisions. IXXX.4.1 (A15, A16 and A17); IXXX.4.2 (A11, A12, A13); IXXX.4.3 (A21); IXXX.4.4 (A21, A22, A23). While the wording is a minor deviation from E15 there is no need to repeat rules that are already in the AUP:OP as chapter E15 sufficient.
- 4.2 The clause 23 further information response states that the deviation from the current E15 provisions in which the removal of weeds, pests and exotic vegetation within the Waipupuke Precinct and within 10m of a protected stream identified on precinct plan 2 are a permitted activity. The justification for this change is to better enable revegetation of the riparian margins in accordance with a comprehensive planting and maintenance plan. I disagree with this justification as revegetation is successfully undertaken across the Auckland region with the existing provisions in place.
- 4.3 Additionally, given there are a number of large exotic trees within the site which have suitable bat roost features, which could likely be used intermittently as day roosts. The removal of these trees as a permitted activity could potentially have impacts on the local bat population.
- 4.4 Policy IXXX.3 (7) can be reworded to strengthen the links to the Regional Policy Statement and Drury Opāheke Structure Plan around maintaining and improving biodiversity.
- 4.5 Standard IXXX.6.4 (2) should be amended to provide a stronger direction towards restoration outcomes.
- 4.6 Should matter of discretion IXXX.7.1 (5) be included, it should be amended to reflect the existing environment of the precinct. As there is limited native vegetation within the streams identified on precinct plan 2 this matter of discretion as currently worded is redundant.
- 4.7 Suggested precinct wording amendments are in section 7.0 below.

#### **5.0 Assessment of terrestrial ecological effects and management methods**

- 5.1 Objective B7.2.1(2) of the Regional Policy Statement seeks that *Indigenous biodiversity is maintained through protection, restoration and enhancement in areas where ecological values are degraded, or where development is occurring.*
- 5.2 Objective E15.2(2) also seeks that *Indigenous biodiversity is restored and enhanced in areas where ecological values are degraded, or where development is occurring.*
- 5.3 I consider that the plan change is partially inconsistent with these objectives as set out below.
- 5.4 The arboricultural report concludes that there are no significant trees within the site that are deemed worthy of protection under the AUP:OP. While this may be true when assessing the vegetation in isolation, the ecological report makes note of several of these trees containing suitable bat roost features. Long-tailed bats (*Chalinolobus tuberculatus*) has a conservation status of 'Threatened—Nationally Critical'. It is protected under the Wildlife Act 1953 and their habitat requires consideration as a matter of national

importance under section 6(c) of the RMA. As bats are highly mobile species with large home ranges (100km<sup>2</sup>) their habitat can occur anywhere in the landscape. Some of the older, larger trees on site outside of riparian margins contain flaking bark and/or roost cavities that would be suitable intermittent roosts for bats. These intermittent roost features in a fragmented landscape are likely quite important for bat populations in the local area, providing stepping stones between remaining bush fragments.

- 5.5 The ecological report does discuss potential impacts on bats, however, surveys were unable to be undertaken due to Covid-19 restrictions. It is recommended that a bat survey is undertaken before vegetation removal. This survey would serve two purposes, firstly to determine if bats are present within the site. Secondly, if bats are present, the applicant would need to ensure that trees with roost features do not contain bats prior to felling.
- 5.6 I only concur that E15 is appropriate to address the potential effects generated at time of resource consent in relation to any trees within riparian margins. Some of the potential bat roost trees are outside of riparian margins. With an urban zoning applied to the land there is no protection afforded to the trees outside riparian margins under E15 or the subdivision rules in E38. Therefore, under the current provisions there is no surety these trees will be considered at resource consent stage. I consider this is inappropriate for the management of a threatened species.
- 5.7 To address this issue, in the absence of sufficient assessment of bats in the applicant's ecology report, I recommend the addition of a new standard requiring the ecological surveys of bats as part of any subdivision. This will help ensure that all ecological values are appropriately considered at the outset of development.
- 5.8 The proposed precinct plan makes mention of protected stream (and riparian margins) but provides no further detail on how these areas will be protected.
- 5.9 Suggested new wording to address the above has been provided in section 7.0 below.

## 6.0 Submissions

Submission 23 express concerns around the proposed precinct provisions and terrestrial ecological matters. I support the suggested amendments in this submission and have recommended similar amendments in section 7 below.

## 7.0 Conclusions and recommendations

- The AUP:OP is not absolute when protecting habitats of indigenous fauna. Some of these habitats fall outside of riparian margins and significant ecological areas especially when considering species which have large home ranges or utilise different environments at different life stages. The AUP envisages detailed assessments of future growth areas through the plan change process would identify any significant habitat of indigenous fauna that needs protecting under section 6(c) of the RMA, and B7.2 of the RPS. Case 2020\_NZEnvC\_189 involved long tailed bats and the management measures in place to protect them in a known location. It acknowledges the large home range of bats and the emphasis on improving habitat quality of critical species. Given there are known populations nearby this site then any ecological impact assessment needs to consider effects on this species.
- The remainder of the private plan change is generally consistent with the direction and framework of the AUP:OP. Amendments to include specific reference to biodiversity enhancement will bring the proposed precinct more in line with the requirements of the Regional Policy Statement B7.2.
- I am able to support the plan change with the following modifications. I am able to support the plan change with the following modifications. Underlined text are additions, ~~strikethrough~~ text are deletions.

#### **Activity Table IXXX.4.1**

- Delete the following activities from the proposed plan change as the current provisions in chapter E15 are appropriate. A15, A16 and A17

#### **Activity Table IXXX.4.2**

- Delete the following activities from the proposed plan change as the current provisions in chapter E15 are appropriate. A11, A12, A13

#### **Activity Table IXXX.4.3**

- Delete the following activity from the proposed plan change as the current provisions in chapter E15 are appropriate. A21

#### **Activity Table IXXX.4.4**

- Delete the following activities from the proposed plan change as the current provisions in chapter E15 are appropriate. A21, A22, A23

#### **Policy IXXX.3 (7)**

- Policy IXXX.3 (7) Retain ~~the protected~~ streams identified on Precinct Plan 2 and incorporate biodiversity enhancement their 10m of riparian margins through the removal of harmful species and vegetation and replacement with native vegetation, positive ecological outcomes and ongoing maintenance.

#### **Standard IXXX.6.4 (2)**

- Riparian margins of the protected streams identified on Precinct Plan 2 shall be planted to a minimum width of 10m measured from the top of the stream bank. A riparian planting plan must be prepared to demonstrate compliance with this standard and must:
  - a. Incorporate all information requirements of AUP:OP Appendix 16 ~~include a plan identifying the location, species and planting bag size and density of plants;~~
  - b. be prepared and confirmed by a suitably qualified and experienced person ~~Use native vegetation;~~
  - c. Provide fruiting and flowering plants for birds and suitable habitat structure for lizards ~~Be consistent with local biodiversity;~~
  - d. Include weed and pest removal methodologies;
  - e. Include a maintenance plan;
  - f. Be planted at a density of 10,000 plants per hectare;
  - g. Be protected in perpetuity by a legal mechanism (covenant or encumbrance).

#### **Matter of discretion IXXX.7.1 (5)**

- Removal of native vegetation within 10m of a protected stream (measured from the top of the stream bank) identified on Precinct Plan 2.
  - a. The relevant matters for consideration listed in E15.8.1(1)

#### **New special information requirements IXXX.8**

- (1) Any development or subdivision of land that contains a stream shall be accompanied by a riparian planting plan that is prepared by a suitably qualified and experienced person and:

- a. demonstrates compliance with Standard IXXX.6.4(2)) and incorporates all information requirements of Appendix 16;
  - b. identifies the location, species, planting bag size and density of the plants;
  - c. uses eco-sourced native vegetation;
  - d. provides fruiting and flowering plants for birds and suitable habitat structure for lizards;
  - e. has a planting density of 10,000 plants per hectare, unless a different density has been approved on the basis of plant requirements
  - f. includes an archaeological assessment prepared by a professionally qualified archaeologist showing the location and extent of any archaeological sites to be avoided.
- (2) Any development or subdivision application shall include an environmental management plan containing:
- a. ecological surveys of bats and birds;
  - b. the identification of any existing significant ecological values and habitat features to be protected from development;
  - c. stream surveys which determine the location and classification of any stream on the site;
  - d. an assessment of notable trees confirming any trees to be protected from development.

14 May 2021

To: Jimmy Zhang, Reporting Planner  
From: Robert Brassey, Principal Specialist Cultural Heritage

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**Subject: Private Plan Change – PC61 (private): Waipupuke, Drury – Historic Heritage Assessment**

## **1.0 Introduction**

- 1.1 I have undertaken a review of the private plan change on behalf of Auckland Council in relation to effects on historic heritage.

I have a Master of Philosophy degree with first Class Honours in anthropology specialising in New Zealand archaeology. I have worked in the field of historic heritage management for nearly 40 years, including more than 20 years for Auckland councils and 15 years for central government agencies prior to that. My experience and post graduate training spans archaeology, built and maritime heritage, gardens and landscapes, historical research, and heritage policy and planning.

I have commissioned, reviewed, prepared, or contributed to numerous significance assessments, conservation plans, structure and area plans and remedial work plans and programmes for historic heritage places. In my Auckland Council role as Principal Specialist in the Auckland Council Heritage Policy team, I was responsible for leading the development of the Auckland Unitary Plan historic heritage evaluation system and non-statutory methodology for the evaluation of Auckland's historic heritage. I also contributed as a subject matter expert to the development of many other parts of the plan. I am familiar with the plan provisions, criteria and thresholds for identifying and managing significant historic heritage places.

- 1.2 In writing this memo, I have reviewed the following documents:

- Waipupuke Planning Report and Section 32
- Attachment A: Waipupuke proposed plan change
- Attachment P: Archaeological Assessment
- Attachment Q: Heritage memo
- 329 Karaka Road historic heritage evaluation
- 140 Jesmond Road historic heritage evaluation
- Drury-Opāheke Structure Plan 2019
- Drury Structure Plan historic heritage topic report 2017
- Annexure E (iii) - Ngati Tamaoho Cultural Values Assessment
- Annexure E - Mana Whenua Key Agreed CVA Outcomes
- Relevant submissions and further submissions

## **2 Key historic heritage issues**

The key historic heritage issue relates to the age and significance of a farmhouse at 140 Jesmond Road. There is disagreement over whether this building meets the significance criteria in the Proposed Auckland Unitary Plan Operative in Part (**PAUP**) Historic Heritage Regional Policy Statement (**RPS**), and whether it was built before 1900. This has relevance to whether or not the precinct provisions should provide for the management of this building. Pre-1900 buildings may also fall within the definition of an archaeological site in the Heritage New Zealand Pouhere Taonga Act (**HNZPTA**).

There are also issues relating to the potential for unrecorded archaeological sites to be present in the plan change area.

## **3 Applicant's assessment**

The applicant initially provided an archaeological assessment (Attachment P) and an interim built heritage memo (Attachment Q) that addressed farmhouses at 329 Karaka Road and 140 Jesmond Road, within the plan change area. In response to a Clause 23 request for further information, the applicant provided historic heritage evaluations for the farmhouses, prepared by Plan.Heritage consultants.

The archaeological assessment provides an evaluation of effects on subsurface historic heritage and archaeological remains based on desktop research and field inspection. There are no previously recorded archaeological sites in the plan change area, and none were found during the assessment. The report concludes that the likelihood of encountering any unidentified subsurface site of Māori origin during development is low, and that it is appropriate to rely on the AUP Accidental discovery rule.

The archaeological assessment does not address the age and potential archaeological significance of the farmhouses or other buildings in the plan change area. These matters have been assessed separately in the evaluations prepared by Plan.Heritage. The evaluations conclude that both buildings are pre-1900, and that an ancillary cowshed on the Karaka Road property was possibly erected by 1906.

In relation to significance, the evaluations undertaken by Plan.Heritage conclude that:

- The farmhouse and associated utility buildings at 329 Karaka Road are of moderate-low historic heritage significance and the place does not meet the PAUP criteria for inclusion in the heritage schedule
- The villa farmhouse at 140 Jesmond Road is of considerable local historic heritage significance and meets the PAUP historic heritage criteria and thresholds.

The memo prepared by John Brown<sup>1</sup> sets out options and recommendations for managing the significance of the Jesmond Road farmhouse, and the archaeological values of both properties. It concludes that the proposed precinct and zoning will result in the retention of historic heritage values associated with 140 Jesmond Road, and that the recommendation to include the homestead on the schedule of historic heritage places creates a formal level of protection which does not currently exist. Sixteen specific management recommendations are included in relation to the property.

Potential adverse effects on 329 Karaka Road are assessed as minor, and seven recommendations are included to mitigate these effects.

## **4. Assessment of historic heritage effects and management methods**

### **4.1 Effects on archaeological sites**

The scope and methodology of the archaeological assessment included as Attachment P in relation to terrestrial/subsurface archaeology are appropriate for a plan change of this nature, in this location, in my opinion.

I note that Ngāti Tamaoho have indicated that the ridge that bisects the Waipupuke plan change area was once used for the processing and storage of food and other materials.<sup>2</sup> However the source of this statement is not identified, and no tangible evidence of such activity was noted during the archaeological assessment.

The heritage evaluations of the farmhouse at 140 Jesmond Road and 329 Karaka Road identify both farmhouses as predating, or likely predating 1900, and conclude that they are archaeological sites as defined in the Heritage New Zealand Act. These conclusions influence the assessment of effects, and recommendations for managing these effects.

#### 329 Karaka Road farmhouse and cowshed

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<sup>1</sup> Notification documents, Attachment Q

<sup>2</sup> Annexure E (iii):5

Research provided in the evaluations undertaken by Plan.Heritage for the Karaka and Jesmond Road properties has not identified an exact date of construction for either farmhouse or for the early cowshed at 323 Karaka Road.

The evidence cited by the authors in relation to the 329 Karaka Road farmhouse relies primarily on architectural features, in particular the existence of board and batten ceilings which are present in some rooms, and the use of scrim-on-sarking interior wall linings. The authors argue that these indicate that the bungalow-style building has been built around a pre-existing nucleus comprising the core of a pre-1900 villa.

This argument is not supported by the evidence provided in the report.

If the board and batten ceilings were remnants of an older villa, they would be higher. This is because villa residences had a higher stud height, averaging 3.35 metres, than bungalows. Although the height of the board and batten ceilings is not identified it appears from the photographs in the report to be consistent with other ceilings present throughout the balance of the house. In any case, higher ceilings in some rooms would be difficult to accommodate in a dwelling of this (bungalow) design due to the consistent height at eaves level. Therefore, these ceilings cannot be in-situ ceilings from an earlier villa and must have been constructed at the same time as the rest of the bungalow farmhouse.

The use of scrim-on-sarking wall linings<sup>3</sup> is not definitive of a pre-1900 or pre-1918 date. It was not until the mid-1920s that sheet wall linings became commonplace in houses in New Zealand. Furthermore, new architectural styles and innovations were slow to percolate out to rural areas in New Zealand. It is not uncommon to find dwellings in rural environments that would have been considered anachronistic in urban or suburban settings at the time of construction.

Buildings in rural environments may also incorporate materials salvaged and recycled from earlier structures to cut construction costs. It is possible that both the sarking and the ceilings referred to above were made of recycled materials. This should be readily determinable by examining the boards for holes made by earlier fixings.

It is difficult to comment on skirtings, architraves and doors used in the building as these are not clearly discernible in the small low-resolution images in the digital copy of the report included with the application.

The report identifies an early cowshed on the property which is described as 'possibly erected by 1906'. No details of the shed are provided (for example what type of timber has been used in its construction<sup>4</sup>), and it is unclear what evidence was used to determine its likely age.

#### 140 Jesmond Road farmhouse

I have reviewed the evaluation of the Jesmond Road farmhouse, which includes an age determination for the building. The evaluation has been independently reviewed by my colleague, Rebecca Freeman, Senior specialist – built heritage. I have attached her memo as an addendum to this report.

Based on historical research the authors of the evaluation have provided a likely date range during which the villa was constructed, with a preference for an earlier date of 1893, and an alternate date of 1904. Section 4.6 of the evaluation states that it is unlikely the villa was constructed after 1904 because the architectural style would have been anachronistic beyond that date.

Both Ms Freeman and I disagree with the proposed 1893 date of construction.

Based on the information available, 1904 should be considered the earliest possible date of construction, rather than the latest. The dwelling is an example of a square-bay villa. Ms Freeman has pointed out that a review of similarly designed cottages elsewhere in the region has shown that square-bay villas generally date closer to 1910. I am familiar with dated transitions

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<sup>3</sup> Hessian 'sacking' tacked to wide rough-sawn boards and wallpapered

<sup>4</sup> Photographs in the built heritage and archaeological reports do however appear to show the shed clad with knotted weatherboards indicative of non-native timber, which would be consistent with a later date

from earlier villa styles to square-bay villas in inner city suburbs. The initial appearance of square-bay villas in those examples took place in 1905.

Features included within the house, such as the Edwardian fireplace surround and Chicago-style window, also point to a date of construction later than 1893.

A mortgage taken out after the purchase of a property can often signal the construction of, or substantial extensions to, a building. In this case John Fitzgerald obtained a mortgage in 1904, and this was potentially to fund the construction of the existing farmhouse.

### Conclusion

There is no verified physical evidence of pre-1900 activity at 140 Jesmond Road. I conclude that construction of the farmhouse commenced in or after 1904.

Regarding 329 Karaka Road, historical evidence points to an earlier (late 19<sup>th</sup> century) farmhouse and outbuilding being once been present somewhere on one of the land parcels. The existing farmhouse likely dates from the interwar period, while the existing outbuildings are of unknown age. No physical evidence of pre-1900 archaeological sites or features has been identified on the property.

I conclude that there are no confirmed effects on archaeological sites.

As there is no physical evidence of any archaeological site at either location, I do not consider it appropriate to record these places in ArchSite or the Auckland Council Cultural Heritage Inventory as archaeological sites.

## **4.2 Historic heritage significance**

### 329 Karaka Road farmhouse and outbuildings

I agree with the conclusion reached by the authors of the evaluation<sup>5</sup> that the farmhouse and outbuildings do not meet the significance criteria and thresholds in the PAUP Historic heritage RPS.

### 140 Jesmond Road farmhouse

Based on the information provided in the assessment I do not agree that the farmhouse at 140 Jesmond Road meets the criteria and thresholds for significance in the PAUP Historic heritage RPS.

The thresholds are:

- Considerable or outstanding significance in relation to one or more of the evaluation criteria, and,
- Considerable or outstanding significance to a locality or greater geographic area.

I consider the level of significance under the historical and context criteria; the integrity of the farmhouse; and the uniqueness and significance of its physical attributes to be overstated.

In my opinion the property would not be recommended by the Auckland Council Heritage Unit for scheduling, based on the assessment provided and the information to hand. My colleague Rebecca Freeman, who has also reviewed the evaluation, has reached the same conclusion.<sup>6</sup>

## **5 Submissions and further submissions**

### **5.1 Heritage New Zealand Pouhere Taonga (Heritage New Zealand)**

Heritage NZ (submission 27) supports the plan change with amendments as below:

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<sup>5</sup> 329 Karaka Road historic heritage evaluation

<sup>6</sup> See addendum.



27.1 Supports the proposed retention of the c.1893 villa at 140 Jesmond Road and proposed scheduling as a Category B Historic Heritage Place in Schedule 14.1 of the Auckland Unitary Plan (Operative in Part) (AUP(OP)), in accordance with extent of place, primary feature and exclusions as proposed.

27.2 The proposed Schedule 14.1 entry should include the 'Additional Controls for Archaeological Sites or Features' as per the recommendation made in Section 9.2 of the '140 Jesmond Road, Drury, Auckland, Historic Heritage Evaluation', completed by Plan.Heritage, dated October 2020, at page 44.

27.3 The adaptive reuse of the villa is also supported, toward an appropriate publicly accessible use, as is the use of the adjoining pocket park and the refurbished villa for the reinstatement of Te Whare Nohoanga in recognition of the past use of the place by Māori, 'as a place of learning/wānanga'. The proposed plan change is amended to include provisions requiring the refurbishment and restoration of the homestead to provide for an appropriate publicly accessible adaptive reuse such as a childcare/kohanga reo/community/communal facility or café in accordance with principles of the ICOMOS New Zealand Charter 2010.

27.4 Heritage New Zealand however does not support the indicative inclusion of several features including community gardens, an orchard, and fitness & play elements within the site surrounds of the house (the 'home paddock') and proposed scheduled extent of place. These features should more appropriately locate adjacent to but outside of the 'home paddock' house surrounds.

27.5 The proposed configuration of zone boundaries in relation to the homestead and associated extent of place are not supported, and present a confusing scenario, with the extent partially falling within intensive Residential – Terrace Housing & Apartment Building (THAB) zone; partially within the road reserve; and partially within the Eastern Pocket Park and Open Space – Informal Recreation zone. The proposed plan change is amended to locate the entire proposed 'John Fitzgerald Homestead' Historic Heritage Place Extent of Place within Open Space – Informal Recreation zone with proposed Eastern Pocket Park features located outside the extent of place, and with road frontage along the eastern boundary of the extent of place but not within it.

27.6 Heritage New Zealand does not support the placement of THAB zoning within the homestead extent with this presenting a development expectation incongruous with the retention and preservation of the homestead and its extent and has the potential of over dominating the scale and setting of the homestead.

27.7 Provision should be made to ensure an appropriate setback and transition of density from THAB zone development to the villa site and proposed accompanying/encompassing area of open space.

27.8 To locate the entire proposed 'John Fitzgerald Homestead' Historic Heritage Place Extent of Place within Open Space – Informal Recreation zone with proposed Eastern Pocket Park features located outside the extent of place, and with road frontage along the eastern boundary of the extent of place but not within it.

27.9 Heritage New Zealand seek that in the finalisation of roading and lot configurations, consideration is given to reflecting existing site and subdivision boundaries which contribute to the meaning of place, and that the pattern of development appropriately addresses the villa, including the provision of sightlines to the dwelling from within the development.

27.10 The archaeological assessment does not make specific mention of the lengths of Ngakaroa Stream and Oira Stream tributaries that fall within the site. Heritage New Zealand considers additional archaeological site survey should be completed to determine the likelihood for these areas to contain archaeological remains, and that this informs proposed riparian margin restoration planting and stormwater park design and management as appropriate, to ensure any potential archaeological remains are avoided in the first instance.

27.11 The plan request materials recommend recording of 140 Jesmond Road and 329 Karaka Road as archaeological sites on the New Zealand Archaeological Association (NZAA) database ArchSite, (and their addition to the Auckland Council Cultural Heritage Index (CHI)), this has yet

to be undertaken and should be completed. Archaeological extents for both locations should be established and included as part of each record.

27.12 Heritage New Zealand seeks the addition of provisions to require interpretation of late 19th century historic European settlement and farming on the subject land and the wider Karaka area and beyond, in accordance with recommendations made in the in the historic heritage assessments prepared in support of the plan change request, and in accordance with conservation principles as outlined in the ICOMOS New Zealand Charter 2010.

27.14 To enable retention of existing vegetation within the site at 329 Karaka Road (particularly any identifiable as having early historic associations with the homestead), and the incorporation of onsite interpretation of both the cultural and historical background of the plan change area within the proposed reserve at 329 Karaka Road and in association with 140 Jesmond Road, in accordance with principles of the ICOMOS New Zealand Charter 2010.

## 5.2 Auckland Council

Auckland Council (submission point 23.11) seeks that the proposed Open Space – Informal Recreation Zone be deleted from the zone maps and that indicative open space is inserted within one of the precinct plans, with the title and key of the precinct plan amended to that effect.

This submission is of relevance because part of the setting and proposed scheduled extent for the 140 Jesmond Road property is proposed to be Open Space Informal Recreation Zone, and Heritage New Zealand (#27.6-8) has submitted on the zoning of the property.

## 5.3 Kāinga Ora

Kāinga Ora (FS 27) has made 14 further submission points in relation the submissions by Heritage New Zealand. The further submission point numbers correspond to the original Heritage New Zealand submissions.

Several of these points (#5-8) oppose in part, or oppose, proposed zoning or proposed amendments to zoning that are contingent on the farmhouse at 140 Jesmond Road being scheduled. FS points 12 and 14 oppose in part the provision of on-site interpretation and retention of vegetation with historic associations, where that is inconsistent with further submission points #5-8.

Further submission points 1-4 support the original submission points.

Kāinga Ora opposes in part Auckland Council submission point 23.11.

## 5.4 Response

Most of the submission points made by Heritage New Zealand relate in whole or part to the farmhouse ('John Fitzgerald Homestead') at 140 Jesmond Road.

As I do not agree that this place meets the criteria and thresholds for inclusion in the PAUP historic heritage schedule, I do not support the submission points, parts of submission points, or further submission points seeking:

- that the place be scheduled
- amendments to the precinct provisions including changes to zoning or the requirement for interpretation to be provided at 140 Jesmond Road, or at 329 Karaka Road.<sup>7</sup>

I neither support nor oppose submission points seeking elective actions by the applicant, including the proposed retention and adaptive reuse of the farmhouse and it's setting.

I do not support any proposed zoning, transfer of ownership or other provision that would result in Auckland Council inheriting responsibility for managing the farmhouse at 140 Jesmond Road or

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<sup>7</sup> Submission point 27.12

its setting. I support the Auckland Council submission point 23.12 seeking that the proposed Open Space – Informal Recreation Zone be deleted from the zone maps in relation to this property.

As no trees of historic heritage value have been identified in the evaluation for 329 Karaka Road, I neither support nor oppose the relief sought/action proposed in submission point 27.14.

There is no confirmed archaeological evidence within the plan change area. I therefore do not support submission point 27.11 seeking that 140 Jesmond Road and 329 Karaka Road be recorded in databases as archaeological sites.

I consider that there is a very low likelihood of significant unidentified archaeological sites being present in the plan change area beyond the riparian margins of the Ngākoroa Stream. I therefore consider that it is appropriate that any presently unidentified sites that may exist within the plan change area are managed under the provisions of the HNZPTA and Accidental Discovery Rule in the PAUP. I neither support nor oppose the relief sought under submission point 27.10.

## **6 Conclusions and recommendations**

In my opinion:

- The applicant has assessed the private plan change effects on the environment related to historic heritage.
- While I do not agree with several of the conclusions and recommendations, the private plan change is generally consistent with the direction and framework of the AUP in relation to historic heritage, including giving effect to the objectives and policies in the Historic Heritage Regional Policy Statement (B5)
- There are no significant historic heritage places identified within the plan change area
- There is a very low likelihood of significant unidentified archaeological sites being present in the plan change area beyond the riparian margins of the Ngākoroa Stream
- It is not necessary to recommend precinct provisions to provide for management of historic heritage. Any unidentified subsurface archaeological sites that may be present within the plan change area can be managed under the AUP Accidental Discovery Rule and the provisions of the HNZPTA.



## Memo

16 October 2020

To: Robert Brassey, Principal Specialist Cultural Heritage

From: Rebecca Freeman, Senior Specialist Historic Heritage

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Subject: Peer review of the Historic Heritage Evaluation of 140 Jesmond Road, Drury

### Purpose

This document provides a peer review of the Historic Heritage Evaluation of 140 Jesmond Road, Drury, prepared by Plan.Heritage in September 2020.

### Historic Heritage Evaluation

The historic heritage evaluation identifies the place has a projecting bay villa dating from 1893–1904, though the authors prefer the earlier date. The villa is described as unique, primarily for its roof form, and is also considered to be of high integrity both inside and out. The authors have recommended that the place meets the criteria and thresholds for inclusion in Schedule 14.1: Schedule of Historic Heritage.

The place is proposed to be retained on its original site as part of a wider residential subdivision and is proposed to be converted for a community use with a surrounding area of public open space.

### Discussion

#### *Date of construction*

Research to date has not verified an exact date of construction for the subject place. Based on historical research the authors have provided a likely date range during which the villa was constructed, with a preference for an earlier date of 1893 (and an alternate date of 1904). Section 4.6 of the evaluation states that it is unlikely the villa was constructed after 1904 because the architectural style would have been anachronistic beyond that date.

Based on the information available, I disagree with the proposed date range. In my view, 1904 should be considered the earliest possible date of construction, rather than the latest. The subject place is an example of a square-bay villa, and a review of similarly designed cottages elsewhere in the region has shown that square-bay villas generally date closer to 1910.

Features included within the house, such as the Edwardian fireplace surround and Chicago window, also point to a later date of construction. It is worth noting that historically, popular architectural styles were slow to percolate out to rural areas, meaning styles that would have been anachronistic in urban and suburban areas in 1904, may only have recently been adopted in rural areas, giving these houses the effect of looking older than they actually are.

#### *Uniqueness of the place*

In my view, the uniqueness of the subject place has been overstated. The subject place is an example of a square-bay villa, and while I agree it is unusual for the bay to extend the full length of the house, resolving in an independent roof form at the rear, in order for this feature to be significant, its meaning needs to be understood. Rather than relying on unusualness or uniqueness per se to convey significance, the evaluation should consider why the place is unique and whether that uniqueness is important.

In my view, it seems likely that the unusual roof form is another idiosyncrasy associated with rural dwellings. Without the assistance of architects, or even professional builders, many rural structures were constructed by the people who intended to use them, based on the knowledge and materials they had or could access. This often resulted in building forms and features that could be described as unusual, but which are actually not uncommon for this building type as a whole.

In my view, it is not necessary for the comparative analysis to consider national comparators, when the subject place clearly sits within a local context.

#### *Integrity*

In my view, the evaluation also overstates the integrity of the subject place. Based on information contained in the evaluation, the place has been modified a number of times throughout its life, and while I agree many of these changes are reversible, a place must be evaluated as it is, not as it could be.

The exterior of the place is missing a number of architectural features, such as barge boards, verandah posts, balustrades and possibly decorative features including fretwork and finials. The evaluation states that the loss of these features detracts from the values of place, and I note that the place is not considered to meet the "considerable" threshold under criterion (f) physical attributes. A place of high physical integrity would usually be considered a good example of its type or style and would generally be expected to meet the threshold under this criterion.

In my view, the interior retains less integrity than the exterior. I agree there are a range of period features, including doors, windows and hardware that demonstrate the use and development of the place over time, however, the evaluation has defined a clear period of significance for the place (1893-1904) and most of the interior features and spaces sit outside of this period.

I also note that proposing to include the interior as a whole (including features and spaces that sit outside of the period of significance) creates a contradiction under the assessment for criterion (f) physical attributes. Later changes to the interior of the house are considered by the authors to be positive because they reflect the ongoing use of the place, whereas later changes to the field boundaries, which also reflect the ongoing use of the place, are considered detrimental.

#### **Evaluation**

The assessments under both criterion (a) historical and (h) context both discuss the historical importance of the Fitzgerald family. Greater distinction should be made between the identified historical and context values in order to avoid "double-dipping". (Was any information found to support the Fitzgeralds arriving in New Zealand as Fencibles? It seems highly likely given they were from Ireland, William was a veteran, and they arrived in 1842 in Onehunga, but the evaluation does not mention this, so it might be unsubstantiated).

The assessment under criterion (d) knowledge focuses primarily on physical attributes. These values are better addressed under criterion (f) physical attributes. Likewise, the assessment under criterion (e) technological also relates to the design and form of the house, which is better addressed under criterion (f).

#### **Extent of place**

The extent of place defined in Figures 14 and 15 is not supported by the historic heritage evaluation. The identified context values, in particular, rely on a wider "farming landscape", whereas the proposed extent of place only relates to the domestic sphere of the farmhouse.

#### **Options analysis**

Under section 10.2 four options are presented in terms of Auckland Unitary Plan mechanisms, including reliance on the Accidental Discovery Rule. The Accidental Discovery Rule, however, applies under all of these options, including "Do Nothing", and in my view, it should not be

considered separately, and also should not be considered as "option" because it is not an optional rule.

Section 10.3 includes a problematic statement about the timing of any future plan change process. It states that significant works could be undertaken to the subject place prior to scheduling to avoid the resource consenting process, and then the place could be included in a plan change after works were complete. It suggests that this would achieve the same heritage outcome as scheduling prior to undertaking works.

The outcome of scheduling is to recognise significant historic heritage values, and to manage change to those values through the resource consenting process. Circumventing this process does not achieve the same heritage outcome. The subject place would need to be re-evaluated following any significant work to determine whether it retained sufficient integrity and authenticity to meet the thresholds for scheduling. Given that the subject place already lacks physical integrity, it would be unlikely to absorb further change well; considering that its other identified values are not particularly strong, it is reasonable to assume the place would not meet the thresholds for scheduling following significant works.

### Conclusions

Based on the information presented in the historic heritage evaluation, I do not support the recommendation that this place meets the criteria and thresholds for scheduling in Schedule 14: Schedule of Historic Heritage.

### Typographical errors

Location	Type
1.3	The name of the methodology document is <i>Methodology and guidance for evaluating Auckland's historic heritage</i>
1.3	Heritage New Zealand <del>register</del> list
4.5	...original use as <del>domestic</del> a domestic dwelling...
Figure 12	...Grate typical of 1880s-1890s <del>coal-ranges</del> fireplace registers
Figure 13	Check spelling of concrete
6.1	The name of the methodology document is <i>Methodology and guidance for evaluating Auckland's historic heritage</i>
7	Check word choice "cultivation" in relation to "dairy farm"
8.2	...contribution and historic interest, <del>and</del> but do not...
8.3	Post 1904 <del>century</del> water tank
Figure 15	Check spelling of century
9.2	Check the formatting of the primary feature and exclusions against the <i>Methodology and guidance for evaluating Auckland's historic heritage</i>
10.3	There are 2 sections called 10.3
10.3 (the second one)	Option 3 ...maintenance <del>ie</del> if a place...
11	Check spelling of Waipupuke and Precinct

**Addendum to memo (technical specialist report to contribute towards Council's section 42A hearing report)**

12 August 2021

To: Jimmy Zhang, Reporting Planner  
From: Robert Brassey, Principal Specialist Cultural Heritage

**Subject: Private Plan Change – PC61 (private): Waipupuke, Drury – Historic Heritage Assessment**

329 Karaka Road farmhouse and outbuildings

I had the opportunity to undertake a site visit to 329 Karaka Road and to view the farmhouse and outbuildings which are the subject of a heritage assessment provided by the applicants. I commented on the conclusions of assessment in my S42a report dated 14 May 2021.

The site visit provided information which was either not included in the heritage assessment, or which was not discernible in the images. This new evidence has allowed me to revise my opinion on the history of the farmhouse.

The bungalow style farmhouse has clearly been constructed by modifying and extending an earlier villa or cottage. This small earlier villa-style building has been modified by:

- removing the entire roof structure and framing of a new single gable roof
- changing windows from double hung sash windows to casements
- apparently lowering the ceiling height and replacing scotia mouldings
- complete repiling
- substantial unsympathetic additions and other alterations as detailed in the assessment.



Figure 1. Left: Soakers covering transition between villa cladding and addition (later addition lies to left of image); Right: Double line of soakers covering joins in infilled sash window opening.

It is unclear if the villa core of the existing building is in its original location. However, this seems likely, based on the evidence that there was a pre-existing residence on Lot 108.



Figure 2. Original four-panel villa door and architraves. Beyond is the hall door minus original glazing and all but one glazing bar.

Remnant parts of the villa include the flooring, mouldings and interior doors and hardware, ceilings (apparently lowered, with scotia replaced) wall framing, linings and exterior cladding. Stylistically these are consistent with the building having been a small villa or cottage dating from the late 19<sup>th</sup> century as proposed in the heritage assessment, in my opinion.

The outbuildings were not sufficiently accessible to assess.

### **Conclusion**

Having had the opportunity to view the farmhouse at 323 Karaka Road I am now satisfied that part of the dwelling is associated with human activity that occurred before 1900. Whether it provides or may provide evidence relating to the history of New Zealand<sup>1</sup> and is thus an archaeological site, is up to Heritage New Zealand Pouhere Taonga to determine.

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<sup>1</sup> Heritage New Zealand Pouhere Taonga Act, 6 (a) (ii)



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

3 September 2021

To: Jimmy Zhang, Policy Planner, Auckland Council

From: Hillary Johnston & Jack Turner, Consultant Specialists, Auckland Council

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**Subject: Private Plan Change (PC61) – Waipupuke – Stormwater Assessment**

### 1.0 Introduction

- 1.1 We have undertaken a technical review and assessment of the proposed private plan change on behalf of Auckland Council's Plans and Places Team in relation to stormwater effects.
- 1.2 The proposed plan change seeks to rezone approximately 56ha of land from *Future Urban Zone* to a mixture of zones which would enable development generally inspired by the zoning represented within the approved Drury-Opāheke Structure Plan (2019). The proposed zones within the Precinct include the *Residential – Terrace Housing and Apartment Zone*, *Residential – Mixed Housing Urban Zone (MHU)*, *Business – Neighbourhood Centre Zone* and the *Open Space Informal Recreation Zone*. The proposed Waipupuke Precinct includes multiple parcels of land between Karaka Road to the south, Jesmond Road to the east and Oira Road to the west. The proposed precinct is dissected by a ridge line generally through the centre, separating stormwater catchments and relevant overland flow paths to the east and west.
- 1.3 In writing this memo, we have reviewed the following documents:
  - Request for Private Plan Change, Waipupuke, Drury-Opāheke, Plan Change Report, Section 32 Analysis, Assessment of Environmental Effects – dated 22 January 2021 prepared by Tattico.
  - Infrastructure Report, Waipupuke Private Plan Change, Karaka, Auckland (Revision A) dated 27 July 2020 prepared by Maven.
  - Stormwater Management Plan, Waipupuke Private Plan Change (Revision E) – dated 16 December 2020 prepared by Tonkin & Taylor.
  - Proposed precinct provisions - Private Plan Change 60 – dated 22 January 2020.
  - Clause 23, Request for Information Responses
  - Drury-Opāheke Structure Plan, Future Urban Zone, Draft Stormwater Management Plan (Revision 4C) – dated 12 April 2019 prepared by Mott MacDonald
- 1.4 Submissions received in relation to stormwater matters have also been reviewed and assessed. A site visit was undertaken on 5<sup>th</sup> August 2021.

### 2.0 Key stormwater issues

#### *Overview*

- 2.1 The proposed plan change has been given the name Waipupuke (“where the streams meet”) through a collaborative process with Mana Whenua, and the introductory paragraphs of the proposed Precinct provisions provide further explanation and context for this scheme. ‘Stormwater’ related highlights from this introduction include:

*The Waipupuke symbol represents a connection between the tributaries of the Oira and the Ngakaroa streams. Both streams feed into the Drury Creek and then into the Pahurehure Inlet which feeds into the Manukau Harbour. Therefore, what happens on*

*Waipupuke affects the hauora (health) of the Manukau and therefore the health of the people.*

...

*A key objective for this development is to revitalise the mauri in the waterways and to regenerate (as the mauri upholds creation) the land, through binding physical and spiritual elements of all things together.*

...

*The Ngakaroa and Oira tributaries reach into the site and support a blue-green network through the site which will establish an ecological, pedestrian and cycle connection between the tributaries. A network of public open spaces including a 3-hectare suburban park also forms an integral part of the blue-green network within Waipupuke.*

This name and introductory context provide an exciting and forward-thinking context for water management throughout the development.

#### *Flood hazards*

- 2.2 The proposed precinct area will include seven post development sub-catchments. The sub-catchment discharge points will generally align with existing, pre-development discharge points. Sub-catchments 1 – 5 will discharge to Oira Creek to the west. Sub-catchments 6 & 7 will discharge to the Ngakaroa Stream to the east. The post-development sub-catchments are indicated in Figure 1.



Figure 1. Proposed precinct sub-catchments

- 2.3 Auckland Council's GeoMaps viewer indicates that the proposed precinct extent does not include any significant existing 1% AEP floodplains outside of areas surrounding the watercourses and localised depressions within the proposed precinct as shown within Figure 2.

The overland flow paths arise within the proposed precinct area, upstream contributing catchments for these overland flow paths are relatively small.

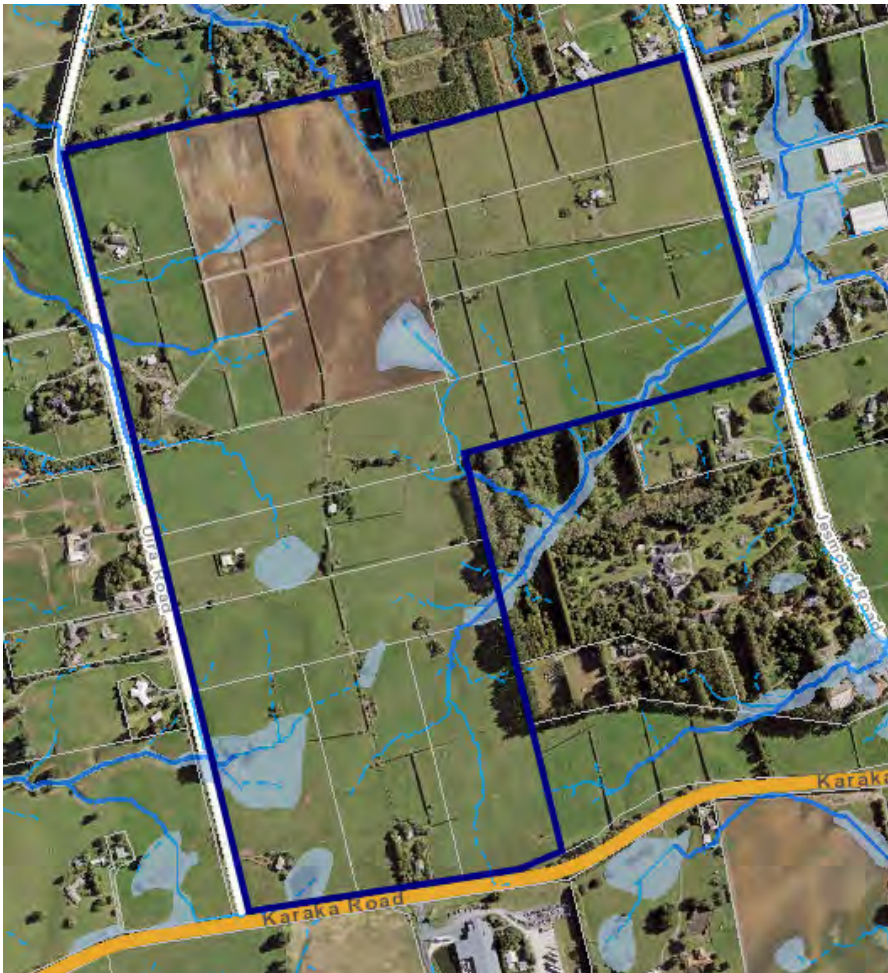


Figure 2. Auckland Council GeoMaps - Existing flood hazards

2.4 Although there are no significant flood hazards indicated within the Precinct development extent, the receiving environment downstream is subject to existing flood hazards as indicated in Figure 3 and Figure 4.



Figure 3. Auckland Council GeoMaps - Existing flood hazards, Oira Creek

2.5 Existing flood hazards to the west, downstream of the proposed precinct, are constrained to the Oira Creek. Existing vulnerable activities, such as residential buildings, downstream of the proposed precinct are largely outside of the existing 1% AEP floodplain.



Figure 4. Auckland Council GeoMaps - Existing flood hazards, Ngakaroa Stream

- 2.6 Existing flood hazards to the east include greater existing risks to vulnerable activities, including an existing rural production facility to the immediate east of the Precinct and a residential development, further downstream, to the north east of the precinct.
- 2.7 The Plan Change application documents, specifically the Stormwater Management Plan (**SMP**) prepared to support the precinct, include a summary of the stormwater catchment that the proposed precinct is within – referred to as the Drury West Catchment. The existing Stormwater Management Plan for the broader Drury-Opāheke Future Urban Zone areas and stormwater catchments has been reviewed as part of the preparation of the SMP to support the development.
- 2.8 Key summaries in respect of existing flood hazards are outlined within the SMP for the proposed precinct. The Drury-Opāheke SMP confirms that the existing flood risk within the Drury West catchment, which includes the proposed precinct, is deemed to be low due its rural nature and relatively constrained floodplains.
- 2.9 As part of the preparation of the SMP for the proposed precinct, downstream natural conveyance networks were investigated. A number of existing constraints which could potentially have impacts on existing flood hazards were identified which include:
- Extensive landscaping around and across the low point in the terrain on 191 Oira Road appears to have developed over the natural flow path
  - Stormwater ponds at 125 and 131 Jesmond Road and 261 Oira Road
  - Natural flow paths that are less obvious within the presently developed horticultural land between the Jesmond Road stormwater ponds and the Auranga development
- 2.10 Consistent with the recommendations for Drury West within the overarching Drury-Opāheke SMP, the general flood management approach proposed for the Precinct is to ‘pass forward’ large storm event flows. More detailed flood modelling will be undertaken as part of future resource consent applications for the development to confirm this approach and to assess the effects of the identified constraints on the existing flood hazards, and whether stormwater management within the Precinct needs to accommodate peak flow attenuation of larger events in this regard.

#### *Stormwater quality*

- 2.11 The SMP for the Waipupuke Precinct proposes water quality treatment for “*all contaminant generating surfaces*” to be achieved by the proposed communal wetlands as well as “*near source water quality treatment devcies (i.e. gross pollutant traps) in the high-use zones*”. Table E1 included within the Waipupuke SMP further outlines the proposed water quality treatment for roof areas, hardstand and driveways areas as well as roads, carparking areas and any high contaminant generating carriageway.
- 2.12 The overarching Drury-Opāheke seeks treatment of “*all impervious areas (excluding non-contaminant generating areas such as patios) to be provided at or near source using devices such as swales, rain gardens, tree pits*”. The Drury-Opāheke SMP seeks treatment of runoff at source, prior to the discharge to the public stormwater system. The Drury-Opāheke further requires the use inert building materials.
- 2.13 In the context of the sensitivity and existing degraded nature of the receiving environments the Drury-Opāheke SMP seeks “*exemplar*” water quality, hydrological, watercourse management and sediment and erosion control measures.

#### *Hydrology mitigation*

- 2.14 The Drury-Opāheke SMP outlines that due to the highly sensitive, low energy receiving environment of the Pahurehure Inlet, increased erosion (and associated sediment deposition) due to increased impervious areas is of particular concern. Stream bank stability and erosion is noted as a significant issue for most of the streams within the Future Urban Zoned areas assessed under the Drury-Opāheke SMP, with the only exclusion being the Ngakaroa Stream

catchment. Further concerns in respect of changes to hydrology as a result of upstream changes in land use and land development are noted as aquifer recharge and instream ecological value.

- 2.15 It is proposed to apply SMAF 1 controls to the Waipupuke Precinct area. Within a SMAF 1 overlay hydrology mitigation in accordance with Table E10.6.3.1.1 is required under standard E10.6.4.1.(1), which specifies the following, targeting smaller and high frequency rainfall events:
- *Provide retention (volume reduction) of at least 5mm runoff depth for the impervious area for which hydrology mitigation is required; and*
  - *Provide detention (temporary storage) and a drain down period of 24 hours for the difference between the predevelopment and post-development runoff volumes from the 95th percentile, 24 hour rainfall event minus the 5 mm retention volume or any greater retention volume that is achieved, over the impervious area for which hydrology mitigation is required.*
- 2.16 The Waipupuke SMP highlights that retention will be achieved by reuse of roof runoff “*where practicable and effective*” and that for other impervious areas the retention component will most likely be replaced by detention within communal wetlands. Table E1 of the Waipupuke SMP further proposes rain gardens, planter boxes and tree pits to achieve the required hydrology mitigation.
- 2.17 The Waipupuke SMP outlines a preference for achieving the required retention volume for roof runoff as at-source rain water harvesting for reuse purposes noting preliminary “*Percolation testing at 10 locations within the PCA show that the underlying soils have low infiltration capacity*”. Site specific infiltration assessments in accordance with the recommendations of GD01 should be undertaken before a preference for achieving the required retention volume is determined.
- 2.18 The stream receiving environment is described within supporting documentation as highly susceptible to erosive flow, which is targeted in part by the SMAF provisions. The management of stormwater related erosion of and within stream receiving environment of the proposed precinct area is a key issue of concern. Consistent with recommendations contained within the Drury-Opāheke SMP, further instream erosion protection measures should be investigated in addition to the development within the Precinct achieving SMAF hydrology mitigation. This is discussed further in Section 5.0.

#### *Proposed precinct provisions*

- 2.19 The proposed precinct provisions dated 22 January 2021 have been reviewed as part of this assessment. It is unclear at the time of drafting of this assessment whether the proposed plan change provisions have been amended to address comments within submissions received. Submissions are discussed further in Section 4.0.
- 2.20 It is noted that specific objectives relative to the management of stormwater are not included. Recommendations for amendments to the proposed provisions are discussed in Section 5.0 and Section 6.0 and include strengthening of the objectives, policies and assessment criteria relative to the management of stormwater.
- 2.21 The proposed policies broadly consider achieving high-quality stormwater management, the retention of streams identified within the precinct maps and the provision for hydrological mitigation. There is potential for the policies to be further developed to include mitigating, maintaining and enhancing the water quality of the receiving environments.
- 2.22 Currently, there is no clear links to development in accordance with an approved SMP. The proposed provisions could be further developed to include specific references to the management of stormwater in accordance with an approved SMP.
- 2.23 Policy IXXX.3(9) includes:

*“Manage the effects of stormwater on water quality in streams through riparian margin planting, and at source hydrological mitigation.”*

There is opportunity for the proposed provisions to more directly *avoid* stream bank erosion and more specifically target the proposed management and alternative methods (additional to SMAF hydrology mitigation) to mitigate changes in hydrology, rather than only water quality.

### **3.0 Applicant’s assessment**

- 3.1 The Applicant’s Agent has included an assessment of effects in relation to stormwater within Section 8.8 of the supporting Planning Report. Proposed stormwater management is also described within the supporting Infrastructure Report and the Waipupuke Stormwater Management Plan.

#### *Overland flow path management*

- 3.2 Several overland flows paths are present within the proposed precinct area which are mainly identified as topographic gullies and watercourses. Future developable areas have largely avoided the stream corridors. As the commencement of these overland flow paths is within the proposed precinct area, there will be no upstream effects.
- 3.3 It is intended that overland flow path conveyance within the Precinct is achieved within the road corridors and existing greenways or watercourses. Consent will be sought under the relevant Auckland Unitary Plan (**AUP**) provisions for any reclamation and/or diversion of entry or exit points. Any relevant associated design requirements for aspects such as piping of overland flow paths or minimum freeboard requirements outlined within Auckland Council’s Stormwater Code of Practice will be complied with.

#### *Flood hazards*

- 3.4 An assessment of existing downstream flood hazards in accordance with those presented in the Drury-Opāheke SMP has been undertaken as part of the development of the precinct specific SMP.
- 3.5 Consistent with the recommendations for Drury West within the overarching Drury-Opāheke SMP, the general flood management approach proposed for the Precinct is to pass forward large storm event flows. More detailed flood modelling will be undertaken as part of future resource consent applications for the development to confirm this approach and to assess the effects of the identified constraints on the existing flood hazards, and whether stormwater management within the Precinct needs to accommodate peak flow attenuation of larger events in this regard.
- 3.6 The Infrastructure Report and the Waipupuke SMP have noted that it is assumed that the downstream overland flow paths within adjacent Future Urban Zone areas will eventually be designed to convey the upstream Maximum Probable Development (MPD) flows. It is recognised within the supporting documentation that there will be an intervening period between the Waipupuke development and upgrading of downstream overland flow paths, which could increase flood risk if not managed appropriately in the interim. Whilst the flood management approach for the proposed precinct is reliant on flood flows being passed forward without attenuation, the proposed precinct includes sufficient space to accommodate flood attenuation measures, if determined to be needed to mitigate the effects of downstream flooding.
- 3.7 Existing flood hazards to the east include more significant risk to vulnerable activities, including an existing rural production facility to the immediate east of the Precinct and a residential development, further downstream, to the north east of the precinct.
- 3.8 The residential development to the north east is widely referenced as to the Auranga Development – Auranga 1 is located downstream of the proposed precinct, Auranga 2 is located further to the east. The Waipupuke SMP notes that the Auranga B1 and B2 SMP’s both

provide for overland flow paths and flood plains through the developments, which have been sized to receive the Maximum Probably Development (**MPD**) 100-year ARI runoff from the upstream catchment with an allowance for climate change.

#### *Reticulation*

- 3.9 Future public reticulated stormwater networks within the Precinct will be designed to convey the 10% AEP storm event, accounting for climate change and as required by the Stormwater Code of Practice. It is intended that discharges from future proposed public stormwater network are authorised under the Region Wide Network Discharge Consent (**NDC**).

#### *Stormwater quality*

- 3.10 The SMP includes a stormwater management toolbox (Table E1) which presents a number of stormwater quality management devices which are recommended as acceptable for use within the precinct. Stormwater management is further described within Section 7.2.3 of the SMP. At-source devcies include rain gardens, tree pits, and permeable paving. Close-to-source management by means of gross pollutant traps are included. Communal stormwater management wetlands are also proposed. Future development within the Precinct shall assess suitability of options within the toolbox at a site-specific level before implementing.
- 3.11 It is intended that all stormwater management devices implemented within the Precinct area are design in accordance with GD01. The Drury-Opāheke SMP recommends that treatment of all impervious areas (excluding non-contaminant generating areas such as patios) is provided at or near source, using devices which promote infiltration and groundwater recharge such as swales, rain gardens, tree pits. The Drury-Opāheke SMP further recommends that runoff to be treated prior to discharge to the council system or directly to receiving environments.
- 3.12 It is noted that communal stormwater management devices, such as the wetlands, are intended to be vested to Auckland Council as public assets, subject to approval.

#### *Hydrology mitigation*

- 3.13 The proposed precinct provisions include the implementation of a SMAF 1 area control overlay to the planning maps. The proposed precinct area does not currently include a SMAF overlay as the overlay is not applicable to sites within the Future Urban Zone. As a SMAF 1 framework has been implemented for the downstream and adjacent Auranga developments, the Applicant's Agent has determined it appropriate to implement the overlay within the proposed precinct to enable the integrated stormwater management of adjacent developments. The Drury-Opāheke SMP outlines that Application of SMAF 1 requirements will be the minimum requirement for development within the broader Structure Plan area.
- 3.14 Although a SMAF 1 overlay area is proposed to be implemented, the supporting SMP clarifies that due to geological constraints, retention of roof runoff by means of reuse is the most likely method of retention to be achieved for impervious areas within the precinct. Table E1 proposed the use of stormwater tanks to achieve retention of stormwater runoff from roof areas and paved private paved areas. For the proposed public roads, the required retention volume is proposed to be offset as additional detention within the communal wetlands.
- 3.15 Detention is proposed to be achieved at source for private paved impervious areas by means of raingardens. For all other areas (roof areas and public road areas), detention is proposed to be achieved by the communal wetland.

#### *Proposed precinct provisions*

- 3.16 The assessment clarifies that the plan change proposed will give effect to existing Auckland-wide provisions of the AUP and introduces additional provisions. The additional provisions include the implementation of the Stormwater Management Area – Flow 1 overlay to the planning maps for the proposed precinct.



- 3.17 Although the proposed precinct planning maps include an identification of the *Open Space Informal Recreation Zone* areas, identification of indicative locations of key stormwater management wetlands are not clearly included.
- 3.18 It is recognised that it is intended that the Auckland Wide provisions are not duplicated within precinct specific provisions.
- 3.19 There are no objectives proposed which are specifically relevant to the management of stormwater.
- 3.20 Proposed Policy (1) seeks to “*Reflect a strong cultural narrative within the Precinct through cultural identity markers and artwork and provide high quality public open spaces, revegetated riparian margins and high-quality stormwater management to achieve positive Mana whenua outcomes.*”
- 3.21 The proposed policies also include an additional policy specific to the management of the effects on stream receiving environments “*Manage the effects of stormwater on water quality in streams through riparian margin planting, and at source hydrological mitigation*” – Policy (9).
- 3.22 The construction of stormwater management structures is proposed as a restricted discretionary activity – Rule IXXX.4.1.(A10), Rule IXXX.4.2(A6) and Rule IXXX.4.4.(A16).
- 3.23 The proposed standards IXXX.6.4 include specific provisions to protect the proposed riparian margins. The proposed standards restrict the establishment of buildings and structures within the riparian margins. The standards further require the planting of these riparian margins. Whilst not specifically relevant to the management of stormwater, stormwater related effects on stream receiving environments will be reduced by the implementation of this standard.
- 3.24 Stormwater is broadly cited within the proposed matters of discretion for restricted discretionary activities, relative to the construction of Stormwater Management Structures in a Stormwater Control Area – IXXX.7.1.(2). The associated assessment criteria for restricted discretionary activities, IXXX.7.2(2) will further allow Council to consider the calculations for the stormwater management structure, assuring that it is fit for purpose and satisfies the requirements of the SMP and suitable landscaping has been proposed.

#### **4.0 Submissions**

- 4.1 Submissions on the proposed plan change have been reviewed. At the time of writing this assessment, it is unclear whether the proposed precinct provisions have been updated following receipt of submissions. Submissions which are relevant to stormwater are summarised herein.

##### *Submission 6 – Andrew Daken*

- 4.2 The Submitter owns and resides at 169 Jesmond Road. This property is immediately east of the proposed precinct, and is dissected by a downstream extent (relative to the proposed precinct) of the Ngakoroa Stream. The Submitter holds concern for the increase in impervious area and subsequent increase in stormwater runoff directed to the stream that is anticipated by the development.
- 4.3 The Submitter has sought that stormwater is piped from the development to the downstream estuary environment and that no additional water to be added to existing watercourse that traverses their site.
- 4.4 The Submitter acknowledges that the proposed flooding mitigation at this stage of development is not clear. The concept of “passing forward” stormwater flow from the proposed precinct in itself is a mitigation measure. Due to the developments position in the wider catchment, nearer to the ultimate receiving environment, stormwater detention of larger events (such as the 10-

year and 100-year storm event) within the Precinct could inadvertently cause a coinciding discharge with the remainder of peak flow from the rest of the upstream catchment.

- 4.5 Stormwater within the proposed precinct area will be collected and conveyed to the existing watercourses within the site. The Applicant has proposed to undertake detailed flood modelling to determine if there are any onsite mitigation requirements at the time of lodgement of resource consent for the development. The proposed plan change maps provide ample space to include communal stormwater management devcies, should they be deemed required during future resource consent processes. These areas are identified generally within the proposed planning maps as *Open Space Informal Recreation Zone* areas. Identification of indicative locations of key stormwater management wetlands are not clearly included within these maps and may provide further assurance to the Submitter that mitigation of potential effects has been appropriately considered at this stage of development.

*Submitter 7 - Malcolm Douglas Scott*

- 4.6 The Submitter owns and resides at 175 Jesmond Road. This property is immediately east of the proposed precinct. The properties shared driveway access to Jesmond Road is dissected by a downstream extent of the Ngakoroa Stream. The Submitter holds concern for the direction of stormwater runoff down the shared driveway.
- 4.7 The Waipupuke SMP proposes that stormwater runoff will be discharged to watercourses within the proposed precinct.
- 4.8 The Submitter has sought that the Drury-Opāheke structure plan is considered. The Waipupuke Stormwater Management Plan has been drafted with significant regard to the information within the Drury-Opāheke Stormwater Management Plan, one of the recommendations of which includes that stormwater runoff is “passed forward”.

*Submission 12 – Wing Family Trust*

- 4.9 The Submitter owns 221 Jesmond Road. This property is east of the proposed precinct and north of 169 and 175 Jesmond Road. The downstream extent of the Ngakoroa Stream runs along the south eastern and eastern proposed precinct boundaries.
- 4.10 In terms of stormwater, the Submitters reasons for submission in opposition of the proposed plan change include that the downstream effects of stormwater discharges (in terms of flooding) have not been fully identified or mitigated. The Submitter has sought that the design of the Precinct accommodates stormwater discharges within the PC61 area to avoid changes in flood levels within the Submitters site. The Submitter has sought that technical assessments supporting this design should be provided as part of the plan change application process and should further be included in the Waipupuke SMP submitted for authorisation under the NDC.
- 4.11 The Submitter acknowledges that the Drury-Opāheke Stormwater Management Plan recommends that stormwater runoff is “passed forward” and further, that development must avoid increasing flood risk and flood extents upstream and downstream for all flood events up to the 100-year ARI storm event. The Waipupuke Stormwater Management Plan has been drafted with significant regard to the information within the Drury-Opāheke Stormwater Management Plan.
- 4.12 The Drury-Opāheke Stormwater Management Plan indicates that in the Drury West catchments there will be minimal increase in flow from the 100-year storm event, assuming maximum probable development, and including required allowances for climate change (Section 3.7.1.5). The peak flows generated as a result of development within the Precinct will discharge to downstream receiving environment faster than upstream peak flows. Detention or attenuation of peak flow within the development may cause coinciding peak flow and has the potential to worsen downstream flooding by synchronising the delayed Waipupuke Precinct discharges with the upstream peak flow.
- 4.13 The Applicant has proposed to undertake detailed flood modelling to determine if there are any onsite mitigation requirements at the time of lodgement of resource consent for the

development. Provisions within E36 require an assessment of effects in this regard at the time of lodgement of resource consent. The proposed plan change maps provide ample space to include communal stormwater management devcies, should they be deemed required during future resource consent processes. These areas are identified generally within the proposed planning maps as *Open Space Informal Recreation Zone* areas. Identification of indicative locations of key stormwater management wetlands are not clearly included within these maps and may provide further assurance to the Submitter that mitigation of potential effects has been appropriately considered at this stage of development.

*Submission 13 – Harnett Orchard Limited and L and C Griffen*

- 4.14 The Submitter owns 64 and 84 Jesmond Road. The sites adjoin southern and eastern precinct boundaries and include a section of the Ngakoroa Stream which lie between both upstream and downstream extents of the proposed precinct (Figure 5).



Figure 5. Auckland Council GeoMaps, 64 & 84 Jesmond Road - Existing Flood Hazards

- 4.15 The issues identified within the submission and subsequent relief sought are the same as those included under Submission 12 – I refer to comments above in this regard.

*Submission 14 – Shan Yin*

The Submitter owns 16 Jesmond Road, located to the east of the southern-most extent of the proposed plan change (Figure 5). The Submitters concerns relate to the management of flood risk on downstream properties and perceived lack of mitigation in this regard. The Submitter has sought that the stormwater management is in accordance with Drury- Opāheke Structure Plans and that the proposed development alleviates flood risk.

The Waipupuke Stormwater Management Plan has been drafted with significant regard to the information within the Drury-Opāheke Stormwater Management Plan.

The Drury-Opāheke Stormwater Management Plan indicates that in the Drury West catchments there will be minimal increase in flow from the 100-year storm event, assuming maximum probable development, and including required allowances for climate change (Section 3.7.1.5). As acknowledged within the Drury-Opāheke SMP peak flows generated as a result of development within the Precinct will discharge to downstream receiving environment faster than upstream peak flows. Detention or attenuation of peak flow within the development may cause coinciding peak flow and has the potential to worsen downstream flooding by synchronising the delayed Waipupuke Precinct discharges with the upstream peak flow. The

general flood management approach proposed within the Drury-Opāheke Stormwater Management Plan for the for the Drury West catchments is to pass forward large storm event flows.

*Submission 22 - Auckland Transport*

- 4.16 Whilst Auckland Transport's submission is largely relevant to traffic related matters, comments are also included which are relevant to the proposed stormwater management provisions.
- 4.17 With regard to stormwater management, Auckland Transport have sought that any subsequent subdivision submitted after a SMP is adopted for a plan change needs to be in accordance with the adopted SMP. Auckland Transport highlight that they have specific interest in the management of stormwater runoff as it relates to public road environments as the road asset manager and have sought that they are consulted for any subsequent amendments to the proposed precinct provisions that relate to stormwater management within the road network.
- 4.18 Auckland Transport have specifically sought that the drafting of the stormwater related provisions be consistent with those to apply with the Drury East plan changes (PPC48-50). This includes those policies and rules requiring consideration of the operating costs associated with proposed stormwater treatment assets as well as opportunities for consolidation of treatment assets where appropriate.

*Submission 23 - Auckland Council*

- 4.19 The submission on behalf of Auckland Council is largely relevant to the misalignment of the proposed plan change with current strategic level planning and direction within the Region. Auckland Council outlines that the proposed plan change is inconsistent with critical high order planning instruments, particularly as they relate to the integration and provision of infrastructure and associated planning and funding.
- 4.20 Auckland Council acknowledge that it is engaged in discussions with Applicant and the other Drury Plan Change developers in an effort to find a solution to its concerns. At this point in time, fundamental issues raised in Auckland Council's submission remain unresolved and therefore the primary relief sought by Auckland Council is to decline PC 61 in its entirety until there is a fully funded and appropriately staged solution for the integration of land use, infrastructure and development for the Precinct and Sub Region.
- 4.21 Auckland Council have outlined amendments sought to the proposed plan change provisions in the alternative to the primary relief of decline of the plan change. In relation to stormwater management, a number of changes to the proposed provisions are proposed within Auckland Council's submission and are outlined within attached Schedule as Item 2, 3, 4, 7, 8 and 9. The proposed amendments to the precinct provision suggested by Auckland Council are in general supported.
- 4.22 Specific provisions relevant to the implementation of the proposed Waipupuke Stormwater Management Plan are particularly important –
- 4.23 Amend Policy IX3(9) to read:

~~Manage the effects of stormwater on water quality in streams through riparian margin planting, and at source hydrological mitigation.~~

Require subdivision and development to be consistent with any approved network discharge consent and supporting stormwater management plan including the application of water sensitive design and treatment train to achieve water quality and hydrology mitigation.

*Reason: Policy IX3(9) specifies methods to achieve water quality outcomes and does not acknowledge the full suite of measures that need to be applied to achieve water quality outcomes as identified in the AUP and Stormwater Management Plan.*

*The Stormwater Management Plan identifies the use of water sensitive design and a treatment train to achieve water quality outcomes. To ensure this approach is followed a policy which directs that is sought.*

- 4.24 It is unknown at the time of drafting of this assessment if the Waipupuke SMP is considered appropriate for adoption under Healthy Waters Network Discharge Consent.

## **5.0 Assessment of stormwater effects**

### *Overland flow paths*

- 5.1 The existing indicative overland flow paths are shown within Figure 2 above.
- 5.2 The Auckland Council Stormwater Code of Practice requires overland flow paths to be managed up to the 100-year ARI storm event. It is proposed to manage overland flow paths within the road corridors, the existing waterways and proposed greenways within the proposed precinct area. Defined opportunities for green infrastructure solutions for overland flow path management (as promoted through the SMP) appear to be limited, beyond the identified stream corridors. Such opportunities could be more clearly identified through the proposed Precinct provisions and supporting SMP.
- 5.3 Any relevant consents for diverting the entry or exit points of overland flows paths or for the reclamation of existing overland flow paths required by the AUP will be sought as part of future resource consents. Any relevant associated design requirements for aspects such as piping of overland flow paths or minimum freeboard requirements outlined within Auckland Council's Stormwater Code of Practice will be complied with.
- 5.4 Any effects resulting from the diversion of the existing overland flow paths within the proposed precinct can be adequately mitigated. However, opportunities for managing secondary / overland flow through green infrastructure approaches could be clarified through the Precinct provisions and supporting SMP.

### *Flood hazards*

- 5.5 The receiving environment downstream of the proposed precinct area are subject to existing flood hazards as indicated in Figure 3 and Figure 4.
- 5.6 Consistent with the recommendations for Drury West within the overarching Drury-Opāheke SMP, the general flood management approach proposed for the Precinct is to pass forward large storm event flows. More detailed flood modelling is proposed to be undertaken as part of future resource consent applications for the development to confirm this approach and to assess the effects of the identified constraints on the existing flood hazards. This will further determine whether stormwater management within the Precinct needs to accommodate peak flow attenuation of larger events in this regard.
- 5.7 A number of submitters have raised specific concern for the lack of information provided at this stage of development in respect of downstream effects on existing flood hazards as a result of the plan proposed plan change.
- 5.8 The Drury-Opāheke Stormwater Management Plan indicates that in the Drury West catchments there will be minimal increase in flow from the 100-year storm event, assuming maximum probable development, and including required allowances for climate change (Section 3.7.1.5). Due to the developments position in the wider catchment, nearer to the ultimate receiving environment, stormwater detention or attenuation of larger events (such as the 10-year and 100-year storm event) within the Precinct could inadvertently cause a coinciding discharge with the remainder of peak flow from the rest of the upstream catchment.
- 5.9 As acknowledged within the Drury-Opāheke SMP peak flows generated as a result of development within the Precinct will discharge to downstream receiving environment faster than upstream peak flows. Detention or attenuation of peak flow within the development may

cause coinciding peak flow and has the potential to worsen downstream flooding by synchronising the delayed Waipupuke Precinct discharges with the upstream peak flow. The general flood management approach proposed within the Drury-Opāheke Stormwater Management Plan for the for the Drury West catchments is to pass forward large storm event flows.

- 5.10 Whilst the flood management approach for the proposed precinct is reliant on flood flows being passed forward without attenuation, the proposed precinct includes sufficient space to accommodate flood attenuation measures, if determined to be needed to mitigate the effects of downstream flooding. These areas are identified generally within the proposed planning maps as *Open Space Informal Recreation Zone* areas. Identification of indicative locations of key stormwater management wetlands are not clearly included within these maps and may provide further assurance to Submitters that mitigation of potential effects on existing flood hazards has been appropriately considered at this stage of development, should it be required at future stages of development.
- 5.11 Overall, the approach to managing stormwater effects in respect of natural hazards and downstream flood-related risk is generally appropriate in the site and proposed development context. Potential effects in this regard can be appropriately mitigated. That being said, further assessment of flood-related effects could be undertaken at this point, including specific assessment of potential flood peak coincidence/timing issues with the wider catchments. There is potential for this timing issue to be negligible for this site – located in the headwaters of comparatively small tributaries of the Oira and Ngakarua Creeks. Both tributaries merge with their wider stream bodies at tidally-influenced environments, where timing concerns are typically lessened by the tidal regime. There is hence potential to safely consider on-site attenuation of larger lower-frequency storm event flows to mitigate flood hazards downstream of the site through to the already-developed areas along Bremner Road. There is also a lack of certainty in the implementation of interim (or long term) storm flow mitigation on site – other than relying on development execution resource consent processes. The Precinct provisions could be amended to provide a clearer framework for this implementation.

#### *Stormwater Quality*

- 5.12 The stormwater quality treatment regime currently proposed within the Waipupuke SMP is formed on the recommendations included within the Drury-Opāheke Stormwater Management Plan including at source treatment of stormwater runoff in accordance with GD01. This includes recognition of the particular sensitivity to stormwater-derived water quality concerns for the Pahurehure Inlet and its contributing catchments. It is proposed to implement stormwater quality treatment within the Precinct area via a treatment train and toolbox approach. Future development within the Precinct is to assess site specific appropriateness of device options within the Waipupuke SMP at the time of resource consent stage.
- 5.13 No specific objectives regarding stormwater quality have not been included within the proposed precinct provisions. Without guiding objectives, the lower order provisions relating to stormwater quality are incomplete and lack clear context. It is recommended that a relevant objective is included to ensure that there is a complete “cascade” of stormwater management provisions which are effective and efficient; and provide a firm framework for implementation of a treatment train solution for water quality management – important in the context of the Pahurehure Inlet.
- 5.14 Provided further recommended amendments are made to the proposed precinct provisions which enables a complete cascade of stormwater management provisions, and which outlines clear direction of development in accordance with an approved SMP, the stormwater quality related effects of runoff from development within the Precinct discharging to the receiving environments is likely to be adequately mitigated.

#### *Hydrology mitigation*

- 5.15 Increased runoff and hydrological changes from development or redevelopment of impervious areas can have an impact on the morphology and aquatic habitat in downstream freshwater

environments. Council's GD04 guideline for *Water Sensitive Design for Stormwater* (coupled with the AUP(OP) definitions of 'imperious area') points also to the hydrological impacts from traditional 'cut-to-fill' operations, for site levelling – altering and reducing the permeability of existing soils.

- 5.16 It is proposed to apply SMAF 1 controls to the precinct area, which in the context of the downstream receiving environment, is supported. We note that considerations 'above' the SMAF-1 framework may also be appropriate in this context, but do not appear to have been assessed.
- 5.17 The Drury-Opāheke SMP outlines that due to the highly sensitive, low energy receiving environment of the Pahurehure Inlet, increased erosion (and associated sediment deposition) due to increased impervious areas is of particular concern. Stream bank stability and erosion is noted as a significant issue for most of the streams within the Future Urban Zoned areas assessed under the Drury-Opāheke SMP, with the only exclusion being the Ngakaroa Stream catchment.
- 5.18 The Oira Creek receiving environment is also described within supporting documentation as highly susceptible to erosive flow, which is targeted in part by the SMAF provisions. The management of stormwater related erosion of and within stream receiving environment of the proposed precinct area is a key issue of concern. Consistent with recommendations contained within the Drury-Opāheke SMP, further instream erosion protection measures should be investigated in addition to the development within the Precinct achieving SMAF hydrology mitigation.
- 5.19 Areas of the proposed precinct which discharge to the Ngakaroa Stream fall within a High-Use Stream Management Area Overlay under the AUP(OP). The Ngakaroa Stream is identified to be under pressure from demands to take water or use water, and additional protection is afforded to this stream in regard to more stringent rules relating to water take, use and diversion of surface water. Provision for the maintenance of stream baseflow and groundwater recharge should be considered in this regard.
- 5.20 The Waipupuke SMP outlines a preference for achieving the required retention volume for roof runoff as at-source rain water harvesting for reuse purposes noting preliminary "*Percolation testing at 10 locations within the PCA show that the underlying soils have low infiltration capacity*". Site specific infiltration assessments in accordance with the recommendations of GD01 should be undertaken before a preference for achieving the required retention volume by at-source rainwater harvesting and reuse is determined.
- 5.21 The Applicant's Engineer has determined retention of roof runoff (where there is a re-use demand) is the most likely method of retention to be achieved within the precinct area. The SMP provides scope for retention to be achieved by means of infiltration but only where this is feasible and practicable – this uncertainty remains a concern. There is scope for site specific appropriateness of retention methods to be further assessed at resource consent stage for individual lot development however guidance on how this is determined and what is considered possible, feasible and/or safe should be clarified within the Waipupuke SMP.
- 5.22 In addition, we note that the percolation test results and 'low infiltration capacity' comments (see 5.20 above) stem from the PPC Geotechnical Appraisal, which states that: "*Based on these results and comparison to Table 4 of TR2013-040 we consider that in-situ percolation at Waipupuke will be likely be poor.*" We further comment that the specific purpose of TR2013-040 is to – "*provide technical information regarding disposing of large quantities of stormwater into the ground*" – rather than for assessing the infiltration capacity of soils relative to hydrological conditions and water cycles. While not viable for primary stormwater disposal (as per the TR2013-040 guidelines), the site specific percolation test results (generally tested through 2.0m deep boreholes) indicate average soil permeabilities of 0.6mm/hr, and a peak of 1.8mm/hr in the headwater area of Watercourse A (test location P02). We note that these rates of hydraulic conductivity are lower than the AUP(OP) E10 Table E10.6.3.1.1 Hydrology mitigation requirements – which references a minimum threshold of 2mm/hr. However, test results that focus nearer the existing ground surface (circa <1m deep – noting the recorded 100-300mm topsoil depths) are likely to return higher rates of permeability. The adopted methodology of

falling head percolation tests on a 2m deep borehole (derived from TR2013-040 – intended to guide conservative designs for stormwater disposal to soakage) is unlikely to accurately quantify the near-surface permeability rates. Shallow test pits or double-ring infiltrometer test methodologies would be more appropriate for this. On this basis, there is potential for hydraulic conductivity in excess of 2mm/hr in the near-surface in-situ soils, particularly in the headwater and corridor areas of Watercourse A. This would support the implementation of ‘retention’ outcomes through soil infiltration, which would provide benefits in terms of groundwater interflow and baseflow recharge – being critical to in-stream flows, particularly during drier periods.

- 5.23 Of concern in respect of hydrology impacts is the extent of cut/fill earthworks indicated on the preliminary infrastructure report drawings. This shows whole-site earthworks to achieve an approximate cut/fill balance. It also suggests cut/fill across the residual extents of Watercourse A – with the report outlining the potential to elevate the stream (via earthworks) to achieve desired contours. We also note that the existing stream spring baseflow point or points do not appear to have been delineated yet. This collectively has the potential to greatly alter the existing hydrological regime, and disconnect the stream from critical groundwater baseflow sources.
- 5.24 Council’s guideline document *Hydrological Effect of Compaction with Associated Earthworks* (TR2009\_073) highlights that typical “*earthworks for large greenfield sites and semi-intensive residential subdivisions in Auckland involve stripping of topsoils and non-compactable materials from the entire footprint, excluding perennial streams with their riparian margins. Stripped areas are often recontoured and deliberately compacted to ensure they are geotechnically stable.*” This is the proposed case for Waipupuke, with the addition of cut/full proposed throughout the Watercourse A corridor. The guide goes on to highlight that:

*Total and peak stormwater run-off from urban areas is typically increased due to increased areas of impermeable surfaces, accentuated where these surfaces are piped directly to watercourses. Run-off from residual soils also increases due to reduced soil water storage, subsoil permeability, and sometimes decreases in topsoil infiltration rate. All are related to compaction and/or surface stripping. Effects are accentuated when earthworked topsoils are degraded and/or shallower than original topsoils (ie before earthworking).*

- 5.25 The guideline proposes several recommendations for addressing the hydrological impacts of earthworks, including:
- *In sites with Hydrologic Class A, sandy Class B soils, and wetlands, restrict earthworks to roads and building footprints, and avoid trafficking areas for stormwater disposal and passive recreation.*
  - *Increase the depth of topsoil applied to road verges and/or amend topsoil with compost to increase water storage volume and permeability.*
  - *Encourage dense, tall plant cover on public areas by managing mowing height and increasing tree canopy cover. Large trees require a substantial rooting volume – this could be achieved by manipulating road verges and/or including favourable (structural) soils under footpaths.*
- 5.26 The proposed earthworks and current SMP approach to ‘retention’ outcomes in respect of the post-development hydrological regime is concerning. At this stage information which demonstrates how the proposed precinct will manage changes to hydrology and instream erosion to avoid, remedy or mitigate the potential effects on the receiving environment from development within the proposed precinct is insufficient. The avoidance of streambank erosion and enhancement of instream values through management of baseflow and groundwater recharge is encouraged to be included within the proposed policies. Instream erosion protection measures are encouraged within the Drury-Opāheke SMP where infiltration cannot feasibly and safely be achieved. Additional measures beyond SMAF hydrology mitigation to mitigate changes in hydrology in the stream receiving environments and to address potential stream bank erosion should be considered and clearly identified within the SMP. The impact of earthworks on the post-development hydrological regime should also be considered, with provisions included in the Precinct Plan to address these impacts.



- 5.27 The proposed precinct objectives do not include clear references to hydrology mitigation. Without guiding objectives, the lower order provisions relating to hydrology mitigation and protection of instream habitat or value, resultant from changes in hydrology, are incomplete and lack clear context. It is recommended that a relevant objective is included to ensure that there is a complete cascade of stormwater management provisions which are effective and efficient.

## 6.0 Conclusions and recommendations

- 6.1 With regards to the management of existing overland flow paths, natural hazards and downstream flood-related risks the anticipated effects from the proposed plan change can be adequately mitigated. Overall, the approach to managing stormwater effects in respect of overland flow paths, natural hazards and downstream flood-related risk is – in principle – appropriate in the site and proposed development context. There is opportunity for the proposed plan change maps to provide greater assurance that mitigation can be provided for in this regard if it is determined to be required as a result of further, more detailed flood modelling proposed to be undertaken at the time of application for resource consent to confirm this approach. Management of overland flow paths, natural hazards and downstream flood-related risks is consistent with the AUP and related guidance documents. Provision should be included to clarify the implementation mechanism and/or trigger for providing on-site attenuation of larger and less frequent storm flows.
- 6.2 Management of effects on the receiving environment as a result of changes to catchment hydrology is broadly proposed. However in the context of a high quality and erosive susceptible receiving environment, together with the proposed extensive earthworks (including across the Watercourse A alignment), further guidance on appropriate mitigation measures should be clearly outlined within the SMP for the precinct area. Consideration should be given to retention measures directing stormwater to ground infiltration practices, enhancing the potential for groundwater interflow and baseflows; coupled with measures to reduce impacts of extensive cut/fill earthworks.
- 6.3 Provided further amendments and refinements are made to higher order flood hazard management, stormwater quality treatment and hydrology mitigation related provisions, and an SMP which is deemed acceptable to be developed under the Region Wide NDC has been finalised, related effects of stormwater runoff from development within the Precinct discharging to the receiving environments is likely to be adequately avoided and suitably mitigated. These improvements would contribute to the potential to realise the vision of Waipupuke (“where the streams meet”) – and *revitalise the mauri in the waterways and to regenerate (as the mauri upholds creation) the land, through binding physical and spiritual elements of all things together.*

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

06 June 2021

To: Jimmy Zhang, Policy Planner, Plans and Places, Auckland Council

From: Christina Bloom – prepared on behalf of Earthworks & Streamworks (Specialist Unit, Resource Consents), Auckland Council

**Subject: Private Plan Change – PC 61: Waipupuke – Streamworks Assessment**

**1.0 Introduction**

I have undertaken a review of the private plan change, on behalf of Auckland Council in relation to potential effects on freshwater bodies associated with the above proposed private plan change.

I was engaged to undertake this assessment while employed by Auckland Council as a Specialist – Earthworks & Streamworks in the Earth, Streams and Trees team, Specialist Unit, Resource Consents From 18 November 2018 until 28 June 2021 and I am presently employed by Auckland Council as a Senior Monitoring Officer in Earthworks & Streamworks (ESMO).

In writing this memo, I have reviewed the following documents:

- *‘Request for Private Plan Change – Waipupuke, Drury Opāheke: Plan Change Report Section 32 Analysis – Assessment of Environmental Effects and all relevant attachments’* prepared by Tattico and dated 22 January 2021.
- *‘Attachment K Stormwater Assessment: Stormwater Management Plan – Waipupuke Private Plan Change’* prepared by Tonkin & Taylor and dated 16 December 2020.
- *‘Attachment L Ecological Assessment: Waipupuke Private Plan Change – Waipupuke Ecological Assessment’* prepared by Freshwater Solutions and dated October 2020.
- *‘Appendix 1: Further information requested under Clause 23 First Schedule of the Resource Management Act 1991’* prepared by Freshwater Solutions and dated 4 November 2020.
- *‘Waipupuke – Private Plan Change – Wetland Assessment – Information for Clause 23 Request’*
- *‘Auckland Unitary Plan Operative in Part: Proposed Plan Change 61 (Private): Waipupuke – Summary of Decisions Requested’*

**2.0 Key Freshwater Issues**

The applicant has proposed precinct-specific rules, assessment criteria and objectives and policies in relation to freshwater and recommends that these rules should supersede rules in Chapter E3 (Lakes Rivers Streams and Wetlands) and Chapter E15 (Vegetation management and biodiversity) of the AUP OP.

The applicant has considered the application in regard to the National Policy Statement for Freshwater Management 2014. However, the National Policy Statement for Freshwater

Management 2020 (NPS:FM 2020) and the National Environment Standards for Freshwater 2020 (NES:FW 2020) which afford a higher protection to New Zealand's freshwater ecosystems came into force on 3 September 2020. The advent of the NES:FW 2020 is resulting in the revision of the AUP OP to give effect to the new rules and change in direction on how to manage freshwater under the Resource Management Act 1991.

The applicant has not assessed the proposal against the objectives and policies of the NPS:FM 2020 nor has it considered the activities in relation to natural inland wetlands subject to the provisions of the NES:FW 2020 which are relevant to this proposal.

The applicant has identified the waterways within the site, although did not correctly identify the natural riverine wetland which is associated with the identified protected stream on the eastern side of the site and has also not identified the wetland shown on the Watercourse Assessment layer of Geomaps just outside the northern boundary of the site, within 191 Oira Road. The applicant's ecologist has provided an assessment of the riverine wetland associated with the watercourse to the east of the site and has incorrectly applied the definition of 'improved pasture' to this wetland area, which will be discussed below.

There is a concern that should the current identified freshwater ecosystems be included within the precinct plan, any future classification will utilise the current limited classification system and thus reduce the accuracy of any further assessment of the freshwater ecosystems. There is also concern that by not including these wetlands, the proposed precinct-specific rules for streams may be incorrectly applied to works in relation to wetlands, which have special consideration under the NES:FW 2020 and the proposed precinct-specific rules may conflict with the regulations outlined in Table 1 below. A full and accurate assessment should be provided which identifies any natural wetlands within and within 100 metres of the site and the activity tables and planning maps in the plan change should be updated to reflect that activities within and within certain setbacks of these wetlands are subject to the provisions of the NES:FW 2020.

Furthermore, engagement with Mana Whenua groups has been undertaken on the basis that there are no wetlands which are potentially affected by the proposal.

### **3.0 Applicant's assessment**

The assessment undertaken by the applicant ecologist has mapped and classified the aquatic features throughout the site yet has not fully ground truthed and/or classified all of the aquatic features, particularly wetlands, within 100 metres of the site boundaries and has not accurately identified the natural wetland associated with the intermittent stream within the eastern half of the site. The applicant has documented that the current ecological values of the freshwater features within the proposed precinct are considered to be low to moderate.

The applicant has proposed to include a standard (standard IXXX.6.4(1)) within the proposed precinct that provides that no buildings or structures (other than stormwater control/management structures) shall be located within 10m either side (measured from the top of the stream bank) of the protected streams identified on Precinct Plan 2. The applicant's ecologist has assessed that these rules are considered to be appropriate to manage the potential effects of residential development within the site.

The applicant has proposed to include a standard (standard IXXX.6.4(2)) within the proposed precinct that provides that the protected streams identified on Precinct Plan 2.) The applicant's ecologist has assessed that these rules are considered to be appropriate to manage the potential effects of residential development within the site.

The assessment reaches a conclusion on the current ecological values of the freshwater features within the proposed precinct but does not consider the new NPS:FM 2020 and the NES:FW 2020 and is therefore not complete in respect to these two documents. However, if the freshwater features are managed through the current Chapter E3 rules within the AUP OP, the new rules within the NES:FW 2020, the objective and policies within the NPS:FM 2020 and the proposed standards within the precinct, all effects associated within the development can be managed accordingly.

#### 4.0 Submissions

I agree with the comments provided under submissions 23.6 & 23.7 below that some of the proposed precinct rules may be inconsistent with the NES:FW 2020 and that these rules should defer to the AUP:OP Chapter E and the NES:FW 2020 rather than relying on precinct rules.

23	23.6	Auckland Council	christopher.turbott@aucklandcouncil.govt.nz	Decline the plan change, but if approved make the amendment	Amend IXXX.6 to provide a standard that requires management of effects of weed removal including potential stream bank erosion for the following rules: •Rule (A11) in Table IXXX.4.1 Residential – Terrace House and Apartment Building Zone. •Rule (A7) in Table IXXX.4.2 Residential - Mixed Housing Urban Zone. •Rule (A17) in Table IXXX.4.4 Open Space – Informal Recreation Zone.
23	23.7	Auckland Council	christopher.turbott@aucklandcouncil.govt.nz	Decline the plan change, but if approved make the amendment	Delete rules (A12) and (A13) in Table IXXX.4.1 Residential – Terrace House and Apartment Building Zone. Delete rules (A8) and (A9) in Table IXXX.4.2 Residential - Mixed Housing Urban Zone. Delete rules (A18) and (A19) in Table IXXX.4.4 Open Space – Informal Recreation Zone If any are retained, then make amendments to address the additional matters raised in the bullet points below: •Some of the proposed rules may be inconsistent with the Resource Management (National Environmental Standards for Freshwater) Regulations 2020. •Some of the rules appear to be regional rules but this is not clear and needs to be clarified in accordance with AUP drafting standards if the rules are retained. • Any AUP rules that are not intended to apply need to be clearly identified in the header to the activity table. • It is not necessary to reference rules from Table E15.4.1 Activity table - Auckland-wide vegetation and biodiversity management rules, which do not apply in this zone.

#### 5.0 Assessment of Freshwater Effects

##### Activity Table

The proposed Map 2 – Control: SMAF1 and Streams shows 2 protected intermittent streams within the site – however – this does not identify the natural riverine wetland associated with the eastern stream. This area of wetland meets the definition of ‘natural wetland’ in the Resource Management (National Environmental Standards for Freshwater) Regulations 2020 (NES:FW 2020) and ‘natural inland wetland’ in the National Policy Statement for Freshwater Management 2020 (NPS:FM 2020):

**natural wetland** means a wetland (as defined in the Act) that is not:

- a wetland constructed by artificial means (unless it was constructed to offset impacts on, or restore, an existing or former natural wetland); or
- a geothermal wetland; or
- any area of improved pasture that, at the commencement date, is dominated by (that is more than 50% of) exotic pasture species and is subject to temporary rain-derived water pooling

**natural inland wetland** means a natural wetland that is not in the coastal marine area

The Resource Management (National Environmental Standards for Freshwater) Regulations 2020 (NES:FW 2020) came into force on 3 September 2020 and includes a number of regulations and rules which pertain to works in relation to natural wetlands.

The applicant has proposed rules which supersede a number of rules in the Auckland Unitary Plan: Operative in Part in relation to earthworks within 10 metres of streams and wetlands; vegetation alteration and removal within 10 metres of streams and wetlands, the taking, use, damming, diversion and discharge of water within 100 metres of wetlands and earthworks within

100 metres of a natural wetland which result or are likely to contrary to the regulations of the NES:FW 2020 and the objectives and policies of the NPS:FM 2020 and several of the proposed activities are controlled by rules included in the NES:FW 2020. The failure to identify the wetland on the Precinct Plan maps is likely to result in a failure to correctly identify consents required for certain activities in relation to this wetland. With the exception of works in relation the specific activities referred to in regulations 38 to 51 which are: restoration of natural wetlands, scientific research, construction and maintenance of wetland utility structures<sup>1</sup>, construction of specified infrastructure<sup>2</sup>, maintenance and operation of specified infrastructure and other infrastructure, sphagnum moss harvesting, arable and horticultural land use and natural hazard works<sup>3</sup>, the following rules apply:

- Vegetation clearance within, or within a 10 m setback from a natural wetland is a non-complying activity (regulation 54(a));
- Earthworks within, or within a 10 m setback from, a natural wetland is a non-complying activity (regulation 54(b));
- The taking, use, damming, diversion, or discharge of water within, or within a 100 m setback from, a natural wetland is a non-complying activity (regulation 54(c))
- Earthworks outside, but within a 100 m setback from, a natural wetland which result or are likely to result in the complete or partial drainage of all or part of a natural wetland is a non-complying activity (regulation 52(1));
- Earthworks within a natural wetland which result or are likely to result in the complete or partial drainage of all or part of a natural wetland are a prohibited activity (regulation 53(1); and
- The taking, use, damming, diversion, or discharge of water within a natural wetland which result or is likely to result in the complete or partial drainage of all or part of a natural wetland is a prohibited activity (regulation 53(2)).

For works in relation to the activities listed in regulations 38 to 51 of the NES:FW; different activity statuses and conditions apply.

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<sup>1</sup> **wetland utility structure**—

- (a) means a structure placed in or adjacent to a wetland whose purpose, in relation to the wetland, is recreation, education, conservation, restoration, or monitoring; and
- (b) for example, includes the following structures that are placed in or adjacent to a wetland for a purpose described in paragraph (a):
  - (i) jetties:
  - (ii) boardwalks and bridges connecting them:
  - (iii) walking tracks and bridges connecting them:
  - (iv) signs:
  - (v) bird-watching hides:
  - (vi) monitoring devices:
  - (i) maimai

<sup>2</sup> **specified infrastructure** means any of the following:

- (a) infrastructure that delivers a service operated by a lifeline utility (as defined in the Civil Defence Emergency Management Act 2002)
- (b) regionally significant infrastructure identified as such in a regional policy statement or regional plan
- (c) any public flood control, flood protection, or drainage works carried out:
  - (i) by or on behalf of a local authority, including works carried out for the purposes set out in section 133 of the Soil Conservation and Rivers Control Act 1941; or
  - (ii) for the purpose of drainage by drainage districts under the Land Drainage Act 1908

<sup>3</sup> **natural hazard works** means works for the purpose of removing material, such as trees, debris, and sediment, that—

- (a) is deposited as the result of a natural hazard; and
- (b) is causing, or is likely to cause, an immediate hazard to people or property.

## CONTROLS

The land shown below be identified as "SMAF1" in the 'Controls' map

Map 2 – Control: SMAF1 and Streams

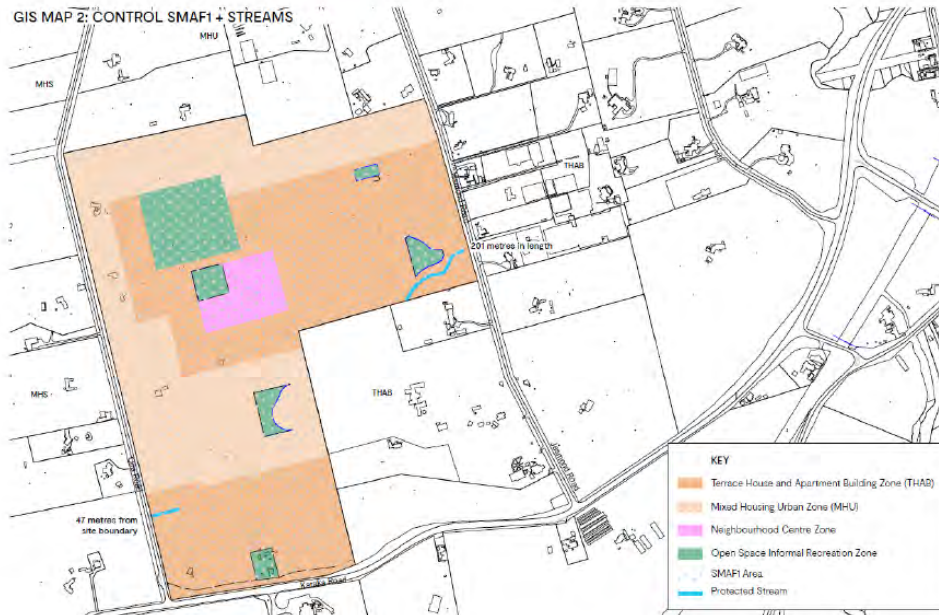


Figure 1: Map 2 from proposed private plan change showing location of intermittent streams.

The applicant has not addressed potential effects on the wetland ecology and hydrology. At present, the wetland vegetation is degraded, however, there is potential for the wetland to be replanted and restored. Additionally, the wetland is fed by water from a spring and the catchment which feeds the accompanying intermittent spring. The proposal may result in adverse effects on the natural wetland as a result of activities which are controlled by the NES:FW 2020 including earthworks, vegetation clearance and the taking, use, damming, diversion & discharge of water within or within specified setbacks from the natural wetland which are included in the private plan change.

Should the private plan change be updated to reflect the location of the natural wetland and to refer/defer to the regulations in the NES:FW 2020 in regards to activities in relation to wetlands, these effects could be adequately assessed and addressed at the resource consent application stage.

Waipupuke Proposed Plan Change		NES:FW	
Table IXXX.4.1 Residential - Terrace House and Apartment Building Zone			
Note: both streams & wetland are located in this zone			
(A8)	Reclamation or filling of a protected stream identified on Precinct Plan 2 [Replaces E3 A45-A50]	NC	57 Reclamation of the bed of any river
(A9)	Reclamation, removal and drainage of any watercourse or piped connection not identified on Precinct Plan 2	P	53(1) Earthworks within a wetland that result or are likely to result, in the complete or partial drainage of all or part of a natural wetland; and do not have another status under any of the regulations 38 - 51
(A10)	The construction of stormwater management structures within the Stormwater Control Areas identified on Precinct Plan 2	RD	52(2), 54(c) The taking, use, damming, diversion or discharge of water outside but within a 100 m setback from, a natural wetland
(A11)	Diversion and discharge of stormwater runoff from impervious areas within the Precinct in accordance with a Stormwater Management Plan certified under the region-wide Network Discharge Consent [Replaces E8.4.1 A1 to A11]	P	52(2) The taking, use, damming, diversion or discharge of water outside but within a 100 m setback from, a natural wetland that result or are likely to result, in the complete or partial drainage of all or part of a natural wetland; and do not have another status under any of the regulations 38 - 51
(A12)	Diversion and discharge of stormwater runoff from impervious areas within the Precinct not in accordance with a Stormwater Management Plan certified under the region-wide Network Discharge Consent [Replaces E8.4.1 A1 to A11]	RD	54(c) The taking, use, damming, diversion or discharge of water outside but within a 100 m setback from, a natural wetland.
(A13)	Development of new or redevelopment of existing impervious areas within the Stormwater Management Control Flow 1 area that complies with the hydrology mitigation requirements in E10.6.3.1.1 [Replaces E10 A3]	P	
(A14)	Development of new or redevelopment of impervious areas within the Stormwater Management Control Flow 1 area that does not comply with the hydrology mitigation requirements in E10.6.3.1.1 [E10 Replaces A4]	RD	53(2) The taking, use, damming, diversion or discharge of water within a natural wetland that result or are likely to result, in the complete or partial drainage of all or part of a natural wetland; and do not have another status under any of the regulations 38 - 51
(A15)	Removal of weeds, pests and exotic vegetation within Waipupuke Precinct and within 10m of a protected stream (measured from the top of the stream bank) identified on Precinct Plan 2 [Replaces E15 A11-A19]	P	
(A17)	Removal of native vegetation within 10m of a protected stream (measured from the top of the stream bank) identified on Precinct Plan 2 [Replaces E15 A11-A19]	RD	54(a) Vegetation clearance within, or within a 10 m setback from, a natural wetland
(A18)	The construction of a Collector Road identified on Precinct Plan 3 that complies with Standard IXXX.6.3	P	52(1) Earthworks outside but within a 100 m setback from, a natural wetland that result or are likely to result, in the complete or partial drainage of all or part of a natural wetland; and do not have another status under any of the regulations 38 - 51
(A19)	The construction of a Collector Road identified on Precinct Plan 3 that does not comply with Standard IXXX.6.3	RD	54(b) Earthworks within, or within a 10 m setback from a natural wetland

Table 1: Exemplar table outlining proposed precinct rules for Residential – Terrace House & Apartment Building Zone against relevant regulations in the NES:FW 2020 (similar precinct specific rules in other proposed zones may also conflict with the NES:FW 2020)



Figure 2: Annotated map showing approximate locations of watercourses and setbacks from areas of natural wetland taken from Geomaps.

## 6.0 Conclusions and recommendations

- The applicant has not assessed the potential effects of the private plan change on the natural wetlands within and within 100 metres of the site because these wetlands have not been adequately identified and as such, potential effects on these wetlands have not been assessed.
- The private plan change intends to maintain the streams and natural wetlands on site – however consideration has not been given to potential hydrological effects on the natural wetland & spring on site.
- The private plan change does not give effect to the National Environmental Standards for Freshwater 2020 or the National Policy Statement for Freshwater Management 2020 and has not provided an assessment against the relevant regulations, objectives and policies in relation to stream and wetlands contained in these documents. The private plan change has proposed a number of activities within 10 & 100 metres of natural wetlands which are controlled by regulation in the NES:FW 2020.
- The applicant’s ecologist has not correctly identified and delineated the natural wetland within the site and has incorrectly defined this as ‘improved pasture’ where it does not meet the definitions – particularly the wetland is not subject to ‘temporary rain derived pooling’ as it is naturally fed by the spring & stream and no evidence of any deliberate sowing or maintenance of exotic pasture species for the purpose of pasture production has been



shown. This wetland should be clearly delineated and the private plan change rules should defer to the relevant regulations of the NES:FW 2020 in regards to works in relations to wetlands. Further, there is an area of possible wetland outside of the northern boundary of the site which should be assessed and considered.

- Should the private plan change be amended to consider the National Policy Statement for Freshwater Management 2020 and the National Environmental Standard for Freshwater 2020; as outlined above, I am able to support the private plan change.



**APPENDIX 5**

**RELEVANT POLICY AND STATUTORY  
FRAMEWORK**



## Appendix 5 – Relevant Policy and Statutory Framework

This appendix contains relevant statutory and policy framework. This is grouped under the subheadings of the titles of relevant documents.

### Resource Management Act 1991

The key directions of the RMA with regard to consideration of private plan changes are set out in Table 1 below.

**Table 1 Sections of the RMA relevant to private plan change decision making**

<b>Section</b>	<b>Matters</b>
Part 2	Purpose and principles of the RMA
Section 31	Functions of territorial authorities in giving effect to the Resource Management Act 1991
Section 32	Requirements preparing and publishing evaluation reports. This section requires consideration of the alternatives, costs and benefits of the proposal
Section 67	Sets out required contents of regional plans
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 31, Part 2 of the RMA, national policy statement, other regulations and other matters
Section 75	Outlines the requirements in the contents of a district plan
Section 76	Outlines the purpose of district rules, which is to carry out the functions of the RMA and achieve the objective and policies set out in the district plan. A district rule also requires the territorial authority to have regard to the actual or potential effect (including adverse effects), of activities in the proposal, on the environment
Schedule 1	Sets out the process for preparation and change of policy statements and plans by local authorities and private plan change applications

## National policy statements

The relevant national policy statements (NPS) must be given effect to in the preparation of the proposed plan change, and in considering submissions on PPC61. In respect of the NPS-UD, instead of giving effect to, the plan change should at least have regard to the objectives and policies that do not refer to 'planning decisions'. Table 2 below summarises the NPS that apply to PPC61.

**Table 2 National Policy Statements relevant to PPC61**

Relevant Act/ Policy/ Plan	Section	Matters
National Policy Statement on Freshwater Management (NPS-FM) 2020	Part 2 Objective and policies	Give effect to Te Mana o te Wai in the management of fresh water.
		Manage freshwater in an integrated way considering the effects of the use and development of land on a whole-of-catchment basis, including effects on receiving environments.
		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.
		Protect and restore natural inland wetlands, and avoid the loss of river extent and values to the extent practicable.
		Protect habitats of indigenous freshwater species.
		Provide for social, economic and cultural wellbeing in a way that is consistent with the NPS-FM.
National Policy Statement on Urban Development 2020 (NPS-UD)	Well-functioning urban environments, competitive land and development markets, and climate change Objectives 1, 2 and 8, Policy 1	Planning decisions contribute to well-functioning urban environments that enable a variety of homes and business sites, have good accessibility, support the competitive operation of land and development markets, support reductions in greenhouse gas emissions, are resilient to effects of climate change.
	Providing development capacity Objectives 3 and 7, Policy 2 and 7 / clauses 3.2 – 3.7	Auckland Council as a Tier 1 local authority, at all times, is to provide at least sufficient development capacity to meet expected demand for housing and for business land over the short term, medium term, and long term.  Sufficient development capacity is plan-enabled and infrastructure-ready, feasible / suitable.
	Intensification requirements Objective 3, Policies 3-4, clauses 3.31-3.34	Auckland Council as a Tier 1 local authority must enable intensification close to centres and places well-served by public transport, including at least 6 storey buildings within walkable catchments of rapid transit stops, unless qualifying matters apply.

Relevant Act/ Policy/ Plan	Section	Matters
	Objective 4	New Zealand's urban environments, including their amenity values, develop and change over time in response to the diverse and changing needs of people, communities, and future generations.
	Objective 5, Policy 9	Planning decisions relating to urban environments take into account the principles of Te Tiriti o Waitangi.
	Objective 6	<p>Local authority decisions on urban development that affect urban environments are:</p> <ul style="list-style-type: none"> <li>(a) integrated with infrastructure planning and funding decisions; and</li> <li>(b) strategic over the medium term and long term; and</li> <li>(c) responsive, particularly in relation to proposals that would supply significant development capacity.</li> </ul>
	Policy 6	<p>When making planning decisions that affect urban environments, decision-makers have particular regard to the following matters:</p> <ul style="list-style-type: none"> <li>(a) the planned urban built form anticipated by those RMA planning documents that have given effect to this National Policy Statement</li> <li>(b) that the planned urban built form in those RMA planning documents may involve significant changes to an area, and those changes: <ul style="list-style-type: none"> <li>(i) may detract from amenity values appreciated by some people but improve amenity values appreciated by other people, communities, and future generations, including by providing increased and varied housing densities and types; and</li> <li>(ii) are not, of themselves, an adverse effect</li> </ul> </li> <li>(c) the benefits of urban development that are consistent with well-functioning urban environments (as described in Policy 1)</li> <li>(d) any relevant contribution that will be made to meeting the requirements of this National Policy Statement to provide or realise development capacity</li> <li>(e) the likely current and future effects of climate change.</li> </ul>
New Zealand Coastal Policy Statement	Objective 1, Policy 4, Policy 22, Policy 23	Maintain coastal water quality through considering land use activities that could affect water quality by increasing sedimentation. Reduce contaminant and sediment loadings in runoff and in stormwater systems by controlling land use activities.

## National environmental standards or regulations

Under section 44A of the RMA, local authorities must observe national environmental standards (NES) in its district/ region. No rule or provision may be duplicated or in conflict with a national environmental standard or regulation.

Table 3 below summarises the NES relevant to PPC61.

**Table 3 National environmental standards and regulations relevant to PPC61**

Relevant Act/ Policy/ Plan	Matters	Comment
National Environmental Standard on assessing and managing contaminants into soil to protect human health (NES-CS)	The National Environmental Standard on assessing and managing contaminants into soil to protect human health applies a nationally consistent framework for assessing subdivision, development and use on land that is contaminated or potentially contaminated.	<p>The following reports were prepared to support the plan change:</p> <ul style="list-style-type: none"> <li>• Contaminated Site Action Plan and Remedial Management Plan</li> <li>• Detailed Site Investigation</li> <li>• Preliminary Site Investigation</li> </ul> <p>There is nothing to indicate that the plan change area is unsuitable for future urban development. Should the plan change be approved, future development will require consent under the AUP and NES-CS.</p>
National Environmental Standards for Freshwater 2020	The NES for Freshwater regulates activities that pose risks to the health of freshwater and freshwater ecosystems. Relevant to urban development these include activities affecting natural wetlands and reclamation/ culverting of streams.	<p>A natural wetland has been identified within the plan change area. A possible wetland is located outside the northern side of the plan change area, though the 100m setback encroaches on the plan change land. These will need specific assessment at earthworks resource consent stage.</p> <p>Resource consents will also be required for any reclamation of streams under the NES for Freshwater.</p>
National Environmental Standard on Sources of Drinking Water	<p>The NES for Sources of Drinking Water sets requirements for protecting sources of</p> <p>human drinking water from becoming contaminated. It is intended to reduce the risk</p> <p>of contaminants entering natural water bodies such as lake, river or ground water.</p>	<p>No sources of human drinking water have been identified within or nearby the plan change area. At earthworks resource consent stage, erosion and sediment controls would be required in accordance with industry best practices and resource consent requirements, to protect against contaminants entering water bodies.</p>

Overall this plan change is not considered to be in conflict with the relevant national environmental standards.



## Auckland Unitary Plan

Section 75(3)(c) of the RMA requires that a district plan must give effect to any regional policy statement (RPS).

Table 4 below summarises the RPS objectives and policies that I consider are particularly pertinent to this plan change request.

**Table 4 Relevant regional policy statement provisions of Auckland Unitary Plan**

Section	Matters
<p>Urban Growth</p> <p>Objectives B2.2.1(1)</p> <p>Policies B2.2.2(1), (3), (5), (7)</p>	<p>B2.2.1(1) A quality compact urban form that enables all of the following:</p> <ul style="list-style-type: none"> <li>(a) a higher-quality urban environment;</li> <li>(b) greater productivity and economic growth;</li> <li>(c) better use of existing infrastructure and efficient provision of new infrastructure;</li> <li>(d) improved and more effective public transport;</li> <li>(e) greater social and cultural vitality;</li> <li>(f) better maintenance of rural character and rural productivity; and</li> <li>(g) reduced adverse environmental effects.</li> </ul> <p>B2.2.2(3) Enable rezoning of future urban zoned land for urbanisation following structure planning and plan change processes in accordance with Appendix 1 Structure plan guidelines</p> <p>B2.2.2(5) Enable higher residential intensification:</p> <ul style="list-style-type: none"> <li>(a) in and around centres;</li> <li>(b) along identified corridors; and</li> <li>(c) close to public transport, social facilities (including open space) and employment opportunities.</li> </ul> <p>(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:</p> <ul style="list-style-type: none"> <li>(a) support a quality compact urban form;</li> <li>(b) provide for a range of housing types and employment choices for the area;</li> <li>(c) integrate with the provision of infrastructure; and (d) follow the structure plan guidelines as set out in Appendix 1.</li> </ul>
<p>Quality Built Environment</p> <p>Objectives B2.3.1(1)</p> <p>Policies B2.3.2(2)</p>	<p>B2.3.1(1) A quality built environment where subdivision, use and development do all of the following:</p> <ul style="list-style-type: none"> <li>(a) respond to the intrinsic qualities and physical characteristics of the site and area, including its setting;</li> <li>(b) reinforce the hierarchy of centres and corridors;</li> <li>(c) contribute to a diverse mix of choice and opportunity for people and communities;</li> <li>(d) maximise resource and infrastructure efficiency;</li> </ul>

Section	Matters
	<p>(e) are capable of adapting to changing needs; and</p> <p>(f) respond and adapt to the effects of climate change.</p> <p>B2.3.2(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:</p> <p>(a) providing access for people of all ages and abilities;</p> <p>(b) enabling walking, cycling and public transport and minimising vehicle movements; and</p> <p>(c) minimising the adverse effects of discharges of contaminants from land use activities (including transport effects) and subdivision.</p>
<p>Residential growth</p> <p>Objectives B2.4.1 (1) and (3)</p> <p>Policies B2.4.2(2), (3) and (6)</p>	<p>B2.4.1(1) Residential intensification supports a quality compact urban form.</p> <p>B2.4.1(3) Land within and adjacent to centres and corridors or in close proximity to public transport and social facilities (including open space) or employment opportunities is the primary focus for residential intensification.</p> <p>B2.4.2 (2) Enable higher residential intensities in areas closest to centres, the public transport network, large social facilities, education facilities, tertiary education facilities, healthcare facilities and existing or proposed open space.</p> <p>B2.4.2 (3) Provide for medium residential intensities in area that are within moderate walking distance to centres, public transport, social facilities and open space.</p> <p>B2.4.2(6) Ensure development is adequately serviced by existing infrastructure or is provided with infrastructure prior to or at the same time as residential intensification.</p>
<p>Commercial and industrial growth</p> <p>Objectives B2.5.1(1) and (2)</p>	<p>B2.5.1(1) Employment and commercial and industrial opportunities meet current and future demands.</p> <p>B2.5.1(2) Commercial growth and activities are primarily focussed within a hierarchy of centres and identified growth corridors that supports a compact urban form.</p>
<p>Open Space and recreation facilities</p> <p>Objective B2.7.1(1) and (2)</p> <p>Policies B2.7.2(2), (3) and (9)</p>	<p>B2.7.1(1) Recreational needs of people and communities are met through the provision of a range of quality open spaces and recreation facilities.</p> <p>B2.7.1(2) Public access to and along Auckland's coastline, coastal marine area, lakes, rivers, streams and wetlands is maintained and enhanced.</p> <p>B2.7.2 (2) Promote the physical connection of open spaces to enable people and wildlife to move around efficiently and safely.</p> <p>B2.7.2 (3) Provide a range of open spaces and recreation facilities in locations that are accessible to people and communities</p>

Section	Matters
	B2.7.2 (9) Enable public access to lakes, rivers, streams, wetlands and the coastal marine area by enabling public facilities and by seeking agreements with private landowners where appropriate
<p>Infrastructure</p> <p>Objective B3.2.1(5) and (6)</p> <p>Policy B3.2.2(5)</p>	<p>B3.2.1(5) Infrastructure planning and land use planning are integrated to service growth efficiently.</p> <p>B3.2.1(6) Infrastructure is protected from reverse sensitivity effects caused by incompatible subdivision, use and development.</p> <p>B3.2.2(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.</p>
<p>Transport</p> <p>Objective B3.3.1(1)</p> <p>Policy 3.3.2(5), (6)</p>	<p>B3.3.1(1) Effective, efficient and safe transport that:</p> <ul style="list-style-type: none"> <li>(a) supports the movement of people, goods and services;</li> <li>(b) integrates with and supports a quality compact urban form;</li> <li>(c) enables growth;</li> <li>(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</li> <li>(e) facilitates transport choices, recognises different trip characteristics and enables accessibility and mobility for all sectors of the community.</li> </ul> <p>B3.3.2(5) Improve the integration of land use and transport by:</p> <ul style="list-style-type: none"> <li>(a) ensuring transport infrastructure is planned, funded and staged to integrate with urban growth;</li> <li>(b) encouraging land use development and patterns that reduce the rate of growth in demand for private vehicle trips, especially during peak periods;</li> <li>(c) locating high trip-generating activities so that they can be efficiently served by key public transport services and routes and complement surrounding activities by supporting accessibility to a range of transport modes</li> <li>(d) requiring proposals for high trip-generating activities which are not located in centres or on corridors or at public transport nodes to avoid, remedy or mitigate adverse effects on the transport network;</li> <li>(e) enabling the supply of parking and associated activities to reflect the demand while taking into account any adverse effects on the transport system; and</li> <li>(f) requiring activities adjacent to transport infrastructure to avoid, remedy or mitigate effects which may compromise the efficient and safe operation of such infrastructure.</li> </ul>

Section	Matters
	B3.3.2(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.
Natural heritage Objective B4.5.1 Policies B4.5.2(1)-(4)	B4.5.1(1) Notable trees and groups of trees with significant historical, botanical or amenity values are protected and retained.  B4.5.2(1)-(4) [Factors to be considered in identifying notable trees include whether the trees provide a critical habitat for a threatened species population.].
Historic heritage and special character Objective B5.2.1(1) Policies B5.2.2(1) – (5)	B5.2.1(1) Significant historic heritage places are identified and protected from inappropriate subdivision, use and development.  B5.2.2(1) – (5) [the criteria for identifying and evaluating a place with historic heritage value]
Recognition of Te Titiri o Waitangi partnerships and participation Objective B6.2.1(1), (2) Policy B6.2.2(1)	The principles of the Treaty of Waitangi/Te Tiriti o Waitangi are recognised and provided for in the sustainable management of natural and physical resources including ancestral lands, water, air, coastal sites, wāhi tapu and other taonga.  Provide opportunities for Mana Whenua to actively participate in the sustainable management of natural and physical resources including ancestral lands, water, sites, wāhi tapu and other taonga
Recognising Mana Whenua values Objective B6.3.1(1), (2) Policy B6.3.2(1), (2)	B6.3.1(1) Mana Whenua values, mātauranga and tikanga are properly reflected and accorded sufficient weight in resource management decisionmaking.  B6.3.1(2) The mauri of, and the relationship of Mana Whenua with, natural and physical resources including freshwater, geothermal resources, land, air and coastal resources are enhanced overall.  B6.3.2(1) Enable Mana Whenua to identify their values associated with all of the following:  (a) ancestral lands, water, air, sites, wāhi tapu, and other taonga;  (b) freshwater, including rivers, streams, aquifers, lakes, wetlands, and associated values;  (c) biodiversity; (d) historic heritage places and areas; and  (e) air, geothermal and coastal resources.  B6.3.2(2) Integrate Mana Whenua values, mātauranga and tikanga:  (a) in the management of natural and physical resources within the ancestral rohe of Mana Whenua, including:  (i) ancestral lands, water, sites, wāhi tapu and other taonga;  (ii) biodiversity; and

Section	Matters
	<p>(iii) historic heritage places and areas.</p> <p>(b) in the management of freshwater and coastal resources, such as the use of rāhui to enhance ecosystem health;</p> <p>(c) in the development of innovative solutions to remedy the long-term adverse effects on historical, cultural and spiritual values from discharges to freshwater and coastal water; and</p> <p>(d) in resource management processes and decisions relating to freshwater, geothermal, land, air and coastal resources.</p>
<p>Indigenous biodiversity Objective B7.2.1(2)</p>	<p>B7.2.1(2) Indigenous biodiversity is maintained through protection, restoration and enhancement in areas where ecological values are degraded, or where development is occurring.</p>
<p>Freshwater systems Objectives B7.3(1)-(3) Policies B7.3.2(1)-(6)</p>	<p>B7.3.1(1) Degraded freshwater systems are enhanced.</p> <p>B7.3.1(2) Loss of freshwater systems is minimised.</p> <p>B7.3.1(3) The adverse effects of changes in land use on freshwater are avoided, remedied or mitigated.</p> <p>B7.3.2(1) Integrate the management of subdivision, use and development and freshwater systems by undertaking all of the following:</p> <p>(a) ensuring water supply, stormwater and wastewater infrastructure is adequately provided for in areas of new growth or intensification;</p> <p>(b) ensuring catchment management plans form part of the structure planning process;</p> <p>(c) controlling the use of land and discharges to minimise the adverse effects of runoff on freshwater systems and progressively reduce existing adverse effects where those systems or water are degraded; and</p> <p>(d) avoiding development where it will significantly increase adverse effects on freshwater systems, unless these adverse effects can be adequately mitigated.</p> <p>B7.3.2(6) Restore and enhance freshwater systems where practicable when development, change of land use, and subdivision occur.</p>
<p>Environmental risk Objectives B10.2.1 (3), (5), (6) Policy B10.2.2(5)</p>	<p>B10.2.1(3) New subdivision, use and development avoid the creation of new risks to people, property and infrastructure.</p> <p>B10.2.1(5) The functions of natural systems, including floodplains, are protected from inappropriate subdivision, use and development.</p> <p>B10.2.1(6) The conveyance function of overland flow paths is maintained.</p> <p>B10.2.2(5) Manage subdivision, use and development of land subject to natural hazards based on all of the following:</p>

Section	Matters
	<p>(a) the type and severity of potential events, including the occurrence natural hazard events in combination;</p> <p>(b) the vulnerability of the activity to adverse effects, including the health and safety of people and communities, the resilience of property to damage and the effects on the environment; and</p> <p>(c) the cumulative effects of locating activities on land subject to natural hazards and the effects on other activities and resources.</p>

Section 75(4)(b) of the RMA requires that a district plan must not be inconsistent with a regional plan. Section 75(1)(b) and section 32(1)(b) state that policies and methods should implement the plan's objectives and policies and be the most appropriate way of achieving the objectives.

Table 5 below summarises the regional plan and Auckland wide/zone objectives and policies that I consider are particularly pertinent to this plan change request.

**Table 5 Relevant regional, Auckland-wide and zone provisions of Auckland Unitary Plan**

Section	Matters
<p>Chapter E1 Water quality and integrated management</p> <p>Objective E1.2(1) [rp]</p> <p>Policy E1.3(8) [rp]</p> <p>Policy E1.3(9) [rp]</p>	<p>E1.2(1) Freshwater and sediment quality is maintained where it is excellent or good and progressively improved over time in degraded areas.</p> <p>E1.3(8) Avoid as far as practicable, or otherwise minimise or mitigate, adverse effects of stormwater runoff from greenfield development on freshwater systems, freshwater and coastal water, by:</p> <p>(a) taking an integrated stormwater management approach (refer to Policy E1.3.10);</p> <p>(b) minimising the generation and discharge of contaminants, particularly from high contaminant generating car parks and high use roads and into sensitive receiving environments;</p> <p>...</p> <p>(9) Minimise or mitigate new adverse effects of stormwater runoff, and where practicable progressively reduce existing adverse effects of stormwater runoff, on freshwater systems, freshwater and coastal waters during intensification and redevelopment of existing urban areas by all of the following:</p> <p>(a) requiring measures to reduce contaminants, particularly from high contaminant-generating car parks and high-use roads;</p> <p>(b) requiring measures to reduce the discharge of gross stormwater pollutants;</p>

Section	Matters
	<p>(c) requiring measures to be adopted to reduce the peak flow rate and the volume of stormwater flows:</p> <ul style="list-style-type: none"> <li>(i) within sites identified in the Stormwater Management Area – Flow 1 and Flow 2 Control (as shown on the planning maps);</li> <li>(ii) where development exceeds the maximum impervious area for the relevant zone; or</li> <li>(iii) from areas of impervious surface where discharges may give rise to flooding or adversely affect rivers and streams;</li> </ul> <p>...</p>
<p>Chapter E3 Lakes, rivers, streams, wetlands</p> <p>Objectives E3.2(2)</p>	<p>E3.2(2) Auckland’s lakes, rivers, streams and wetlands are restored, maintained or enhanced.</p>
<p>Chapter E10 Stormwater management area – Flow 1 and 2</p> <p>Objective E10.2(1) [rp]</p>	<p>B10.2(1) High value rivers, streams and aquatic biodiversity in identified urbanised catchments are protected from further adverse effects of stormwater runoff associated with urban development and where possible enhanced.</p>
<p>Chapter E15 Vegetation management and biodiversity</p> <p>Objectives E15.2(2) [rp]</p>	<p>E15.2(2) Indigenous biodiversity is restored and enhanced in areas where ecological values are degraded, or where development is occurring.</p>
<p>Chapter E26 Infrastructure</p> <p>Objective E26.2.1(6)</p> <p>Policy E26.2.2(3)</p>	<p>E26.2.1(6) Infrastructure is appropriately protected from incompatible subdivision, use and development, and reverse sensitivity effects.</p> <p>E26.2.2(3) Avoid where practicable, or otherwise remedy or mitigate adverse effects on infrastructure from subdivision, use and development, including reverse sensitivity effects, which may compromise the operation and capacity of existing, consented and planned infrastructure.</p>
<p>Chapter E27 Transport</p> <p>Objectives E27.2(1), (2)</p>	<p>E27.2(1) Land use and all modes of transport are integrated in a manner that enables:</p> <ul style="list-style-type: none"> <li>(a) the benefits of an integrated transport network to be realised; and</li> <li>(b) the adverse effects of traffic generation on the transport network to be managed.</li> </ul> <p>E27.2(2) An integrated transport network including public transport, walking, cycling, private vehicles and freight, is provided for.</p>
<p>E30 Contaminated land</p> <p>Objective E30.2(1)</p>	<p>E30.2(1) The discharge of contaminants from contaminated land into air, or into water, or onto or into land are managed to protect the</p>

Section	Matters
	environment and human health and to enable land to be used for suitable activities now and in the future.
<p>Chapter E36 Natural Hazards and Flooding</p> <p>Objectives E36.2(2)</p> <p>Policies E36.3(32), (33)</p>	<p>E36.2(2) Subdivision, use and development, including redevelopment in urban areas, only occurs where the risks of adverse effects from natural hazards to people, buildings, infrastructure and the environment are not increased overall and where practicable are reduced, taking into account the likely long term effects of climate change.</p> <p>E36.3(32) Require risk assessment prior to subdivision, use and development of land subject to instability.</p> <p>E36.3(33) Locate and design subdivision, use and development first to avoid potential adverse effects arising from risks due to land instability hazards, and, if avoidance is not practicably able to be totally achieved, otherwise to remedy or mitigate residual risks and effects to people, property and the environment resulting from those hazards.</p>
<p>Chapter E38 Subdivision – Urban</p> <p>Objective E38.2(4)</p> <p>Policy E38.3(18), (19)</p>	<p>E38.2(4) Infrastructure supporting subdivision and development is planned and provided for in an integrated and comprehensive manner and provided for to be in place at the time of the subdivision or development.</p> <p>E38.3(18) Require subdivision to provide for the recreation and amenity needs of residents by:</p> <ul style="list-style-type: none"> <li>(a) providing open spaces which are prominent and accessible by pedestrians;</li> <li>(b) providing for the number and size of open spaces in proportion to the future density of the neighbourhood; and</li> <li>(c) providing for pedestrian and/or cycle linkages.</li> </ul> <p>E38.3(19) Require subdivision to provide servicing:</p> <ul style="list-style-type: none"> <li>(a) to be coordinated, integrated and compatible with the existing infrastructure network;</li> <li>(b) to enable the existing network to be expanded or extended to adjacent land where that land is zoned for urban development; and</li> <li>(c) to enable electricity and telecommunications services to be reticulated underground to each site wherever practicable.</li> </ul>
<p>Chapter H12 Business-Neighbourhood Centre Zone</p> <p>Objective H12.2(6), (7)</p> <p>Policy H12.3(15), (16)</p>	<p>H12.2(6) Commercial activities within residential areas, limited to a range and scale that meets the local convenience needs of residents as well as passers-by, are provided in neighbourhood centres.</p> <p>H12.2(7) Neighbourhood centres are developed to a scale and intensity in keeping with the planning outcomes identified in this Plan for the surrounding environment.</p>



Section	Matters
	<p>H12.3(15) Provide for small scale commercial activities to meet either local or passers-by convenience needs, including local retail, business services, food and beverage activities.</p> <p>H12.3(16) Discourage large-scale commercial activity that:</p> <p>(a) would adversely affect the retention and establishment of a mix of activities within the neighbourhood centre;</p> <p>b) would significantly adversely affect the function, role and amenity of the Business – City Centre Zone, Business – Metropolitan Centre Zone or Business – Town Centre Zone, beyond those effects ordinarily associated with trade effects on trade competitors; and</p> <p>(c) does not appropriately manage adverse effects on the safe and efficient operation of the transport network including effects on pedestrian safety and amenity.</p>

### The Auckland Plan

Section 74(2)(b)(i) of the RMA requires that in considering a plan change, a territorial authority must have regard to plans and strategies prepared under other Acts.

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 considering PPC61, pursuant to section 74(2)(b) of the RMA.

Table 6 summarises the relevant sections of the Auckland Plan to PPC61.

**Table 6 Relevant sections of the Auckland Plan**

Section	Matters
Maori identity and wellbeing	Recognise and provide for Te Tiriti o Waitangi outcomes (Direction 3)
Homes and places	<p>Develop a quality compact urban form to accommodate Auckland's growth (Direction 1)</p> <p>Accelerate the construction homes that meets Aucklanders' changing needs and preferences (Direction 2)</p> <p>Provide sufficient public places and spaces that are inclusive, accessible and contribute to urban living (Direction 4)</p> <p>Accelerate quality development at scale that improves housing choices (Focus area 1).</p> <p>Create urban spaces for the future, focusing investment in areas of highest population density and greatest need (Focus area 5)</p>

<p>Transport access and</p>	<p>Better connect people, places, goods and services (Direction 1)</p> <p>Increase genuine travel choices for a healthy, vibrant and equitable Auckland (Direction 2)</p> <p>Maximise safety and environmental protection (Direction 3)</p> <p>Target new transport investment to the most significant challenges (Focus Area 2)</p> <p>Make walking, cycling and public transport preferred choices for many more Aucklanders (Focus area 4)</p> <p>Better integrate land-use and transport (Focus area 5)</p> <p>Develop a sustainable and resilient transport system (Focus area 7)</p>
<p>Environment and cultural heritage</p>	<p>Ensure Auckland's natural environment is valued and cared for (Direction 1)</p> <p>Use growth and development to protect and enhance Auckland's environment (Direction 3)</p> <p>Focus on restoring environments as Auckland grows (Focus area 2)</p> <p>Account fully for the past and future impacts of growth (Focus area 3)</p> <p>Use green infrastructure to deliver greater resilience, long term cost savings and quality environmental outcomes (Focus Area 6)</p>
<p>Opportunity and Prosperity</p>	<p>Create the conditions for a resilient economy through innovation, employment growth and raised productivity (Direction 1).</p> <p>Ensure regulatory planning and other mechanism support business, innovation and productivity growth (Focus area 2)</p>
<p>Our Development Strategy</p>	<p>In future urban areas the FULSS sequences when land will be live zoned, based on when necessary bulk infrastructure will be available. Development in Drury West is sequenced for from 2022 and anticipated to accommodate 4,200 dwellings in Stage 1 and 5,700 dwellings in Stage 2 (2028 onwards). Because of the scale of growth envisaged in Auckland's future urban areas, and the housing and employment choices they can provide, it is crucial that they are developed in an efficient, cost-effective and sustainable way. They also need to be vibrant places for the new communities who will live there. This requires a network of strong centres and neighbourhoods, integrated with good transport choices, and supported by a wide range of housing types and densities.</p>

**Any relevant management plans and strategies prepared under any other Act**

Other relevant plans and strategies to be considered under Section 74(2)(b)(i) and of relevance to PPC61 are summarised in Table 7 below.

**Table 7 Other relevant plans and strategies**

Relevant Act/ Policy/ Plan	Section	Matters
10 Year Budget 2018-2028 (Long Term Plan)	Volume 2: Our detailed budgets, strategies and policies	<p>Planned and funded infrastructure relevant to the plan change area includes:</p> <ul style="list-style-type: none"> <li>- SH1 improvements Manukau to Bombay \$480m in decade 1</li> <li>- Electrification of rail line to Pukekohe \$751m in decade 1</li> <li>- Provision for other transport infrastructure in Drury-Opāheke and other southern growth areas from 2029 onwards</li> <li>- Provision for stormwater infrastructure for Drury-Opāheke and several other future urban areas. \$69m in decade 1 and more from 2029 onwards</li> <li>- Acquisition of open space for Drury-Opāheke and several other future urban areas. \$696m in decade 1 and more from 2029 onwards</li> </ul>
Auckland Council Draft 2021 Long Term Plan	Key issue 3: Responding to housing and growth	<p>Council's draft 2021 Long Term Plan identifies that the Council is investigating additional infrastructure requirements to support a large number of growth areas across Auckland. However, funding and financing new infrastructure in all of those areas is a major challenge. The LTP states that the focus of limited infrastructure investment capacity will be in a few key areas:</p> <ul style="list-style-type: none"> <li>• areas agreed with the government as part of the Auckland Housing Programme, including Mt Roskill, Māngere, Tāmaki, Oranga and Northcote</li> <li>• where significant government investment has been made, such as Drury in Auckland's south, and areas in Auckland's north-west</li> <li>• where investment in significant projects, such as the City Rail Link, is being made. The draft LTP states that the Council is not in a position to cover all the potential costs in the focused areas, and there will need to be prioritisation of projects within these areas. This focused approach will mean that they will not be heavily investing in infrastructure to support other growth areas in the short to medium term beyond that which is already committed. The plan notes that the council will continue to work with central government and private sector developers to explore alternative ways to progress development. This would include using the new Infrastructure Funding and Financing Act 2020.</li> </ul>

Future Land Supply Strategy 2017	The Programme – sequencing of the future urban areas	Timing of the plan change is consistent with the FULSS.
Auckland Transport Alignment Project 2021	ATAP Package Detail	<p>Along with the NZUP projects, ATAP provides for the following:</p> <p><i>“Drury &amp; Paerata Growth Area Funding for transport infrastructure in the Drury area to support the NZUP investment. \$243m”.</i></p> <p>However, actual funding commitments will need to be made in the next iteration of the Regional Land Transport Plan.</p>
Auckland Regional Land Transport Plan (RLTP) 2021-2031	Section 5: Responding to Auckland’s Transport Challenges, p58	The RLTP states that almost \$250 million is proposed to support the accelerated development of the Drury growth area through public transport links, including to the new Drury rail stations. This is in addition to the new stations themselves, the Mill Road Corridor, SH1 widening to Drury South, and new SH1 Drury South Interchange funded through NZUP.
Franklin local board plan 2020	Outcome 2: Improved transport options and fit for purpose roads	<p>Opportunities include new train stations at Drury and new public transport services to connect people to services and facilities.</p> <p>Challenges include that transport options are not developing in parallel to urban development, which is sustaining car-dependency. Green-field development areas and rural communities are not serviced by public transport.</p>
Papakura local board plan 2020	Outcome 3: A well-connected area where it’s easy to move around	Connectivity objectives include cycleways and walkways providing safe, connected, alternative routes including greenways to residential development in Drury.
Te Tāruke-ā-Tāwhiri: Auckland’s Climate Plan 2020	<p>Core goals</p> <ul style="list-style-type: none"> <li>• To reduce greenhouse gas emissions by 50 per cent by 2030 and achieve net zero emissions by 2050</li> <li>• To adapt to the impacts of climate change by ensuring we plan for the changes we face under our current emissions pathway</li> </ul>	<p>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.</p> <p>In terms of the built environment, the plan identifies 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. Our approach to planning and growth is identified as a priority action area, which aims to ensure our approach to planning and growth aligns with low carbon, resilient outcomes.</p>

		<p>Targets include:</p> <ul style="list-style-type: none"><li>- 40% of new dwellings to be in transit-oriented developments by 2030</li><li>- a 12 per cent reduction in total private vehicle VKT (vehicle kilometres travelled) by 2030 against a 'business-as-usual' scenario through actions such as remote working and reduced trip lengths, with public transport mode share to increase from 7.8% to 24.5% by 2030, cycling mode share to increase from 0.9% to 7% and walking mode share to increase from 4.1% to 6%.</li></ul>
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## **APPENDIX 6**

### **SUBMISSIONS AND FURTHER SUBMISSIONS**





Plan Change 61 - Waipupuke					
Summary of Decisions Requested					
Sub #	Sub Point	Submitter Name	Address for Service	Theme	Summary
1	1.1	Anthony Joyce	tjjoyce@xtra.co.nz	Support the plan change	Approve the plan change
2	2.1	Song Wanping	robertsunnz@gmail.com	Decline the plan change, but if approved make the amendment	Oppose Terraced Housing and Apartment Building zone. Only allow single houses and single storey houses.
3	3.1	Balkar Singh	balk11@xtra.co.nz	Decline the plan change	Decline the plan change in its entirety. Support the retention of the Future Urban zone on 303 Oira Road, Drury.
4	4.1	Withdrawn	Withdrawn	NA	NA
5	5.1	Watercare Services Limited	ilze.gotelli@water.co.nz	Neither supports nor opposes the plan change	(a) Amend Objective 9 as follows: (9) Subdivision and development (including infrastructure provision) is coordinated with, and does not precede, the delivery of the transport, infrastructure and <u>water and wastewater</u> services required to provide for the development.
5	5.2	Watercare Services Limited	ilze.gotelli@water.co.nz	Neither supports nor opposes the plan change	Amend Policy 10 as follows: (10) Require subdivision and development to provide appropriate transport and other infrastructure capacity, <u>including water and wastewater infrastructure</u> , within the precinct and to provide connections to the adjoining road network in accordance with Precinct Plan 3.
5	5.3	Watercare Services Limited	ilze.gotelli@water.co.nz	Neither supports nor opposes the plan change	Insert a new Policy 11 as follows: (11) <u>Manage subdivision and development to avoid, remedy or mitigate adverse effects on infrastructure, including reverse sensitivity effects or those which may compromise the operation or capacity of existing or authorised infrastructure.</u>
6	6.1	Andrew Daken	andrew.daken243@gmail.com	Decline the plan change, but if approved make the amendment	Wastewater be piped down public access points, specifically Jesmond Road and connector road(s) to join T002. Not across 169 Jesmond Road.
6	6.2	Andrew Daken	andrew.daken243@gmail.com	Decline the plan change, but if approved make the amendment	Stormwater should be connected directly and piped from the PC61 site to the estuary/outlet and not across 169 Jesmond Road.
6	6.3	Andrew Daken	andrew.daken243@gmail.com	Decline the plan change, but if approved make the amendment	No additional stormwater flow to the existing watercourse that goes across 169 Jesmond Road.
7	7.1	Malcolm Douglas Scott	bethandmal@xtra.co.nz	Decline the plan change	Decline the plan change in its entirety. The plan to direct stormwater down the shared driveway of 175 Jesmond Road is opposed.
8	8.1	Prem Lal	premlal62@yahoo.com	Support the plan change with amendments	The area surrounding Oira Road remains zoned Future Urban. Rate discount is requested if rezoned to urban.
9	9.1	Soco Homes Limited	cozy@topland.co.nz	Decline the plan change, but if approved make the amendment	PC61 to be amended to address the issues outlined in its submission.  Decline the plan change unless proper consideration is given to the wider context of the Drury Structure Plan area, including transport grid links and servicing infrastructure connections.  Additional information and clarification is needed, particularly around the impacts of the proposed transport and infrastructure networks on the surrounding area.
10	10.1	Katherine Grace de Courcy and Robert Russell Maunganui Smith	kdecourcy@orcon.net.nz	Decline the plan change	Decline the plan change in its entirety. The infrastructure required to service the development such as an upgrade to Jesmond Road is not in place, and may be several years away.
11	11.1	Linqi Wang	paralypsis.nz@gmail.com	Decline the plan change, but if approved make the amendment	The proposed PC61 zoning should be amended to be consistent with the Drury-Opaheke Structure Plan: - Less THAB and more MHU - More uniform THAB zone - THAB zone surrounded by MHU zone before transitioning to MHS
11	11.2	Linqi Wang	paralypsis.nz@gmail.com	Decline the plan change, but if approved make the amendment	Remove the 2 ha proposed zoning for Business: Neighbourhood Centre and instead zone it MHU

Plan Change 61 - Waipupuke Summary of Decisions Requested					
Sub #	Sub Point	Submitter Name	Address for Service	Theme	Summary
11	11.3	Linqi Wang	paralypsis.nz@gmail.com	Decline the plan change, but if approved make the amendment	If the Neighbourhood Centre is retained, the proposed additional height controls of 18m and 27m in the precinct should be removed.
11	11.4	Linqi Wang	paralypsis.nz@gmail.com	Decline the plan change, but if approved make the amendment	Transport infrastructure funding and delivery of the roading upgrades should be addressed prior to approval of PC61.
11	11.5	Linqi Wang	paralypsis.nz@gmail.com	Decline the plan change, but if approved make the amendment	A review of infrastructure capacity is required given the higher densities proposed in PC61 relative to that envisaged in the structure plan.
11	11.6	Linqi Wang	paralypsis.nz@gmail.com	Decline the plan change, but if approved make the amendment	Council should undertake a public plan change for land in Drury West Stage 1 of the Future Urban Land Supply Strategy. If this does not occur, PC61 should be expanded to include all Future Urban zoned land in Drury West Stage 1 of the Future Urban Land Supply Strategy.
12	12.1	Wing Family Trust	cath@eclipseplanning.co.nz	Decline the plan change, but if approved make the amendment	It is requested that stormwater discharge is designed and implemented within the PC61 area so that there are no site changes to flood levels received on the Submitters site. Technical assessments supporting this design should be provided as part of the PC61 process and included in the SMP submitted for the NDC approval. Agreement of Healthy Waters to this approach should be provided to ensure that the design is adopted as part of the SMP/NDC process.  Also requested is any consequential text or zone changes to grant the relief sought.
12	12.2	Wing Family Trust	cath@eclipseplanning.co.nz	Decline the plan change, but if approved make the amendment	Public wastewater connections are aligned as illustrated in Figure 8 in the submission or other such alignment to the Submitters satisfaction.  Also requested is any consequential text or zone changes to grant the relief sought.
13	13.1	Harnett Orchard Limited and L and C Griffen	cath@eclipseplanning.co.nz	Decline the plan change, but if approved make the amendment	Stormwater discharge is designed and implemented within the PC61 area so that there are no site changes to flood levels received on 64 and 84 Jesmond Road. Technical assessments supporting this design should be provided as part of the PC61 process and included in the SMP submitted for the NDC approval. Agreement of Healthy Waters to this approach should be provided to ensure that the design is adopted as part of the SMP/NDC process.  Also requested is any consequential text or zone changes to grant the relief sought.
13	13.2	Harnett Orchard Limited and L and C Griffen	cath@eclipseplanning.co.nz	Decline the plan change, but if approved make the amendment	Public wastewater connections are aligned as illustrated in Figure 5 in the submission or other such alignment to the Submitters satisfaction.  Also requested is any consequential text or zone changes to grant the relief sought.
14	14.1	Shan Yin Property Investment Family Trust	eric@merric.co.nz	Decline the plan change	Decline the plan change in its entirety. Should be a Council lead plan change. The solutions to manage stormwater and flood risk should align with the Drury-Opaheke structure plan. Public wastewater connections should be installed on public land with locations to be determined by council.
15	15.1	The Te Henga Family Trust	rhpickmere@gmail.com	Decline the plan change	Decline the plan change in its entirety. Should be a Council led plan change for consistency and clarity in outcome for the Drury/Opaheke area. Infrastructure and services required for the development should be appropriately funded and delivered prior to approval of plan change.
16	16.1	Ministry of Education	jess.rose@beca.com	Support the plan change with amendments	The following provision in the proposed Waipupuke Precinct is supported: Objective IXXX.2 (6)
16	16.2	Ministry of Education	jess.rose@beca.com	Support the plan change with amendments	The following provision in the proposed Waipupuke Precinct is supported: Objective IXXX.2 (8)
16	16.3	Ministry of Education	jess.rose@beca.com	Support the plan change with amendments	The following provision in the proposed Waipupuke Precinct is supported: Objective IXXX.2 (9)
16	16.4	Ministry of Education	jess.rose@beca.com	Support the plan change with amendments	The following provision in the proposed Waipupuke Precinct is supported: Policy IXXX.3 (6)
16	16.5	Ministry of Education	jess.rose@beca.com	Support the plan change with amendments	The following provision in the proposed Waipupuke Precinct is supported: Policy IXXX.3 (10)

Plan Change 61 - Waipupuke Summary of Decisions Requested					
Sub #	Sub Point	Submitter Name	Address for Service	Theme	Summary
16	16.6	Ministry of Education	jess.rose@beca.com	Support the plan change with amendments	The following provision in the proposed Waipupuke Precinct is supported: Permitted Activity Standard: IXXX.6.3 Collector Roads
16	16.7	Ministry of Education	jess.rose@beca.com	Support the plan change with amendments	The following provision in the proposed Waipupuke Precinct is supported: Permitted Activity Standard IXXX.6.5 Arterial Road Access.
16	16.8	Ministry of Education	jess.rose@beca.com	Support the plan change with amendments	Amendment is sought on the following provision in the Waipupuke Precinct: Permitted Activity Standard IXXX.6.8 Arterial Road Intersections (change is shown as <del>strike through</del> ).  <del>(2) This standard shall not apply if the following transport upgrades are provided prior to the 2,000 residential dwelling number being reached within Waipupuke Precinct:</del>  <del>a. Oira Road widening and SH22 intersection upgrade.</del> <del>b. Jesmond Road widening and SH22 intersection upgrade.</del> <del>c. SH22 improvements</del> <del>d. Jesmond Road Extension</del> <del>e. Drury West rail station construction</del> <del>f. Rail network upgrade</del> <del>g. Bremner Road works</del> <del>h. Pukekohe Expressway</del>
17	17.1	Ministry of Housing and Urban Development (HUD)	Ernst.Zollner@hud.govt.nz	Support the plan change with amendments	Increase the extent of the THAB so that it also includes also all of the stage 2 (Superlot Overlay - Masterplan prepared by Buchan) area currently proposed for MHU.
17	17.2	Ministry of Housing and Urban Development (HUD)	Ernst.Zollner@hud.govt.nz	Support the plan change with amendments	The road layouts and connections with the neighbouring land at the corner of Jesmond Road and SH22 should be designed to provide better pedestrian access and connectivity to the location of the planned rail station.
17	17.3	Ministry of Housing and Urban Development (HUD)	Ernst.Zollner@hud.govt.nz	Support the plan change with amendments	Increase the height variation control to 27m across all of the THAB zone to the south of the collector road for the medical centre.
18	18.1	Elly S Pan	nigel@hosken.co.nz	Decline the plan change, but if approved make the amendment	In its current form, decline the plan change in its entirety. PC61 needs to address its effects on surrounding properties in terms of required infrastructure upgrades which has no clear funding mechanism. The downstream effects of development needs consideration and consultation with affected landowners as there are no means to ensure infrastructure is in place before the levels of demand degrade service performance.
19	19.1	NZ Transport Agency (Waka kotahi)	Brendan.clarke@NZTA.govt.nz	Support the plan change with amendments	Support the levels of residential density consistent with the Drury-Opaheke Structure Plan, subject to the specific amendments and relief sought in the NZTA submission.
19	19.2	NZ Transport Agency (Waka kotahi)	Brendan.clarke@NZTA.govt.nz	Support the plan change with amendments	Amend PC61 to provide clarity over staging of development and any associated triggers for staging. In particular, Stage 3 should be developed in conjunction with the Upgrade of State Highway 22 and associated walking and cycling facilities, as well as the Drury West station. A proposed suite of infrastructure triggers is proposed in Attachment 1 to the NZTA submission.
19	19.3	NZ Transport Agency (Waka kotahi)	Brendan.clarke@NZTA.govt.nz	Support the plan change with amendments	Retain reference to setback along State Highway 22 in the Connectivity Plan in the Masterplan prepared by Buchan.
19	19.4	NZ Transport Agency (Waka kotahi)	Brendan.clarke@NZTA.govt.nz	Support the plan change with amendments	In the Connectivity Plan in the Masterplan prepared by Buchan, remove reference to a connection between the Collector Road and State Highway 22.
19	19.5	NZ Transport Agency (Waka kotahi)	Brendan.clarke@NZTA.govt.nz	Support the plan change with amendments	The objectives of the proposed Waipupuke Precinct are generally supported, subject to relief sought in NZTA's submission points.
19	19.6	NZ Transport Agency (Waka kotahi)	Brendan.clarke@NZTA.govt.nz	Support the plan change with amendments	Insert new objective into the Waipupuke Precinct: <u>Protect sensitive activities from potential health and amenity effects that may arise from noise and vibration associated the operation of the transport network.</u>

Plan Change 61 - Waipupuke					
Summary of Decisions Requested					
Sub #	Sub Point	Submitter Name	Address for Service	Theme	Summary
19	19.7	NZ Transport Agency (Waka kotahi)	Brendan.clarke@NZTA.govt.nz	Support the plan change with amendments	Clarification is required on which 'Precinct Plans' are being referred to in the Policy set (Precinct Plan 2 (Policy 8) and Precinct Plan 3 (Policy 10)).
19	19.8	NZ Transport Agency (Waka kotahi)	Brendan.clarke@NZTA.govt.nz	Support the plan change with amendments	Insert a new policy into the Waipupuke Precinct: <u>Policy X</u> <u>Locate and design new and altered buildings, and activities sensitive to noise to minimise potential effects of the transport network</u>  <u>Policy XX</u> <u>Manage the location of sensitive activities (including subdivision) through set-backs, physical barriers and design controls.</u>
19	19.9	NZ Transport Agency (Waka kotahi)	Brendan.clarke@NZTA.govt.nz	Support the plan change with amendments	Add a new non-complying activity reference in all Zones as follows: <u>(AXX) Any activity not in accordance with Standard IXXX.6.8 Arterial Road Intersections</u>
19	19.10	NZ Transport Agency (Waka kotahi)	Brendan.clarke@NZTA.govt.nz	Support the plan change with amendments	Delete Activity A2 (service stations) from Table IXXX.4.1
19	19.11	NZ Transport Agency (Waka kotahi)	Brendan.clarke@NZTA.govt.nz	Support the plan change with amendments	Delete Activity A3 (fast food outlets) from Table IXXX.4.1
19	19.12	NZ Transport Agency (Waka kotahi)	Brendan.clarke@NZTA.govt.nz	Support the plan change with amendments	Retain the following provision as notified: A17 – Infringement of Standard IXXX.6.5 – Arterial Road Access in Table IXXX.4.1 Residential -Terrace House and Apartment Building Zone
19	19.13	NZ Transport Agency (Waka kotahi)	Brendan.clarke@NZTA.govt.nz	Support the plan change with amendments	Retain the following provision as notified: A12 – Infringement of Standard IXXX.6.5 – Arterial Road Access in Table IXXX.4.2 Residential -Mixed Housing Urban Zone
19	19.14	NZ Transport Agency (Waka kotahi)	Brendan.clarke@NZTA.govt.nz	Support the plan change with amendments	Delete Activity A6 (Retail (excluding supermarkets) greater than 3,500m <sup>2</sup> GFA per site) from Table IXXX.4.3 unless additional assessment as to the traffic effects of large format retail on the transport network is provided.
19	19.15	NZ Transport Agency (Waka kotahi)	Brendan.clarke@NZTA.govt.nz	Support the plan change with amendments	Delete Activity A8 (Medical and Specialist Facility) from Table IXXX.4.3 unless additional assessment as to the traffic effects of these additional activities on the transport network.
19	19.16	NZ Transport Agency (Waka kotahi)	Brendan.clarke@NZTA.govt.nz	Support the plan change with amendments	Delete Rule IXXX.5 (Notification) in the proposed Waipupuke Precinct.
19	19.17	NZ Transport Agency (Waka kotahi)	Brendan.clarke@NZTA.govt.nz	Support the plan change with amendments	Retain Rule IXXX.6.5(3)- Arterial Road Access in the proposed Waipupuke Precinct
19	19.18	NZ Transport Agency (Waka kotahi)	Brendan.clarke@NZTA.govt.nz	Support the plan change with amendments	Amend Standard IXXX.6.8 (Arterial Road Intersections) to reflect the appropriate triggers, as identified in the ITA and in the suggested wording included as Attachment 1 of NZTA's submission.
19	19.19	NZ Transport Agency (Waka kotahi)	Brendan.clarke@NZTA.govt.nz	Support the plan change with amendments	Insert activity controls as per attachment 2 of NZTA's submission.
19	19.20	NZ Transport Agency (Waka kotahi)	Brendan.clarke@NZTA.govt.nz	Support the plan change with amendments	Add additional assessment criteria and matters of discretion to IXXX.7.1(1), IXXX.7.1(13), IXXX.7.2(1) and IXXX.7.1(13) as follows: <u>(x) the outcome of any consultation with Waka Kotahi</u>

Plan Change 61 - Waipupuke Summary of Decisions Requested					
Sub #	Sub Point	Submitter Name	Address for Service	Theme	Summary
20	20.1	Kāinga Ora – Homes and Communities	michael@campbellbrown.co.nz developmentplanning@hnzc.co.nz	Support the plan change with amendments	Kāinga Ora seeks the retention of the proposed zoning and the layout in the spatial extent of the Proposed Waipupuke Precinct.
20	20.2	Kāinga Ora – Homes and Communities	michael@campbellbrown.co.nz developmentplanning@hnzc.co.nz	Support the plan change with amendments	Kāinga Ora seeks the retention of the provisions and precinct plan of the Proposed Precinct with the exemptions as noted in its submission.
20	20.3	Kāinga Ora – Homes and Communities	michael@campbellbrown.co.nz developmentplanning@hnzc.co.nz	Support the plan change with amendments	Kāinga Ora submit that it is appropriate for the land indicated in Attachment 1 of its submission to be included as part of PC61, and to be zoned Residential – Terrace Housing and Apartment Buildings ('THAB') in accordance with the Drury-Opaheke Structure Plan. For the avoidance of doubt, that land comprises the following: 16 Jesmond Road, Drury; 64 Jesmond Road, Drury; 54 Jesmond Road, Drury; and 84 Jesmond Road, Drury.
20	20.4	Kāinga Ora – Homes and Communities	michael@campbellbrown.co.nz developmentplanning@hnzc.co.nz	Support the plan change with amendments	The land situated at 85 Jesmond Road is owned by Kāinga Ora, which is opposite the spatial extent of the proposed precinct's interface with Jesmond Road. Additional traffic generation and consequential effects on the existing transport will therefore have an effect on future development in the wider area. Kāinga Ora seeks clarification and/or amendments to the proposed Waipupuke Precinct Provisions to ensure that any localised traffic effects that may require certain upgrades to the roading network, are sufficiently acknowledged within respective Precincts and equitably distributed to ensure that individual developers are not burdened with sole-responsibility for necessary network upgrades.
20	20.5	Kāinga Ora – Homes and Communities	michael@campbellbrown.co.nz developmentplanning@hnzc.co.nz	Support the plan change with amendments	It would appear that the provisions of the proposed Waipupuke Precinct as-notified enables development of up to 2,000 dwellings to occur without any upgrade to the Oira Road intersection with SH22. The supporting Commute report however states that this intersection needs to be upgraded prior to any development within Waipupuke. Therefore, Kāinga Ora seeks amendment to IXXX.6.8 to ensure that all necessary upgrades to the existing road network are accounted for, and clearly related to any necessary thresholds and/or timeframes.
20	20.6	Kāinga Ora – Homes and Communities	michael@campbellbrown.co.nz developmentplanning@hnzc.co.nz	Support the plan change with amendments	Kāinga Ora submits that limited notification is appropriate for the following activities and seeks that the limited notification exclusion (at least) does not apply to: alternative collector road locations (x.4.1 (A15)), (x.4.2 (A11)), (x.4.3 (A17)); Community Centres and Halls (x.4.4 (A1)), Clubrooms (x.4.4 (A3)) and Recreation Facilities (x.4.4 (A5)).
20	20.7	Kāinga Ora – Homes and Communities	michael@campbellbrown.co.nz developmentplanning@hnzc.co.nz	Support the plan change with amendments	Numbering within Table IXXX.4.4 Open Space – Informal Recreation Zone contains an error and omits the (A2) activity. Kāinga Ora seeks renumbering of the Table IXXX.4.4 Open Space – Informal Recreation Zone as-required.
20	20.8	Kāinga Ora – Homes and Communities	michael@campbellbrown.co.nz developmentplanning@hnzc.co.nz	Support the plan change with amendments	Kāinga Ora seeks the following amendment to the proposed wording of IXXX.6.2 Yards:  (i) [...] Side yards within the Business-Neighbourhood Centre zone, Residential-Terrace House and Apartment Building zone and the Residential-Mixed Housing Urban zone do not apply to <u>those parts of a site boundaries</u> where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.
21	21.1	Karaka and Drury Limited	Helen@berrysimons.co.nz	Neither supports nor opposes the plan change	PC61 be approved as notified. The submitter does not support any changes being made to PPC 61 as notified, to the extent that such changes may impact on the quality of planning outcomes that the submitter seeks to achieve for Drury West, or the timing of when those outcomes can be delivered.
22	22.1	Auckland Transport	Kevin.Wong-Toi@at.govt.nz	Decline the plan change, but if approved make the amendment	Decline PPC 61 unless the reasons for this submission, as outlined in the main body of this submission and in this table, including Auckland Transport's concerns about transport infrastructure and services funding deficit, are appropriately addressed and resolved. If PPC 61 is not declined, there is a need to consider a range of mitigation methods including the potential deferral of development or a review and implementation of land development staging to ensure co-ordination and alignment with the required transport network mitigation.
22	22.2	Auckland Transport	Kevin.Wong-Toi@at.govt.nz	Decline the plan change, but if approved make the amendment	Decline PPC 61 unless Auckland Transport's concerns are addressed and resolved including the funding of transport infrastructure and services. If PPC 61 is not declined, there is a need to consider a range of mitigation methods including the potential deferral or review of land development staging to ensure co-ordination and alignment with the required transport network mitigation.

Plan Change 61 - Waipupuke					
Summary of Decisions Requested					
Sub #	Sub Point	Submitter Name	Address for Service	Theme	Summary
22	22.3	Auckland Transport	Kevin.Wong-Toi@at.govt.nz	Decline the plan change, but if approved make the amendment	Amend PPC 61 to incorporate provisions and / or mechanisms which address the following in relation to the upgrade of Oira Road, State Highway 22 / Karaka Road and Jesmond Road: <ul style="list-style-type: none"> <li>• Vesting and formation of frontage, drainage and carriageway upgrades</li> <li>• Timing of upgrade requirements</li> <li>• Funding and delivery of the above work.</li> </ul>
22	22.4	Auckland Transport	Kevin.Wong-Toi@at.govt.nz	Decline the plan change, but if approved make the amendment	Decline PPC 61 on the basis that the area is not giving effect to the Regional Policy Statement (RPS) or alternatively reconcile the discrepancy between the relevant RPS provisions (B2.2.1 Objective 2 and B2.2.2 Policy 4) and the Drury – Opāheke Structure Plan in the context of statutory regional planning guidance on future urban zones in Auckland.
22	22.5	Auckland Transport	Kevin.Wong-Toi@at.govt.nz	Decline the plan change, but if approved make the amendment	Amend PPC 61 to incorporate amended and/or additional objectives and policies to address the application of transport and land use integration principles including: <ul style="list-style-type: none"> <li>• efficiently servicing key origins/destinations by high quality public transport from the outset of development;</li> <li>• minimising walk distances to public transport nodes and stops;</li> <li>• mitigating barriers to safely accessing public transport;</li> <li>• locating a variety of land uses within a defined catchment to reduce travel distances / enable local trips by active modes; and</li> <li>• encouraging travel demand management initiatives.</li> </ul>
22	22.6	Auckland Transport	Kevin.Wong-Toi@at.govt.nz	Decline the plan change, but if approved make the amendment	Amend PPC 61 to include appropriate activity rules, standards, matters of discretion and assessment criteria in relation to staging requirements.
22	22.7	Auckland Transport	Kevin.Wong-Toi@at.govt.nz	Decline the plan change, but if approved make the amendment	Amend PPC 61 to incorporate provisions that address cross boundary transport network mitigation requirements and determining the responsibility for the delivery to ensure interim adverse effects on the transport network are mitigated.
22	22.8	Auckland Transport	Kevin.Wong-Toi@at.govt.nz	Decline the plan change, but if approved make the amendment	Decline PPC 61 or alternatively amend the plan change to incorporate provisions addressing the staging and timing of transport infrastructure and services with the proposed development build-out and the interim effects of development proceeding ahead of the ultimate planned network, including: <ul style="list-style-type: none"> <li>• The requirement for transport infrastructure and services to be delivered prior to the construction of anticipated stages of development enabled by the plan change.</li> <li>• The appropriate application of development staging rules and standards including the activity status when breaching triggers for transport infrastructure requirements.</li> <li>• Recognising the associated processes necessary to bring about delivery of transport infrastructure and services as the basis for defining the timeframes for transport infrastructure and services in relation to the staging of the enabled land use development.</li> <li>• The transport infrastructure requirements to include: <ul style="list-style-type: none"> <li>- Early active mode access to the proposed new rail station and / or bus services;</li> <li>- Introduction of public transport services to the Precinct Plan area;</li> <li>- Any interim improvements to State Highway 22;</li> <li>- Upgrade of the State Highway 22 / Oira road intersection to a roundabout; and</li> <li>- Internal collector and local connections identified within precinct plan.</li> </ul> </li> </ul>
22	22.9	Auckland Transport	Kevin.Wong-Toi@at.govt.nz	Decline the plan change, but if approved make the amendment	Amend PPC 61 precinct provisions to provide for the mitigation of operational transport effects as part of the suite of transport staging provisions. <p>These effects will potentially include but are not limited to the following:</p> <ul style="list-style-type: none"> <li>• Accelerated rate of damage on roading assets generated by increased vehicle movements</li> <li>• Consideration of the requirements to build significant utility infrastructure in the existing road corridors which are also likely to disturb the in situ pavements.</li> <li>• Rerouting of traffic via Bremner Road (i.e. as a rat run east west across Drury) based on the development timing and the potential effects on Jesmond Road and its intersection controls.</li> <li>• Rerouting of traffic and network impacts due to temporary construction detours</li> </ul>
22	22.10	Auckland Transport	Kevin.Wong-Toi@at.govt.nz	Decline the plan change, but if approved make the amendment	Given the status of State Highway 22 / Karaka Road and Jesmond Road as key parts of the transport network, Auckland Transport supports the proposed arterial road access restrictions (Table IXXX.4.1 (A17), Table IXXX.4.2 (A13), Table IXXX.4.3 (A19), Table IXXX.4.4(A23) and IXXX.6.5 Arterial Road Access).

Plan Change 61 - Waipupuke					
Summary of Decisions Requested					
Sub #	Sub Point	Submitter Name	Address for Service	Theme	Summary
22	22.11	Auckland Transport	Kevin.Wong-Toi@at.govt.nz	Decline the plan change, but if approved make the amendment	State Highway 22 / Karaka Road is part of the State Highway network managed by Waka Kotahi and is classified as an arterial road in the AUPOP. Jesmond Road has been identified as a future arterial road as part of the Supporting Growth Programme's strategic network.  Amend PPC 61 to include an additional objective in the precinct provisions addressing the safe and efficient operation of the key strategic routes supporting the plan change area.
22	22.12	Auckland Transport	Kevin.Wong-Toi@at.govt.nz	Decline the plan change, but if approved make the amendment	Amend PPC 61 to include an additional policy in the precinct provisions addressing the management of adverse effects on the effective, efficient and safe operation of State Highway 22 / Karaka Road and Jesmond Road for all transport users through the application of vehicle access restrictions.
22	22.13	Auckland Transport	Kevin.Wong-Toi@at.govt.nz	Decline the plan change, but if approved make the amendment	Amend PPC 61 to indicate the extent of the vehicle access restrictions on IXXX9.3 Waipupuke Precinct Plan 3: Transport and provide appropriate cross references in the relevant standards.
22	22.14	Auckland Transport	Kevin.Wong-Toi@at.govt.nz	Decline the plan change, but if approved make the amendment	As and when Jesmond Road is upgraded to an arterial route, amend the AUPOP planning maps (arterial road control) to identify it as an arterial road.
22	22.15	Auckland Transport	Kevin.Wong-Toi@at.govt.nz	Decline the plan change, but if approved make the amendment	Amend PPC 61 land uses in terms of density and zoning location to better align and integrate with the proposed pattern of future bus routes and services.
22	22.16	Auckland Transport	Kevin.Wong-Toi@at.govt.nz	Decline the plan change, but if approved make the amendment	Amend PPC 61 east-west collector network to align with the proposed collector network shown in the Drury - Opaheke Structure Plan 2019.
22	22.17	Auckland Transport	Kevin.Wong-Toi@at.govt.nz	Decline the plan change, but if approved make the amendment	Delete IXXX.6.3(1) road cross-section diagram, and:  Amend PPC 61 to include provisions relating to the minimum road reserve widths and key design elements and functional requirements of new roads and roads which need to be upgraded to urban standards including but not limited to:  <ul style="list-style-type: none"> <li>• Carriageway</li> <li>• Footpaths</li> <li>• Cycleways</li> <li>• Public Transport</li> <li>• Ancillary Zone (parking, street trees etc.)</li> <li>• Berm</li> <li>• Frontage</li> <li>• Building Setback</li> <li>• Design Speed (e.g. to support safe active mode movements)</li> <li>• Confirming that the proposed width of collector roads is adequate to accommodate required design elements and increase if necessary</li> </ul>
22	22.18	Auckland Transport	Kevin.Wong-Toi@at.govt.nz	Decline the plan change, but if approved make the amendment	Auckland Transport supports the use of precinct provisions to set out any specific transport related mitigation, assessment or staging requirements.
22	22.19	Auckland Transport	Kevin.Wong-Toi@at.govt.nz	Decline the plan change, but if approved make the amendment	Amend the notification rule (IXXX.5 Notification for restricted discretionary activities so that the normal tests for notification under the relevant sections of the Resource Management Act apply.
22	22.20	Auckland Transport	Kevin.Wong-Toi@at.govt.nz	Decline the plan change, but if approved make the amendment	Amend the PPC61 precinct provisions to incorporate policies, standards and assessment criteria as appropriate to provide for efficient and effective active mode movements reflecting the following transport outcomes: <ul style="list-style-type: none"> <li>• Walking and pedestrian connections to / from public transport routes (including Jesmond Road Frequent Transit Network and Oira Road), stops and future rail stations</li> <li>• Walking and pedestrian connections to / from local facilities and destinations including schools.</li> <li>• Safe walking and cycling facilities provided for as part of the proposed road/street network including local roads and access ways and provisions for rear access along roads with cycle facilities.</li> <li>• To include pedestrian and cycleway linkages as shown in the PPC 61 masterplan documents on IXXX9.3 Waipupuke Precinct Plan 3: Transport and any additional items as noted above.</li> </ul>
22	22.21	Auckland Transport	Kevin.Wong-Toi@at.govt.nz	Decline the plan change, but if approved make the amendment	Amend the PPC 61 precinct provisions by removing activities (A2) Service Stations fronting State Highway 22 and (A3) Fast food outlet (including drive through facilities) fronting State Highway 22 from Table IXXX.4.1 Residential - Terrace House and Apartment Buildings zone and removing related matters of discretion (IXXX.7.1(1)) and assessment criteria (IXXX.7.2.(1)).

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22	22.23	Auckland Transport	Kevin.Wong-Toi@at.govt.nz	Decline the plan change, but if approved make the amendment	Further assessment of the transport effects of the enabled land use activities proposed in the PPC 61 precinct plan provisions is sought from the applicant. Depending on the outcome of this assessment, to include amended and / or additional provisions (objectives, policies, rules, standards and assessment criteria) are sought within PPC 61 that: <ul style="list-style-type: none"> <li>Restrict the overall scale and intensity of activities that can be provided without any identified transport mitigation measures OR provide for appropriate transport mitigation measures with the staged development of PPC 61.</li> <li>Provide for the further assessment (through later resource consents or similar) of any development at a scale beyond that which can be shown to be satisfactorily accommodated by the transport network, without any identified transport mitigation measures.</li> <li>Provide for an appropriate activity status for high trip generating activities, including associated assessment criteria to consider effects on the operation of the transport network.</li> </ul>
22	22.24	Auckland Transport	Kevin.Wong-Toi@at.govt.nz	Decline the plan change, but if approved make the amendment	Any subsequent amendments to the PPC 61 precinct provisions providing direction on the how stormwater is managed within the road network are reviewed and if required amended to safeguard Auckland Transport's interests in the sustainable management of the road network.
22	22.25	Auckland Transport	Kevin.Wong-Toi@at.govt.nz	Decline the plan change, but if approved make the amendment	Auckland Transport seeks that the drafting of the stormwater related provisions be consistent with those to apply with the Drury East plan changes (PPC48-50). This includes those policies and rules requiring consideration of the operating costs associated with proposed stormwater treatment assets as well as opportunities for consolidation of treatment assets where appropriate.
22	22.26	Auckland Transport	Kevin.Wong-Toi@at.govt.nz	Decline the plan change, but if approved make the amendment	Auckland Transport seeks the following: <ul style="list-style-type: none"> <li>That feasible and optimal future network link alignments to the east and west and north of PPC 61 be confirmed and integrated with PPC 61 and wider network requirements.</li> <li>That these be identified within the Precinct Plan or by other means where they continue beyond it.</li> </ul>
22	22.27	Auckland Transport	Kevin.Wong-Toi@at.govt.nz	Decline the plan change, but if approved make the amendment	As part of Auckland Transport's submission on PC 51 (Private): Drury 2 Precinct it was suggested that there should be a direct east west link from Jesmond Road to the town centre and north south collector network which is capable of accommodating buses. Auckland Transport requests that the PPC61 collector network is aligned with the provision of a direct link from Jesmond Road to the town centre being considered as part of PPC 51: Drury 2 Precinct.
22	22.28	Auckland Transport	Kevin.Wong-Toi@at.govt.nz	Decline the plan change, but if approved make the amendment	Add a new policy under IXXX.3 Policies as follows: <u>Ensure that new activities sensitive to noise adjacent to arterial roads are located, designed and constructed to mitigate adverse effects of road noise on occupants.</u>
22	22.29	Auckland Transport	Kevin.Wong-Toi@at.govt.nz	Decline the plan change, but if approved make the amendment	Add a new standard under IXXX.6 Standards to require that the assessed incident noise level to the façade of any building facing an arterial road that accommodates a noise-sensitive space is limited to a given level.  As a consequential amendment, add a new activity under IXXX.4.1, IXXX 4.2, IXXX 4.3 and IXXX.4.4 Activity tables as follows:  <u>X) Development that does not comply with IX.6.X Noise Mitigation - Restricted Discretionary</u>
22	22.30	Auckland Transport	Kevin.Wong-Toi@at.govt.nz	Decline the plan change, but if approved make the amendment	With respect to IXXX.7.2 Assessment criteria, Auckland Transport requests that the following assessment criterion is added: <u>The extent to which noise sensitive activities in proximity to arterial roads are managed.</u>
22	22.31	Auckland Transport	Kevin.Wong-Toi@at.govt.nz	Decline the plan change, but if approved make the amendment	Make necessary amendments to PPC 61 to achieve an integrated development framework with and between adjoining/adjacent plan changes/development areas to ensure consistency in approach, including in relation to objectives, policies, rules, methods and maps, across the private plan changes within the Drury growth area.
23	23.1	Auckland Council	christopher.turbott@aucklandcouncil.govt.nz	Decline the plan change, but if approved make the amendment	Decline the plan change in its entirety until there is a fully funded and appropriately staged solution for the integration of land use, infrastructure and development for the Precinct and Sub Region. If the plan change is not declined, amend to retain the provisions as set out in council's submission.



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Sub #	Sub Point	Submitter Name	Address for Service	Theme	Summary
23	23.2	Auckland Council	christopher.turbott@aucklandcouncil.govt.nz	Decline the plan change, but if approved make the amendment	<p>Ensure that the council's concerns about bulk infrastructure: funding deficit, timing and location uncertainty are resolved by the following or other means:</p> <p>a. Evidence is presented at the hearing that a mechanism has been identified with the agreement of the council that unfunded infrastructure (as of October 2020) will be funded.</p> <p>b. Evidence is presented at the hearing that parts of the plan change area are not constrained by infrastructure funding, timing or location uncertainty and can proceed without significant adverse effects.</p> <p>c. Infrastructure development threshold or staging rules can be devised that are enforceable and effective, and supported by robust objective and policy provisions. This could for example include:</p> <ul style="list-style-type: none"> <li>• Threshold rules are not used for infrastructure works to be supplied by third party, e.g. Auckland Transport or NZTA, if these agencies do not have funds allocated for the works.</li> <li>• Threshold rules are not used for infrastructure works which are scheduled beyond the lifetime of the plan (2026).</li> <li>• Threshold rules are not used for works to be funded privately but there is no funding agreement in place.</li> <li>• Threshold rules are not used for works which would require a funding contribution from multiple landowners or developers and there is no agreement to apportion costs and benefits in place.</li> <li>• Threshold rules do not use gross floor area as a metric (the council may not be able to track this with current data systems).</li> <li>• Use of prohibited activity status for infringement could be considered.</li> </ul> <p>d. Notices of requirement have been lodged for the relevant infrastructure by the time of the hearing.</p>
23	23.3	Auckland Council	christopher.turbott@aucklandcouncil.govt.nz	Decline the plan change, but if approved make the amendment	<p>Amend Policy IX3(9) to read: <del>Manage the effects of stormwater on water quality in streams through riparian margin planting, and at source hydrological mitigation.</del> Require subdivision and development to be consistent with any approved network discharge consent and supporting stormwater management plan including the application of water sensitive design and treatment train to achieve water quality and hydrology mitigation.</p>
23	23.4	Auckland Council	christopher.turbott@aucklandcouncil.govt.nz	Decline the plan change, but if approved make the amendment	Delete the phrase "• E36.4.1 - Rules A23 to A42 inclusive do not apply" where it occurs under the heading IXXX.4 Activity tables.
23	23.5	Auckland Council	christopher.turbott@aucklandcouncil.govt.nz	Decline the plan change, but if approved make the amendment	Amend the last line of the key in Precinct Plan 2 to read: <u>Indicative Stormwater Control Management Areas.</u>
23	23.6	Auckland Council	christopher.turbott@aucklandcouncil.govt.nz	Decline the plan change, but if approved make the amendment	<p>Amend IXXX.6 to provide a standard that requires management of effects of weed removal including potential stream bank erosion for the following rules:</p> <ul style="list-style-type: none"> <li>•Rule (A11) in Table IXXX.4.1 Residential – Terrace House and Apartment Building Zone.</li> <li>•Rule (A7) in Table IXXX.4.2 Residential - Mixed Housing Urban Zone.</li> <li>•Rule (A17) in Table IXXX.4.4 Open Space – Informal Recreation Zone.</li> </ul>
23	23.7	Auckland Council	christopher.turbott@aucklandcouncil.govt.nz	Decline the plan change, but if approved make the amendment	<p>Delete rules (A12) and (A13) in Table IXXX.4.1 Residential – Terrace House and Apartment Building Zone. Delete rules (A8), and (A9) in Table IXXX.4.2 Residential - Mixed Housing Urban Zone. Delete rules (A18) and (A19) in Table IXXX.4.4 Open Space – Informal Recreation Zone</p> <p>If any are retained, then make amendments to address the additional matters raised in the bullet points below:</p> <ul style="list-style-type: none"> <li>•Some of the proposed rules may be inconsistent with the Resource Management (National Environmental Standards for Freshwater) Regulations 2020.</li> <li>•Some of the rules appear to be regional rules but this is not clear and needs to be clarified in accordance with AUP drafting standards if the rules are retained.</li> <li>• Any AUP rules that are not intended to apply need to be clearly identified in the header to the activity table.</li> <li>• It is not necessary to reference rules from Table E15.4.1 Activity table - Auckland-wide vegetation and biodiversity management rules, which do not apply in this zone.</li> </ul>

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23	23.8	Auckland Council	christopher.turbott@aucklandcouncil.govt.nz	Decline the plan change, but if approved make the amendment	Amend IXXX.6.6 High Contaminant Yielding Materials to: <ul style="list-style-type: none"> <li>clarify the statement of purpose with respect to maintaining coastal marine ecosystems,</li> <li>delete the 5m2 per site exemption,</li> <li>provide greater clarity on what is considered high contaminant generating materials.</li> </ul> <p>The following amendments or words to similar effect are requested:</p> <p>IXXX6.6 High Contaminant Yielding Materials Purpose:</p> <ul style="list-style-type: none"> <li>maintain water quality <u>and the health of coastal marine ecosystems</u> by limiting the release of contaminants from building materials to streams.</li> </ul> <p>(1) <del>The total area of high contaminant r</del>Roofing, spouting, cladding or external architectural features <del>on a site</del> must not <del>exceed 5m<sup>2</sup></del> use the following high contaminant generating building materials which are exposed:</p> <ul style="list-style-type: none"> <li>surface(s) or surface coating of metallic zinc of any alloy containing greater than 10% zinc,</li> <li>surface(s) or surface coating of metallic copper or any alloy containing greater than 10% copper,</li> <li>treated timber cladding surface(s) or any roof material with a copper containing or zinc-containing algaecide.</li> </ul>
23	23.9	Auckland Council	christopher.turbott@aucklandcouncil.govt.nz	Decline the plan change, but if approved make the amendment	The construction of the stormwater management structures is put forward as a RD activity. The matters of discretion should include the efficacy of the design and that it is designed for ease of operations and maintenance as these are aspects of the functionality of the stormwater area that are best addressed at design and construction stage. Add additional Matters of Discretion in IXXX.7.1(2) to address: <ul style="list-style-type: none"> <li>efficacy of device and</li> <li>operation and maintenance requirements.</li> </ul>
23	23.10	Auckland Council	christopher.turbott@aucklandcouncil.govt.nz	Decline the plan change, but if approved make the amendment	Amend rule IXXX.7(8)(b) to read: The <u>SMP stormwater management plan approved by the network utility operator</u> for the Precinct.
23	23.11	Auckland Council	christopher.turbott@aucklandcouncil.govt.nz	Decline the plan change, but if approved make the amendment	Delete the proposed Open Space – Informal Recreation Zone from the zone maps. Insert indicative open space within one of the precinct plans and amend the title and key of the precinct plan to that effect.
23	23.12	Auckland Council	christopher.turbott@aucklandcouncil.govt.nz	Decline the plan change, but if approved make the amendment	Without prejudice to the position that Open Space – Informal Recreation Zone should be deleted from PC 61, delete the rules in Table IXXX.4.4 Open Space – Informal Recreation Zone, unless another submission point from the council seeks their retention.
23	23.13	Auckland Council	christopher.turbott@aucklandcouncil.govt.nz	Decline the plan change, but if approved make the amendment	Without prejudice to the position that Open Space – Informal Recreation Zone should be deleted from PC 61, retain rule (A7) in Table IXXX.4.4 Open Space – Informal Recreation Zone.
23	23.14	Auckland Council	christopher.turbott@aucklandcouncil.govt.nz	Decline the plan change, but if approved make the amendment	Delete the sentence "In the case of any uncertainty, the precinct provisions apply instead of the zone, overlay or Auckland - wide provisions." in IXXX.4.
23	23.15	Auckland Council	christopher.turbott@aucklandcouncil.govt.nz	Decline the plan change, but if approved make the amendment	Insert a clause in the first paragraph of each activity table to clearly identify which section of the Act the proposed rules are pursuant to, in accordance with standard AUP drafting practice. Refer to other precincts for examples.
23	23.16	Auckland Council	christopher.turbott@aucklandcouncil.govt.nz	Decline the plan change, but if approved make the amendment	Ensure that the consent categories in IX4.1 Activity table, standards in section IXXX.6, matters of discretion in IX.8.1, and assessment criteria in IX.8.2, are the most appropriate to give effect to matters raised in this submission.
23	23.17	Auckland Council	christopher.turbott@aucklandcouncil.govt.nz	Decline the plan change, but if approved make the amendment	Amend the IXXX.5 Notification rule (1) which requires non-notification, to instead apply the normal tests for notification under the relevant sections of the RMA.
23	23.18	Auckland Council	christopher.turbott@aucklandcouncil.govt.nz	Decline the plan change, but if approved make the amendment	Ensure that any residential yield that is additional to that estimated for the Drury – Opāheke Structure Plan August 2019 and Integrated Transport Assessment, is located within a consistent realistic walkable distance of the proposed Jesmond Road FTN route.  Ensure that the Terrace Housing and Apartment Buildings Zone (THAB), the proposed centre zoning and medical facilities are all contained within a consistent and realistic walkable distance of the proposed Jesmond Road FTN route. In particular, the centre should be located as close as possible to the FTN route.  If necessary, additional height could be considered close to (within 200m) of the FTN route, to offset any reduction in potential yield further west in the PC 61 area.

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23	23.19	Auckland Council	christopher.turbott@aucklandcouncil.govt.nz	Decline the plan change, but if approved make the amendment	Delete the south western part of plan change area from 99 Oira Road southwards, or ensure: <ul style="list-style-type: none"> <li>• that it is staged with development of the infrastructure listed in the bullet points opposite,</li> <li>• that the zoned intensity does not result in excessive car dependency and car trip generation in the context of a realistic assumption of mode shift to public transport in this location.</li> <li>• that development does not occur before walkable pedestrian connections are available to the proposed Jesmond Road FTN.</li> </ul>
23	23.20	Auckland Council	christopher.turbott@aucklandcouncil.govt.nz	Decline the plan change, but if approved make the amendment	Review the size, type and location of the proposed centre zone to ensure that the most appropriate zoning and height options are applied.
23	23.21	Auckland Council	christopher.turbott@aucklandcouncil.govt.nz	Decline the plan change, but if approved make the amendment	Delete rules (A1), (A2), (A3), (A4), and (A5) in Table IXXX.4.1 Residential – Terrace House and Apartment Building Zone.
23	23.22	Auckland Council	christopher.turbott@aucklandcouncil.govt.nz	Decline the plan change, but if approved make the amendment	Delete rules (A1), (A1A) in Table IXXX.4.2 Residential - Mixed Housing Urban Zone.
23	23.23	Auckland Council	christopher.turbott@aucklandcouncil.govt.nz	Decline the plan change, but if approved make the amendment	Delete rules (A1), (A4), (A5), (A6), (A7), (A8), (A9), (A10), (A11), (A12) and (A13) in Table IXXX.4.3 Business – Neighbourhood Centre Zone.  Refer also to related submission points on the type of centre zone, location of centre zone and medical and specialist facility.
23	23.24	Auckland Council	christopher.turbott@aucklandcouncil.govt.nz	Decline the plan change, but if approved make the amendment	Delete the proposed definition of Medical and Specialist Facility. If it is retained, then place it within the precinct rather than section J1 of the AUP.
24	24.1	GYL Holdings Limited	Mary.Barton@arassociates.co.nz	Neither supports nor opposes the plan change	Should proposed Plan Change 61 be approved at the scale proposed, it should not compromise the development potential of land outside the proposed Plan Change area. In particular that consideration is made to the scale of the proposed Neighbourhood Centre Zone and corresponding THAB zone and whether this would restrict or inhibit development on the property at 316 Jesmond Road.
25	25.1	Counties Power	qwang@align.net.nz	Support the plan change with amendments	Counties Power supports the establishment of a connected network of public open space and riparian margin. However, electrical infrastructure must be taken into consideration when planning landscaping and planting in the vicinity of electricity infrastructure and should be carried out in consultation with Counties Power.  Counties Power seeks recognition of the rights that the Electricity Act 1992, New Zealand Electrical Code of Practice for Electrical Safe Distances, NZECP 34:2001 and the Electricity (Hazards from Trees) Regulations 2003 offer in order to protect the lines from encroachment from vegetation/trees to ensure their safe and reliable operation and ensure access for maintenance is not restricted.  Counties Power seeks consultation regarding the species of trees/shrubs proposed required by any standard in the vicinity of overhead lines on the perimeter of the PC 61 area and new underground cables within the development to ensure that due consideration is given to the potential hazards to the electricity network associated with the location and species of trees and areas of landscaping.  If bridges are to be installed over streams in the Plan change area, Counties Power request prior consultation to establish whether provision needs to be made for ducts to be attached or incorporated into the structure for power reticulation.
25	25.2	Counties Power	qwang@align.net.nz	Support the plan change with amendments	Support in part Objective lxxx.2 (8) of the proposed Waipupuke Precinct. However, Counties Power seeks alternative road corridor design to ensure appropriate electricity infrastructure can be provided to service the developments within the plan change area. These changes include: <ul style="list-style-type: none"> <li>• 700mm grass covered strip at the back of the berm along both sides of the road</li> <li>• Suitable provision required for distribution substations within the road reserve in agreement with Counties Power.</li> </ul>
25	25.3	Counties Power	qwang@align.net.nz	Support the plan change with amendments	Retain Objective lxxx.2 (9) in the proposed Waipupuke Precinct as notified.
25	25.4	Counties Power	qwang@align.net.nz	Support the plan change with amendments	Retain Policy lxxx.3 (8) is supported in part. Counties Power seeks consultation regarding the species of trees/shrubs proposed required by any standard in the vicinity of overhead lines or underground cables to ensure that due consideration is given to the height and spread of the tree and any potential hazards to the electricity network associated with the location and species of the tree.
25	25.5	Counties Power	qwang@align.net.nz	Support the plan change with amendments	Retain Policy lxxx.3 (10) in the proposed Waipupuke Precinct as notified.

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Sub #	Sub Point	Submitter Name	Address for Service	Theme	Summary
25	25.6	Counties Power	qwang@align.net.nz	Support the plan change with amendments	The IXXX.5 Notification rule is opposed. Counties Power requests the notification rule to be amended as follows: <u>(1) Any application for resource consent for an activity listed in Tables IXXX.4.1 to 4.4 will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.</u> <u>(2) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule C1.13(4)</u>
25	25.7	Counties Power	qwang@align.net.nz	Support the plan change with amendments	Standard IXXX.6.3 is supported in part. Counties Power seeks alternative road design to ensure appropriate electricity infrastructure can be provided to service the developments within the plan change area. These changes include: • 700mm grass covered strip at the back of the berm along both sides of the road • suitable provision required for distribution substations within the road reserve in agreement with Counties Power.
25	25.8	Counties Power	qwang@align.net.nz	Support the plan change with amendments	Standard IXXX.6.4(2) is supported in part. Counties Power seeks consultation regarding the species of trees/shrubs proposed required by any standard in the vicinity of overhead lines or underground cables to ensure that due consideration is given to the height and spread of the tree and any potential hazards to the electricity network associated with the location and species of the tree.
25	25.9	Counties Power	qwang@align.net.nz	Support the plan change with amendments	Regarding the Matters of discretion IXXX.7.1(4) for Construction of a Collector Road that does not comply with Standard IXXX.6.3, Counties Power seeks that the matters of discretion are amended to consider the following factors:  Consideration of any existing or proposed electricity infrastructure is needed when assessing an application for the construction of a collector road that is not compliant with the permitted activity standards.  Counties Power is of the opinion that the matters of discretion should clearly outline what matters are been assessed when considering alternative road location and cross sections. For example, the effects of alternative road layout and design on the provision of infrastructure and servicing, in particular, utilities within the road reserve.
25	25.10	Counties Power	qwang@align.net.nz	Support the plan change with amendments	Retain Assessment criteria IXXX.7.2 (4) in the proposed Waipupuke Precinct as notified.
26	26.1	Hao Li	li_hao99@hotmail.com	Decline the plan change, but if approved make the amendment	Supports the idea of a plan change, but requests that Auckland Council lead the process and include properties surrounding PC61 in the plan change. The impacts of new infrastructure on downstream infrastructure needs to be properly identified so as to not hinder the future development of properties outside the PC61 area.
27	27.1	Heritage New Zealand Pouhere Taonga	sandrews@heritage.org.nz	Support the plan change with amendments	Heritage New Zealand supports the proposed retention of the c.1893 villa at 140 Jesmond Road and proposed scheduling as a Category B Historic Heritage Place in Schedule 14.1 of the Auckland Unitary Plan (Operative in Part) (AUP(OP)), in accordance with extent of place, primary feature and exclusions as proposed.
27	27.2	Heritage New Zealand Pouhere Taonga	sandrews@heritage.org.nz	Support the plan change with amendments	The proposed Schedule 14.1 entry should include the 'Additional Controls for Archaeological Sites or Features' as per the recommendation made in Section 9.2 of the '140 Jesmond Road, Drury, Auckland, Historic Heritage Evaluation', completed by Plan.Heritage, dated October 2020, at page 44.
27	27.3	Heritage New Zealand Pouhere Taonga	sandrews@heritage.org.nz	Support the plan change with amendments	The adaptive reuse of the villa is also supported, toward an appropriate publicly accessible use, as is the use of the adjoining pocket park and the refurbished villa for the reinstatement of Te Whare Nohoanga in recognition of the past use of the place by Māori, 'as a place of learning/wānanga'.  The proposed plan change is amended to include provisions requiring the refurbishment and restoration of the homestead to provide for an appropriate publicly accessible adaptive reuse such as a childcare/kohanga reo/community/communal facility or café in accordance with principles of the ICOMOS New Zealand Charter 2010
27	27.4	Heritage New Zealand Pouhere Taonga	sandrews@heritage.org.nz	Support the plan change with amendments	Heritage New Zealand however does not support the indicative inclusion of several features including community gardens, an orchard, and fitness & play elements within the site surrounds of the house (the 'home paddock') and proposed scheduled extent of place. These features should more appropriately locate adjacent to but outside of the 'home paddock' house surrounds.

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27	27.5	Heritage New Zealand Pouhere Taonga	sandrews@heritage.org.nz	Support the plan change with amendments	The proposed configuration of zone boundaries in relation to the homestead and associated extent of place are not supported, and present a confusing scenario, with the extent partially falling within intensive Residential – Terrace Housing & Apartment Building (THAB) zone; partially within the road reserve; and partially within the Eastern Pocket Park and Open Space – Informal Recreation zone.  The proposed plan change is amended to locate the entire proposed 'John Fitzgerald Homestead' Historic Heritage Place Extent of Place within Open Space – Informal Recreation zone with proposed Eastern Pocket Park features located outside the extent of place, and with road frontage along the eastern boundary of the extent of place but not within it
27	27.6	Heritage New Zealand Pouhere Taonga	sandrews@heritage.org.nz	Support the plan change with amendments	Heritage New Zealand does not support the placement of THAB zoning within the homestead extent with this presenting a development expectation incongruous with the retention and preservation of the homestead and its extent, and has the potential of over dominating the scale and setting of the homestead.
27	27.7	Heritage New Zealand Pouhere Taonga	sandrews@heritage.org.nz	Support the plan change with amendments	Provision should be made to ensure an appropriate setback and transition of density from THAB zone development to the villa site and proposed accompanying/encompassing area of open space.
27	27.8	Heritage New Zealand Pouhere Taonga	sandrews@heritage.org.nz	Support the plan change with amendments	To locate the entire proposed 'John Fitzgerald Homestead' Historic Heritage Place Extent of Place within Open Space – Informal Recreation zone with proposed Eastern Pocket Park features located outside the extent of place, and with road frontage along the eastern boundary of the extent of place but not within it.
27	27.9	Heritage New Zealand Pouhere Taonga	sandrews@heritage.org.nz	Support the plan change with amendments	Heritage New Zealand seek that in the finalisation of roading and lot configurations, consideration is given to reflecting existing site and subdivision boundaries which contribute to the meaning of place, and that the pattern of development appropriately addresses the villa, including the provision of sightlines to the dwelling from within the development.
27	27.10	Heritage New Zealand Pouhere Taonga	sandrews@heritage.org.nz	Support the plan change with amendments	The archaeological assessment does not make specific mention of the lengths of Ngakaroa Stream and Oira Stream tributaries that fall within the site. Heritage New Zealand considers additional archaeological site survey should be completed to determine the likelihood for these areas to contain archaeological remains, and that this informs proposed riparian margin restoration planting and stormwater park design and management as appropriate, to ensure any potential archaeological remains are avoided in the first instance.
27	27.11	Heritage New Zealand Pouhere Taonga	sandrews@heritage.org.nz	Support the plan change with amendments	The plan request materials recommend recording of 140 Jesmond Road and 329 Karaka Road as archaeological sites on the New Zealand Archaeological Association (NZAA) database ArchSite, (and their addition to the Auckland Council Cultural Heritage Index (CHI)), this has yet to be undertaken and should be completed. Archaeological extents for both locations should be established and included as part of each record.
27	27.12	Heritage New Zealand Pouhere Taonga	sandrews@heritage.org.nz	Support the plan change with amendments	Heritage New Zealand seeks the addition of provisions to require interpretation of late 19th century historic European settlement and farming on the subject land and the wider Karaka area and beyond, in accordance with recommendations made in the in the historic heritage assessments prepared in support of the plan change request, and in accordance with conservation principles as outlined in the ICOMOS New Zealand Charter 2010.
27	27.13	Heritage New Zealand Pouhere Taonga	sandrews@heritage.org.nz	Support the plan change with amendments	Heritage New Zealand supports iwi/hapu in the exercising of kaitiakitanga and support the provisions proposed in the precinct plan to provide interpretation and recognise Māori cultural heritage values that have been identified.  The provisions in the proposed Waipupuke Precinct which recognise cultural heritage values identified by mana whenua is supported.
27	27.14	Heritage New Zealand Pouhere Taonga	sandrews@heritage.org.nz	Support the plan change with amendments	To enable retention of existing vegetation within the site at 329 Karaka Road (particularly any identifiable as having early historic associations with the homestead), and the incorporation of onsite interpretation of both the cultural and historical background of the plan change area within the proposed reserve at 329 Karaka Road and in association with 140 Jesmond Road, in accordance with principles of the ICOMOS New Zealand Charter 2010.
28	28.1	Tingran Doreen	tingran.duan@gmail.com	Decline the plan change, but if approved make the amendment	The plan change should include the wider area, particularly areas around Jesmond Road. A council masterplan and better integration of the plan change with surrounding infrastructure (including proposed train stations, underground services and roads) is sought.
29	29.1	Mark Lewis Grey	mark.grey@xtra.co.nz	Decline the plan change	Decline the plan change in its entirety. The proposed upgrade of Jesmond Road is not supported.
29	29.2	Mark Lewis Grey	mark.grey@xtra.co.nz	Decline the plan change	Decline the plan change in its entirety. Leave the existing property as it is.



**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 61 (Private) - Anthony Joyce  
**Date:** Wednesday, 10 February 2021 1:02:01 PM

---

The following customer has submitted a Unitary Plan online submission.

**Contact details**

Full name of submitter: Anthony Joyce

Organisation name:

Agent's full name: Jenny Joyce

Email address: [tjjoyce@xtra.co.nz](mailto:tjjoyce@xtra.co.nz)

Contact phone number:

Postal address:  
15 Burberry Road Rd 2  
Drury  
Drury 2578

**Submission details**

**This is a submission to:**

Plan change number: Plan Change 61 (Private)

Plan change name: PC 61 (Private): Waipupuke

**My submission relates to**

Rule or rules:

Property address: 15 Burberry road, Drury

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we support the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:  
Progress on growing new communities and infrastructure

I or we seek the following decision by council: Approve the plan change without any amendments

1.1

Details of amendments:

Submission date: 10 February 2021

**Attend a hearing**

Do you wish to be heard in support of your submission? No

**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.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.



**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 61 (Private) - Song wanping  
**Date:** Sunday, 21 February 2021 1:01:01 PM

---

The following customer has submitted a Unitary Plan online submission.

#### Contact details

Full name of submitter: Song wanping

Organisation name:

Agent's full name:

Email address: robertsunnz@gmail.com

Contact phone number: 0210607583

Postal address:  
 10 woodhall road  
 Epsom  
 Auckland 1023

#### Submission details

##### This is a submission to:

Plan change number: Plan Change 61 (Private)

Plan change name: PC 61 (Private): Waipupuke

##### My submission relates to

Rule or rules:  
 Council should be make plan and change whole area.

Property address: 141 jesmond road

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:  
 this area is high level .I think building plan should be single level single building and donot plan Terraced house.

I or we seek the following decision by council: Decline the plan change, but if approved, make the amendments I requested

2.1

Details of amendments: change single house and single level

Submission date: 21 February 2021

#### 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? Yes

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.

**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 61 (Private) - balkar singh  
**Date:** Monday, 22 February 2021 10:45:34 PM

---

The following customer has submitted a Unitary Plan online submission.

#### **Contact details**

Full name of submitter: balkar singh  
Organisation name: BSK GROWERS LTD  
Agent's full name:  
Email address: balk11@xtra.co.nz  
Contact phone number: 0212076666  
Postal address:  
303 oira road drury  
drury  
auckland 2578

#### **Submission details**

##### **This is a submission to:**

Plan change number: Plan Change 61 (Private)  
Plan change name: PC 61 (Private): Waipupuke

##### **My submission relates to**

Rule or rules:  
Rezone of future urban land

Property address: 303 oira road drury .@301A oira road drury

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? No

The reason for my or our views are:

I use our productive land for horticulture purpose. our livinghood are attached to our property.

I fill the stomach of our family from this site and we have no where to go.

There are no upgrade of our road . we have no train station and no round about on highway yet and lack of basic living services on our road . we cannot afford to pay the residential rate for no services. and our surrounding will be filled with all the building which will have a effect on our living environment.

so we dont want to resung our properties and happy with future urban.

I or we seek the following decision by council: Decline the plan change

Submission date: 22 February 2021

| 3.1

#### **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.

Auckland Council  
Level 24, 135 Albert Street  
Private Bag 92300  
Auckland 1142

Attn.: Planning Technician

[unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz)

**TO:** Auckland Council  
**SUBMISSION ON:** Plan Change 61 (Private): Waipupuke  
**FROM:** Watercare Services Limited  
**ADDRESS FOR SERVICE:** [ilze.gotelli@water.co.nz](mailto:ilze.gotelli@water.co.nz)  
**DATE:** 25 February 2021

**Watercare could not gain an advantage in trade competition through this submission.**

## 1. INTRODUCTION

### 1.1. Watercare's purpose and mission

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 and is wholly owned by the Auckland Council ("**Council**").

Watercare provides integrated water and wastewater services to approximately 1.4 million people in Auckland. Watercare collects, treats and distributes drinking water from 11 dams, 26 bores and springs, and four river sources. A total of 330 million litres of water is treated each day at 15 water treatment plants and distributed via 89 reservoirs and 90 pump stations to 450,000 households, hospitals, schools, commercial and industrial properties.

Watercare's water distribution network includes more than 9,000 km of pipes. The wastewater network collects, treats and disposes of wastewater at 18 treatment plants and includes 7,900 km of sewers.

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 the assets. 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 Unitary Plan (Operative in Part) and the Auckland Future Urban Land Supply Strategy.<sup>1</sup>

## 2. SUBMISSION

### 2.1. General

This is a submission on a change proposed by Lomai Properties Limited to the Auckland Unitary Plan (Operative in Part) that was publicly notified on 28 January 2021 ("**Plan Change**").

The applicant proposes to rezone 56 hectares of Future Urban Zoned land in Drury West in the area generally bounded by Jesmond Road and Future Urban Zoned land to the east, Oira Road to the west, Future Urban Zoned land to the north and Karaka Road/State Highway 22 to the south. The proposed zoning includes 2.02 hectares of Business: Neighbourhood Centre zone, 27.52 hectares of Residential: Terrace Housing and Apartment Buildings zone, 21.2 hectares of Residential: Mixed Housing Urban zone and 4.79 hectares for the development of an open space network ("**Plan Change Area**"). The Plan Change also introduces the Waipupuke Precinct to the Auckland Unitary Plan (Operative in Part).

Watercare neither supports nor opposes the Plan Change.

The purpose of this submission is to address the technical feasibility of the proposed water and wastewater servicing arrangement for the Plan Change Area to ensure that the effects on Watercare's existing and planned water and wastewater network are appropriately considered and managed in accordance with the Resource Management Act 1991 ("**RMA**").

### 2.2. Specific parts of the Plan Change

The specific parts of the Plan Change that this submission relates to are:

- a) the proposed water and wastewater servicing arrangement; and
- b) the effects of the Plan Change on Watercare's existing and planned water and wastewater network.

Watercare has reviewed the Plan Change and considers that the proposed water and wastewater capacity and servicing requirements have been adequately assessed as part of the Plan Change; however the wastewater infrastructure relied upon as part of the Plan Change application is currently on hold, as described in more detail below.

If development occurs in accordance with the proposed infrastructure upgrades described further below, noting the uncertainty in respect of the timing of those upgrades:

- a) the proposed servicing arrangement is technically feasible; and
- b) any adverse effects of the Plan Change on Watercare's existing and planned water and wastewater infrastructure network will be appropriately managed.

The Plan Change area falls within the area serviced by Veolia Water under a Franchise Agreement with Watercare. Watercare is responsible for constructing, operating, and

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<sup>1</sup> Local Government (Auckland Council) Act 2009, s58.

maintaining bulk water and wastewater infrastructure to service the Veolia Service Area. Under the Franchise Agreement, Watercare owns the local water and wastewater network but Veolia is responsible for operating and maintaining the local network.

### **2.2.1. Water supply servicing for the Plan Change Area**

Currently the Plan Change Area is not serviced by Watercare's water network.

Water supply for the Plan Change Area will require the extension of services from the Drury 1 Precinct.

In 2018, Watercare constructed a new Bulk Supply Point ("BSP") at Flanagan Road. To service the Plan Change Area, the applicant will be required to construct a local watermain to connect to this BSP. An alternative connection point may be a new BSP at Quarry Road, but the timing for installation of this new BSP is not yet confirmed.

As this will be local network infrastructure, the proposed servicing plan must be agreed with Veolia as the operator under the Franchise Agreement. All local network, including the local watermain, will be required to be provided by the developer at the developer's cost.

Design of all water supply infrastructure, including sizing for future reticulation, will be required to comply with Watercare's Code of Practice for Land Development and Subdivision.

Design and testing for firefighting pressure and provision for fire hydrants within the road reserve will be required to be addressed at resource consent stage.

### **2.2.2. Wastewater servicing for the Plan Change Area**

Currently the Plan Change Area is not serviced by Watercare's wastewater network.

Provision has been made within the Drury 1 Precinct to cater for future development of live zoned land in the surrounding area by construction of an 800mm diameter trunk wastewater sewer and the Bremner Road Pump Station. The Bremner Road Pump Station has been designed to meet a design flow range of 188L/s (or 6000 Dwelling Unit Equivalents).

The trunk sewer from Bremner Road will need to be extended to service the Plan Change Area, with the portions of trunk sewer labelled as T001, T002 and T003 on the diagram included in **Appendix A**.

The Plan Change application indicates that sections T001 and T002 will be funded by Watercare and will be commissioned in line with project timeframes, with construction of T003 (which is required for development of Plan Change area) to be constructed by 2023.

The T001 and T002 sections of pipe are in the concept development phase and have been included in Watercare's Asset Management Plan for construction in 2028; however these works are currently on hold due to capital budget restrictions imposed as part of the Auckland Council Covid-19 Recovery Budget and construction timing cannot be confirmed at this stage. The T003 section of pipe is subject to a future workstream which is also currently on hold. Therefore, the projected 2023 timeframe is unlikely to be met.

If the applicant wishes to expedite wastewater servicing of the Plan Change Area before T001 and T002 have been constructed by Watercare, the necessary infrastructure would be required to be fully funded by the developer.

The Bremner Road Pump Station will also need to be upgraded when the overall development in the wider Drury area reaches 6000 dwellings. This Watercare's responsibility to upgrade; however, the timing will be subject to Watercare's funding plan.

All internal local reticulation will be required to be provided by the developer at the developer's cost.

All wastewater infrastructure, including local reticulation and pump station design, will be required to comply with Watercare's Code of Practice for Land Development and Subdivision.

### 3. DECISION SOUGHT

Watercare seeks a decision that ensures that the water and wastewater capacity and servicing requirements of the Proposal will be adequately met, such that the water and wastewater related effects are appropriately managed.

To enable that decision to be made, Watercare requests the following amendments to the proposed Waipupuke Precinct provisions:

(a) Amend Objective 9 as follows:

- (9) Subdivision and development (including infrastructure provision) is coordinated with, and does not precede, the delivery of the transport, infrastructure and water and wastewater services required to provide for the development.

5.1

(b) Amend Policy 10 as follows:

- (10) Require subdivision and development to provide appropriate transport and other infrastructure capacity, including water and wastewater infrastructure, within the precinct and to provide connections to the adjoining road network in accordance with Precinct Plan 3.

5.2

(c) Insert a new Policy 11 as follows:

- (11) Manage subdivision and development to avoid, remedy or mitigate adverse effects on infrastructure, including reverse sensitivity effects or those which may compromise the operation or capacity of existing or authorised infrastructure.

5.3


(d) Such other alternative or consequential relief as required to give effect to the matters raised in this submission.



**4. HEARING**

Watercare wishes to be heard in support of its submission.

25 February 2021



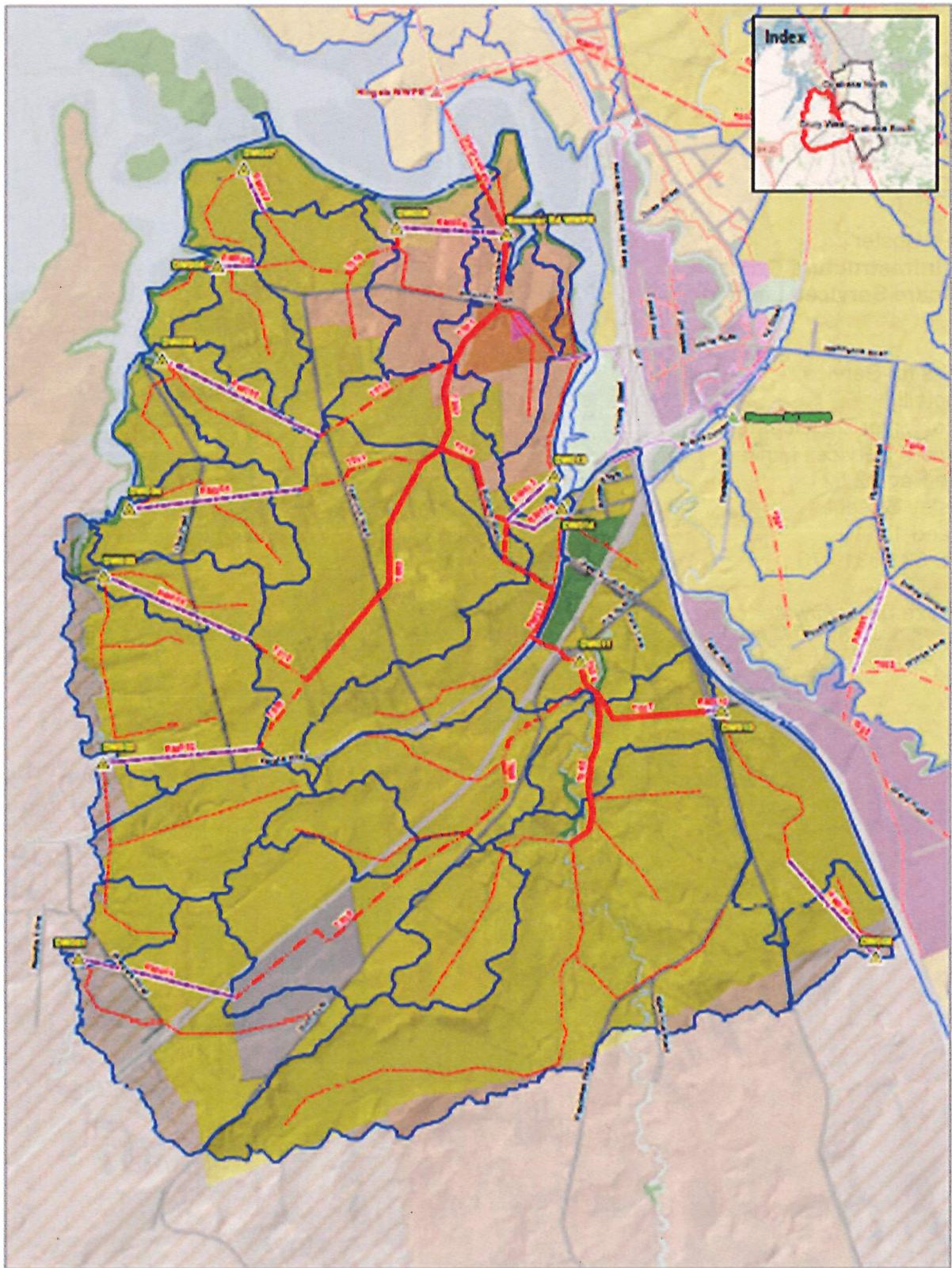
Steve Webster  
**Chief Infrastructure Officer**  
**Watercare Services Limited**

Address for Service:

Ilze Gotelli  
Head of Major Developments  
Watercare Services Limited  
Private Bag 92 521  
Wellesley Street  
Auckland 1141  
Phone: 021 831 470

Email: [ilze.gotelli@water.co.nz](mailto:ilze.gotelli@water.co.nz)

### Appendix A Drury West Wastewater Servicing Plan



## Submission on proposed Private Plan Change 61, Waipupuke, Auckland Unitary Plan (Operation in Part)

### To:

Auckland Council (Unitary Plan)

Private Bag 92300

Auckland 1142

Attention: Planning Technician

Via Email: [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz)

### Submitter is

Andrew Daken

169 Jesmond Road, Drury

[Andrew.daken243@gmail.com](mailto:Andrew.daken243@gmail.com)

### Trade Competition

The Submitter will not gain an advantage in trade competition through this submission.

### Specific Provision to Which the Submission Relates

Whole of Plan Change (PC61)

### Background to submission

The submitter owns and is resident at 169 Jesmond Road. Legal Description [Lot 1 DP 103767](#)

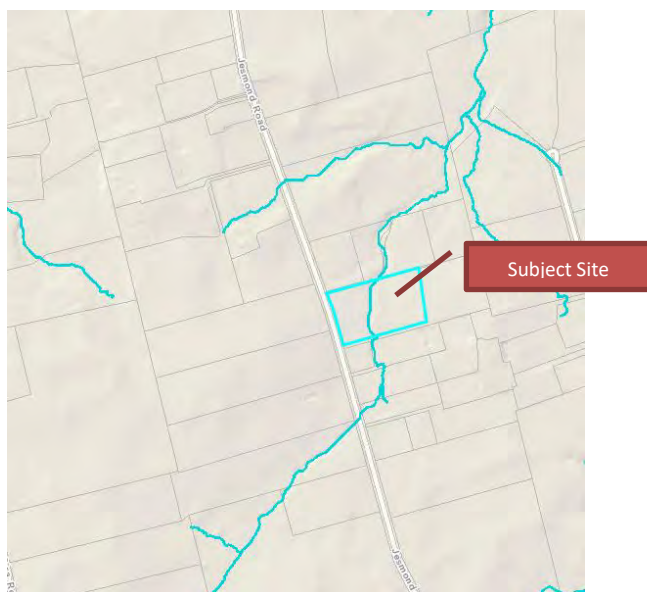


Figure 1 Water course running through title ((Source: Auckland Council GeoMaps)

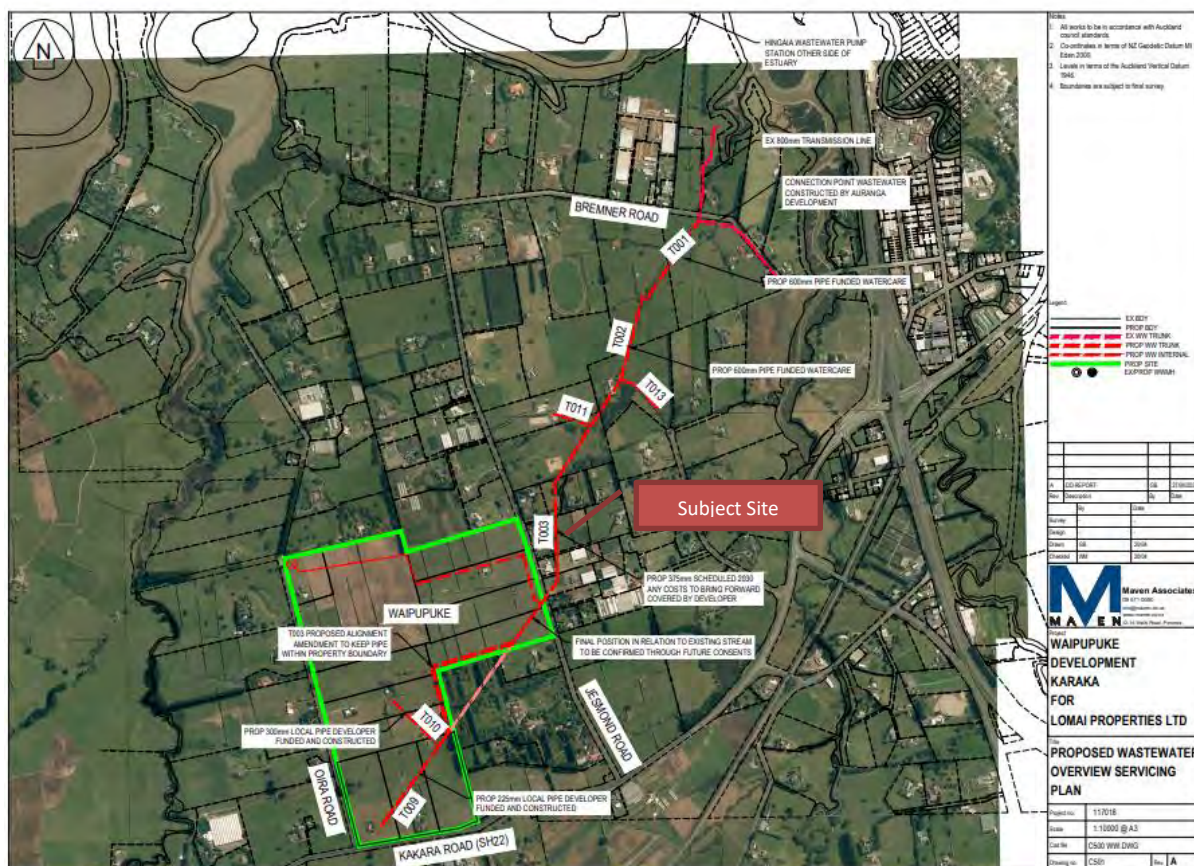


Figure 2 Source: Attachment J, Maven Infrastructure Report for PC61

## Reason for Submission

1. Opposing the submission in whole as it does not support the Future Urban design for Drury-Opaheke
2. **Storm water**
  - a. The title has a watercourse that is proposed to have additional water from the development. This will be a significant increase in impervious material and therefore additional water even though ponds are proposed. See Figure 1.
  - b. Flooding mitigation is not clear for the submitter's site or other sites north and south. Request how this will be mitigated to avoid flooding.
  - c. The Tonkin and Taylor Stormwater Assessment ("T&T Report") indicates slightly more than half of the PC61 area will drain stormwater to the Ngakoroa Stream via the Submitters site (to the Pahurehure Inlet)
  - d. Piping storm water directly down Jesmond Road could be a mitigation method, both north and south.
    - i. North being down Jesmond Road to the estuary
    - ii. South being down SH 22 and into the estuary
  - e. Increased connectivity for future development if ran down Jesmond road
  - f. Future Development needs to be considered for capacity to ensure the design is done with the overall picture in mind.

- g. Attachment J, section 4.2 Flooding indicates that the final design will be done later. Involvement of this should be considered for those directly and indirectly impacted. We are proposed to be directly impacted.
- h. Attachment J, Section 5 Storm water. How will this be impacted as it requires the network from the outlet to be completed prior to additional water being added? And what is the timeline for capacity?

**3. Wastewater**

- a. The title has waste water proposed to run through the land. See Figure 2.
- b. The alignment as shown in Figure 3 is based off the below reasons:
  - i. It is a more efficient use of land to place public networks within road reserves as it enables future wastewater connections without impacting other private land owners
  - ii. Locating within the road reserve removes the need to engage with private land owners and potential Public Works Act
  - iii. The installation of public services could potentially be worked in with the improvements proposed to Jesmond Road (as notified by Auckland Transports Notice of Requirement)
  - iv. It would remove the impact on the Submitters site and sites to the north and south.

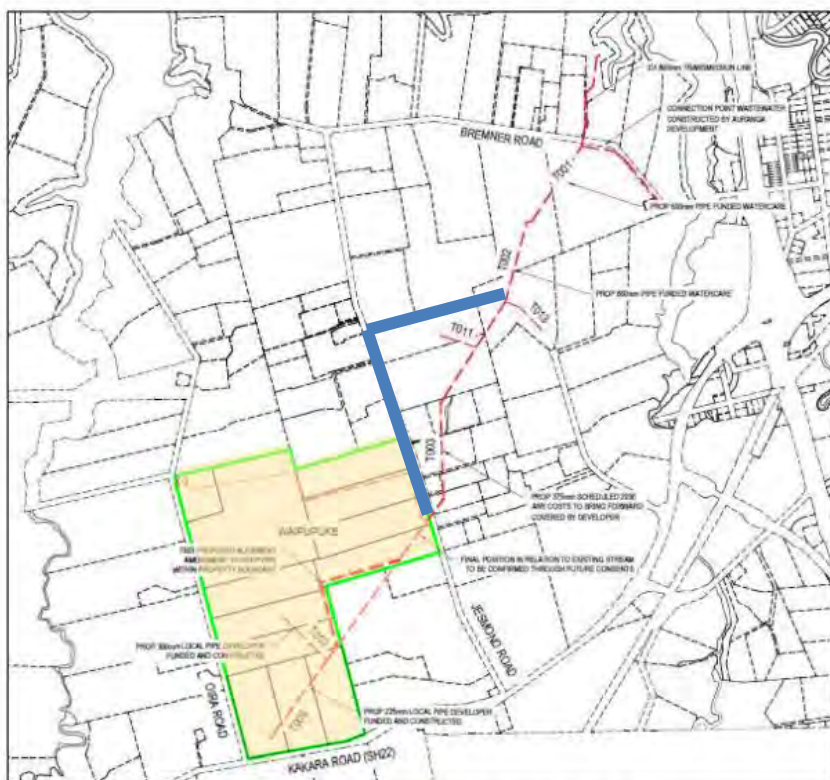


Figure 7 – Transmission line Extension (subject site in green)

Figure 3 Preferred alignment (blue line) of wastewater down Jesmond Road and indicative collector road. Extract from Attachment J Infrastructure Report Figure 7

4. Future Urban plan is to be implemented within a year and an overall plan and implementation is required that supports this. Having adhoc developments will only further complicate the role out of the plan.
5. Being a small land holding, we believe that having storm water, wastewater and road designation/requirements on the title will significantly impacting the title and is unnecessary given that a better alternative (being the public domain) is available. This is disproportion for a small title when viable and beneficial alternatives are available.
6. I have concerns on the mitigation effectiveness and liability for as dust, noise and vibration damage.
7. Traffic and mitigation factors for SH22 and other roads need to be considered in regard the overall Drury-Opaheke design to ensure capacity is available for the overall plan.

### Relief sought

- |   |     |
|---|-----|
| 1. Waste water be piped down public access points, specifically Jesmond Road and connector road(s) to join T002. Not across the Subject Site. | 6.1 |
| 2. Storm water is connected directly and piped from the development to the estuary/outlet and not across the subject site.                    | 6.2 |
| 3. No additional water to be added to existing watercourse that goes across the subject site.   | 6.3 |

### Hearing

The Submitter wishes to be heard in support of this submission. If others make a similar submission, the Submitter will consider presenting a joint case with them at a hearing.

Andrew Daken

Reena Daken

# Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991  
FORM 5



Send your submission to [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz) or post to :

Attn: Planning Technician  
Auckland Council  
Level 24, 135 Albert Street  
Private Bag 92300 Auckland 1142

For office use only
Submission No:
Receipt Date:

## Submitter details

### Full Name or Name of Agent (if applicable)

Mr Malcolm Douglas SCOTT

### Organisation Name (if submission is made on behalf of Organisation)

Address for service of Submitter: 175 Jesmond Road, Drury, Auckland, 2578.

Telephone:

09 2947296  
0275947295

Fax/Email:

bethandmal@xtra.co.nz

Contact Person:

(Name and designation, if applicable)

## Scope of submission

This is a submission on the

following proposed plan change /

PC 61

variation to an existing plan: Plan Change/Variation Number

Plan Change/Variation Name

Waipupuke

### The specific provisions that my submission relates to are:

(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s)

Or

Property Address

175 Jesmond Road, Drury, Auckland, 2578.

Or

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:  **NO**

I **oppose** the specific provisions identified above:  **Yes**

I wish to have the provisions identified above amended: **NO**

The reasons for my views are:

**I object to the plan for stormwater to be directed down a shared driveway of 175 Jesmond Road due to disruption and the potential to devalue the property. The service could instead be incorporated alongside the planned highway.**

7.1

<https://www.aucklandcouncil.govt.nz/plans-projects-policies-reports-bylaws/our-plans-strategies/place-based-plans/drurystructureplandocument/drury-opaheke-structure-plan.pdf>

**The above part of the Unitary Plan already addresses this issue.**

**Why are you changing this document that you have already approved ( Unitary Plan), which comes into effect next year 2022.**

**Once again Auckland planners are adhering to a tradition of Ad Hoc planning, which has plagued Auckland in the past.**

(continue on a separate sheet if necessary)

I seek the following decision by Council:

Accept the proposed plan change / variation: **NO**

Accept the proposed plan change / variation with amendments as outlined below: **NO**

Decline the proposed plan change / variation: **YES**

If the proposed plan change / variation is not declined, then amend it as outlined below: **NO**

7.1

I wish to be heard in support of my submission : **NO**

I do not wish to be heard in support of my submission **NO**

If others make a similar submission, I will consider presenting a joint case with them at a hearing **YES**  ✓

This document has been electronically signed by:

Malcolm Douglas SCOTT

28th of February, 2021.

Signature of Submitter  
*(or person authorised to sign on behalf of submitter)*

Date



**Notes to person making submission:**

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well 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 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:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 61 (Private) - Prem Lal  
**Date:** Wednesday, 24 February 2021 9:00:15 PM

---

The following customer has submitted a Unitary Plan online submission.

**Contact details**

Full name of submitter: Prem Lal  
Organisation name:  
Agent's full name:  
Email address: premlal62@yahoo.com  
Contact phone number:  
Postal address:

**Submission details**

**This is a submission to:**

Plan change number: Plan Change 61 (Private)  
Plan change name: PC 61 (Private): Waipupuke

**My submission relates to**

Rule or rules:  
Property address: 285 Oira Road  
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:  
Our land is prime, productive horticultural land. Rezoning this to be residential fails to recognise the value of this land and will impede further development in the horticultural sector. It will put undue stress on our business of over 20 years, through the imposition of residential rates. This will put both the future of our business and that of our workers under stress.

I or we seek the following decision by council: Approve the plan change with the amendments I requested

Details of amendments: The area surrounding Oira Road remains as zoned - or there is flexibility given around rate levels.

Submission date: 24 February 2021

**Attend a hearing**

8.1

Do you wish to be heard in support of your submission? No

**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.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 61 (Private) - Yongcheng Duan  
**Date:** Friday, 26 February 2021 3:33:10 PM  
**Attachments:** [54 Jesmond Road .pdf](#)

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The following customer has submitted a Unitary Plan online submission.

#### **Contact details**

Full name of submitter: Yongcheng Duan

Organisation name: Soco Homes Limited

Agent's full name: Topland NZ Limited

Email address: [cozy@topland.co.nz](mailto:cozy@topland.co.nz)

Contact phone number: 021806888

Postal address:  
9/42 Ormiston Road  
Otara  
Auckland 2019

#### **Submission details**

##### **This is a submission to:**

Plan change number: Plan Change 61 (Private)

Plan change name: PC 61 (Private): Waipupuke

##### **My submission relates to**

Rule or rules:  
Private Plan Change 61 - Waipupuke

Property address: Jesmond Road and Future Urban Zoned land to the east, Oira Road to the west, Future Urban Zoned land to the north and Karaka Road/State Highway 22 to the south. T

Map or maps:

Other provisions:  
Whole Plan change contents

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:  
We oppose the proposed PC 61:

1. The proposal is not in accordance with Council's Drury - Opaheke Structure Plan, consequentially impact on public investment on public transportation, and infrastructure planning, for the whole area. e.g. the residents in this area will have less potential to use the planned train station, and rely on private vehicle movement.
2. Significantly disabling the planning and development of the surrounding area to plan in accordance with the structure plan.

3. It does not meet the centric intensification rationale of the urban planning, randomly intensify outreach area.

I or we seek the following decision by council: Decline the plan change, but if approved, make the amendments I requested

Details of amendments: plan change in accordance with the structure plan or confirm the enabling of the planning and development of the surrounding sites to meet structure plan outcome, including road access and public infrastructure servicing coverage for our site.

Submission date: 26 February 2021

Supporting documents  
54 Jesmond Road .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.



Stormwater Parks

Public Park Space

Terrace Housing and Apartment Buildings

Mixed Housing Urban

Neighbourhood Centre



1 March 2021

Planning Technician  
Auckland Council  
Level 24, 135 Albert Street  
Private Bag 92300  
Auckland 1142

Via email: [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz)

**Soco Homes Limited Submission on a Publicly Notified Proposal for Private Plan Change  
Waipupuke (PC 61) Drury Precinct to the Auckland Unitary Plan (Notification Date: Friday  
28 January 2021)**

Please find attached Soco Homes Limited's submission on the proposed Private Plan Change  
PC 61 Drury Precinct.

Please contact Tingran Duan, email [socohomesnz@gmail.com](mailto:socohomesnz@gmail.com), if you have any questions  
regarding this submission.

Kind regards,

John Duan  
Director  
Soco Homes Limited

**Form 5**  
**Submission on publicly notified Plan Change**  
*Clause 6 First Schedule, Resource Management Act 1991 (RMA)*

To: Celia Davison / Craig Cairncross  
Managers – Planning Central and South  
Auckland Council  
Private Bag 92300  
Victoria Street West  
Auckland 1142

Submitter: Soco Homes Limited (“**Soco Homes**”)

This is a submission by Soco Homes on Private Plan Change No. 61 Waipupuke (“**PC 61**”) Drury Precinct to the Auckland Unitary Plan.

**Introduction**

1. Soco Homes is a land development company, which has successfully developed approximately 100 dwellings in Flat Bush and Karaka area over the last 5-10 years.
2. Soco Homes owns the property 54 Jesmond Road and 224 Jesmond Road, Drury. Soco Homes will develop these assets and have been planning residential development on 54 Jesmond Road and a medical centre on 224 Jesmond Road, which is anticipated to submit a private plan change and proposal in 2021.
3. PC 61 seeks to rezone approximately 56ha of land in Drury West (“PC 61 land”) from its existing Future Urban Zoned land to a combination of Neighbourhood Zone, Residential: Terrace Housing and Apartment Buildings zone and Residential: Mixed Housing Urban zone. This is to allow for residential and commercial activities to be supported and facilitated on the land.
4. Soco Homes acknowledges that the rezoning of the land contributes to the vision of the Drury Structure Plan, and the applicant’s planning does reflect the context of the high-level of urbanisation growth anticipated for the greater Drury area and will also provide employment opportunities.



5. However, Soco Homes considers that PC61 did not provide careful and broad master planning assessment to the Drury Structure Plan catchment. Particularly, there is significant public funding investment on the land, rail transport and other servicing infrastructure. This is critical for the entire Drury Structure Plan area. PC61 is one of the pioneer developments to be supported and serviced by these public investments. This should also enable the effectiveness and efficiency of these public investments continuing to be connected and servicing the wider area. Any potential conflict for grid connectivity will create significant consequences for the entire Structure Plan area. How accessible will the proposed rail station be if the connectivity and road networks are not planned out in advance? According to the Drury Structure Plan, the areas that include Terrace and Apartment zoning are located more towards the east. The proposed plan change involves creating large areas with THAB zoning that does not align with the Structure Plan. Hence, infrastructure and public services may not be adequate enough to cater for this increase. Residents will be segregated by the lack of connectivity and therefore choose to use private motor vehicles as their commuting option. PC 61 should consider the broad master planning, and provide an opportunity to avoid any potential isolation or blockage of access and connectivity. The neighbourhood centre may also create segregation between other centre areas and mitigate the use of the potential railway station/town centre.



Figure 1. Showing the suggested roading to increase the connectivity from PC 61 to Jesmond Road and to suggest that the THAB area is more than the Drury Structure Plan and it may segregate potential public infrastructure.

Due to the location of 54 Jesmond Road, Soco Homes is planning to deliver planned, high-density residential units in accordance with the structure plan. The future residents of these

units will rely on the living, working, leisure function of the town centre. It is likely that the planned Jesmond Road and Karaka Road upgrade will become a limited access road. As part of the town centre edge residential environment, multi-points, inclusive, safe and convenient access links are critical for future residence in order to utilise and access the amenities. Any potential isolated, high-density living environment will be a very bad outcome. This should be avoided at the planning stage.

6. Soco Homes seeks that PC 61 is not to be approved unless proper consideration is given to the wider context of the Drury Structure Plan area, including transport grid links and servicing infrastructure connections. Therefore, Auckland Council can achieve, as is required by Section 31 of the Resource Management Act, integrated management of the effects of the use, development or protection of land and associated resources of the locality.

8. Stormwater and wastewater infrastructure should run further down Jesmond Road in order for more properties to have access to connectivity and become easier for future developments.

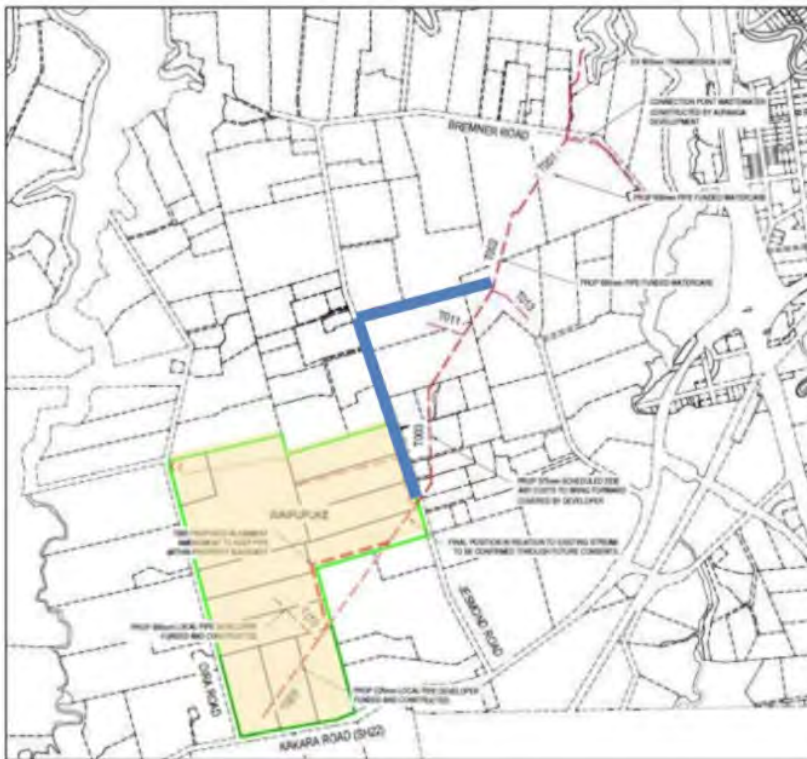


Figure 2. Preferred alignment (blue line) of wastewater down Jesmond Road and indicative collector road. Source: Attachment J Infrastructure Report Figure 7

It is a more efficient use of land to place public networks within road reserves as it enables future wastewater connections without impacting other private landowners. Also, locating within the road reserve removes the need to engage with private landowners and potential Public

Works Act. The installation of public services could potentially be worked in with the improvements proposed to Jesmond Road (as notified by Auckland Transports Notice of Requirement)

7. To summarise, the following states the specific concerns regarding PC 61:

- a. a) Transportation effects;
- b. b) Stormwater, wastewater management and water quality;
- c. c) Serving infrastructure routine protection;
- d. d) Lack of consultation.

8. These matters are discussed in further detail below.

### **Scope of submission**

9. This submission relates to the whole of PC 61.

### **Reasons for submission**

10. We are unsure whether PC 61 will or will not:

- Enable the efficient use and development of resources in the area.
- Achieve integrated management of the effects of the use, development or protection of land and associated resources of the region.
- Meet the reasonably foreseeable needs of future generations.
- Enable social, economic and cultural wellbeing.

11. More information required on the road layout and infrastructure connections and impact on the surrounding area (Masterplan)

12. Sufficient information has not been provided on how the proposed road layout and infrastructure connections will impact the wider area. The future impact of the proposed road layout and infrastructure connections on the surrounding area remains unclear.

13. The impact of the road layout and infrastructure connections for PC 61 is not limited purely to the PC 61 land area and will form and contribute to the surrounding road and infrastructure networks in order to provide a sufficiently connected area. Therefore, any new roads and infrastructure connections are considered to impact the greater area and will impact the potential development options for the surrounding area.

14. In order to enable the development of 54 Jesmond Road, to meet the Drury Structure Plan outcome, and to understand how the sites connectivity may be affected, additional information is sought on how the future road layout and infrastructure connections will impact the site. This will create development consequence of all the site along both sides of Jesmond Road (Future Urban zone).

**Relief Sought**

15. For the reasons stated above, Soco Homes seeks that PC 61 to be amended to address the issues outlined in this submission (particularly road connectivity), or other relief as may be required to address the matters raised in this submission.

9.1

16. Soco Homes wishes to be heard in support of this submission.

Yours Sincerely

Prepared by: Tingran Duan  
Position: Planner, Project assistant  
Date: 1 March 2021

Phone: 0210628283  
Email: socohomesnz@gmail.com

**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 61 (Private) - Katherine Grace de Courcy and Robert Russell Maunganui Smith  
**Date:** Sunday, 28 February 2021 8:16:06 PM

---

The following customer has submitted a Unitary Plan online submission.

#### **Contact details**

Full name of submitter: Katherine Grace de Courcy and Robert Russell Maunganui Smith

Organisation name:

Agent's full name:

Email address: [kdecourcy@orcon.net.nz](mailto:kdecourcy@orcon.net.nz)

Contact phone number:

Postal address:  
also [rrmsmith@hotmail.co.uk](mailto:rrmsmith@hotmail.co.uk)

#### **Submission details**

##### **This is a submission to:**

Plan change number: Plan Change 61 (Private)

Plan change name: PC 61 (Private): Waipupuke

##### **My submission relates to**

Rule or rules:  
all of the proposed plan change

Property address: 201 Jesmond Rd

Map or maps:

Other provisions:  
all of the proposed plan change

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? No

The reason for my or our views are:

Jesmond Rd requires a major multi-infrastructure upgrade. This has been acknowledged in various planning documents but firm plans have yet to be decided. Detail certainly has not been worked out. At this stage it does not seem like good planning to allow more development without the construction of the infrastructure that will service it.

Auckland transport has made it clear in their recent communication that the upgrade of Jesmond Rd could be 15 years away or more. It is only a notice of requirement that they are proposing with indicative roading plans.

Plan Change 61 represents more ad hoc planning which runs counter to the staged development being achieved on the eastern side of Jesmond Rd. If PC61 is allowed it will be the usual old Auckland game of "catchup" which defies the concept of masterplanning and structure planning that Auckland Council vaunts so strongly.

The Plan Change will put considerable pressure on existing residents of the road while the "experts"

sort out the mess they actually allowed. In view of this DECLINE the entire PC61, and do things in the properly ordered manner which the Unitary Plan and other documents say they are promoting.

I or we seek the following decision by council: Decline the plan change

10.1

Submission date: 28 February 2021

### **Attend a hearing**

Do you wish to be heard in support of your submission? No

### **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.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 61 (Private) - Linqi Wang  
**Date:** Monday, 1 March 2021 12:45:30 PM  
**Attachments:** [DruryPlanChange61\\_Submission.pdf](#)

---

The following customer has submitted a Unitary Plan online submission.

#### **Contact details**

Full name of submitter: Linqi Wang

Organisation name:

Agent's full name: Stephen Wang/Diane as my representative

Email address: [paralysis.nz@gmail.com](mailto:paralysis.nz@gmail.com)

Contact phone number: 021 581 205

Postal address:

#### **Submission details**

##### **This is a submission to:**

Plan change number: Plan Change 61 (Private)

Plan change name: PC 61 (Private): Waipupuke

##### **My submission relates to**

Rule or rules:

Waipupuke Precinct zoning, infrastructure management ( including but not limited transport, storm water, waste water, etc)

Property address: 153 Jesmond Road, Karaka

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:

see attached document for the issues, reason for the submission and relief sought

I or we seek the following decision by council: Decline the plan change, but if approved, make the amendments I requested

Details of amendments: see attached document for the amendments sought if plan change is not declined.

Submission date: 1 March 2021

Supporting documents

[DruryPlanChange61\\_Submission.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.

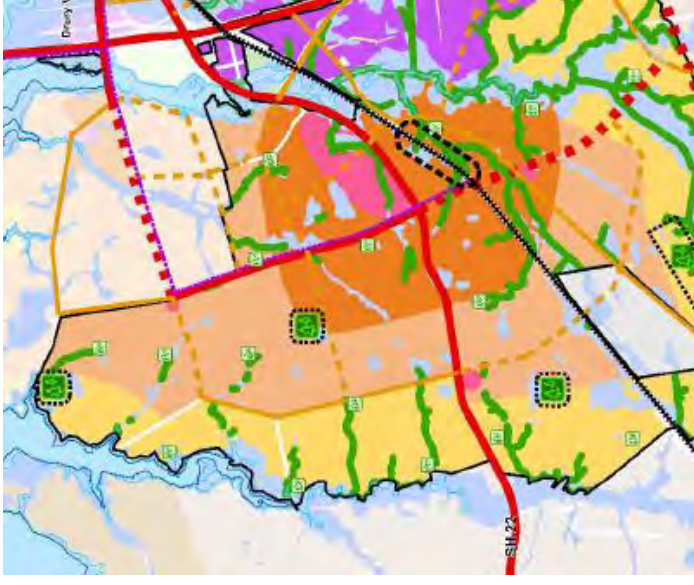
Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.



Submission Attachment

<p>Issue</p> <p>PC61 proposes to up-zone a large portion of land into THAB</p>	<p>Reason for Submission</p> <p>The Drury-Opaheke Structure Plan (2019) had designated approximately 14Ha within the proposed plan change area as THAB zone. PC61 proposes to increase THAB zoned land to 27.5 Ha. This proposed scale of activity is over and above what was anticipated and laid out in the Structure Plan.</p> <p>Allowing the proposed THAB zones would also lead to an incongruent overall THAB zoning of the Drury West area, with lack of transition between the high density THAB on SH22 and lower density Mixed Housing Suburban land to the west of Oira Rd.</p> <p>Map showing overlay of Waipupuke Precinct on the Drury-Opaheke Structure Plan. White ellipsis shows the resulting jagged THAB zones.</p>	<p>Relief Sought</p> <p>Decline PC61. However, if approved, PC61 precinct zoning be made to be consistent with Drury-Opaheke Structure Plan</p> <ul style="list-style-type: none"> <li>- less THAB and more MHU</li> <li>- more uniform THAB zone</li> <li>- THAB zone surrounded by MHU zone before transitioning to MHS</li> </ul>
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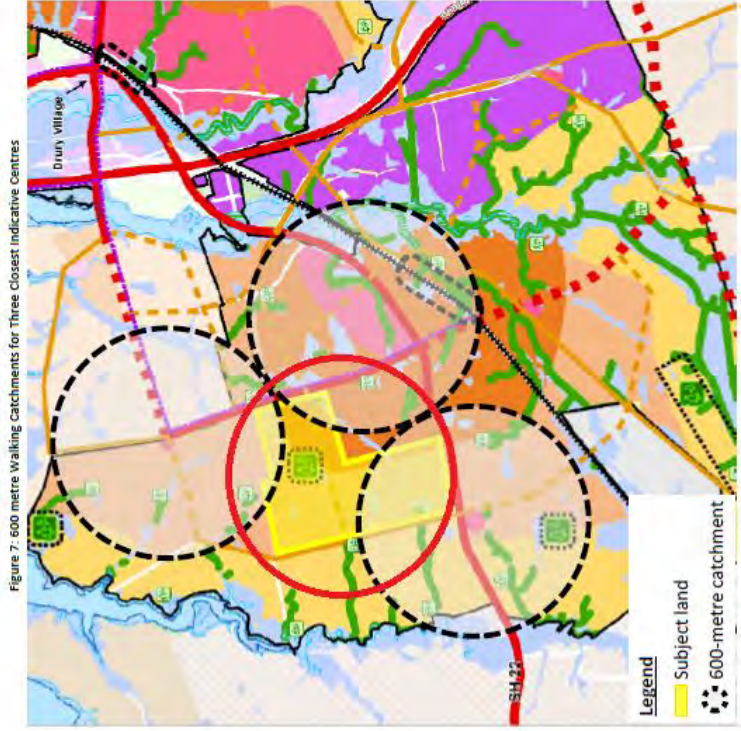


PC61 proposes 2Ha of Business : Neighbourhood Centre zone. This is inconsistent with the Drury-Opaheke Structure Plan, which does not stipulate a neighbourhood centre on the PC61 land

The rationale put together by PC61 is that there is a gap within the Drury-Opaheke Structure Plan for a portion of their land where residents would not be able to meet AT's 600m walkability metric to a neighbourhood centre, based on the 3 neighbourhood centres designated in the Structure Plan.

However, super-imposing the new PC61 proposed neighbourhood centres alongside the 3 centres contained in the Structure Plan results in

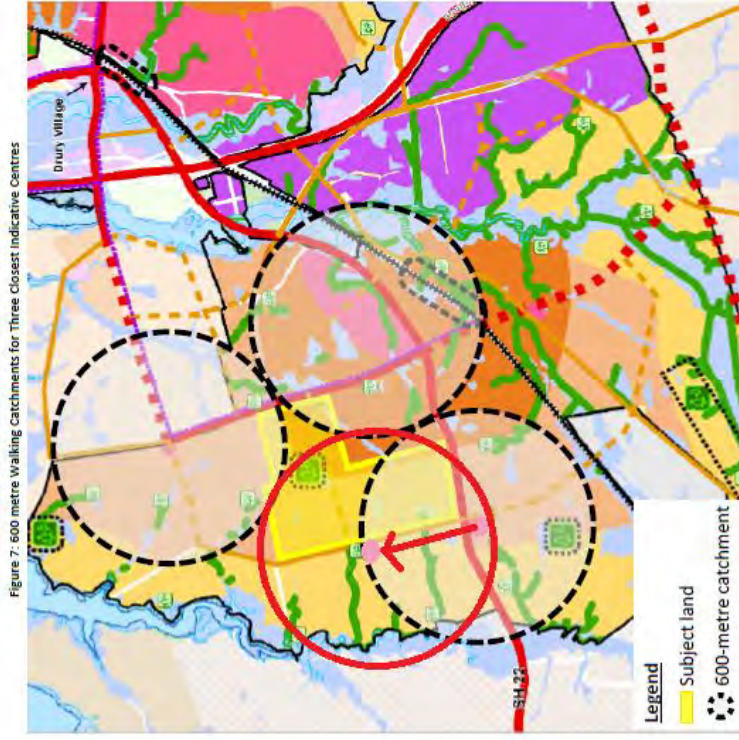
- a large overlap area (Union between the black circles and the red circles)
- residents to the West of the PC61 proposed area will fall outside one of these circles (600m walkability to a centre) hence the new location of the neighbourhood centre only addresses the gap within PC61 land and not land to the immediate west.



Decline PC61. But if PC61 is approved, amend to:

- remove the 2Ha proposed zoning for Business : Neighbourhood Centre and instead zone it MHU

If there are indeed gaps in the Structure Plan, this should be considered and planned holistically by the Council rather than as part of individual private plan changes where PPC drivers are quite different. For example, a better location may be to relocate the neighbourhood centre South of SH22 northbound to get a better coverage of the Drury West area and to reduce any overlap. And introduce a new neighbourhood centre in the Drury Stage 2 area once that area is ready for development.

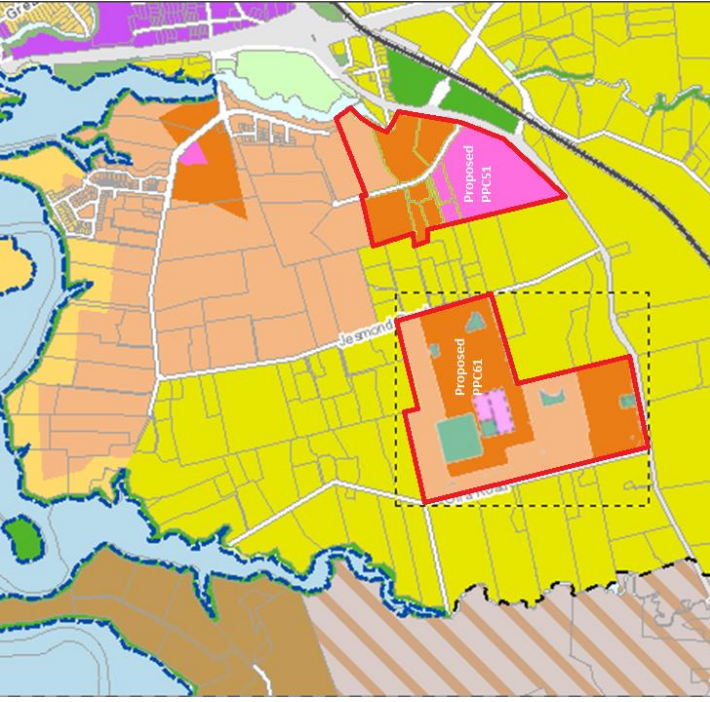


<p>PC61 Business : Neighbourhood Centre Zone proposes to override building height limits set in the Auckland Unitary Plan (AUP)</p>	<p>PC61 proposes their neighbourhood centre zone building height to differ from that stipulated in the AUP (AUP allows 13m, PC61 proposes a combination of 18m and 27m building height).</p> <p>In a greenfield urban development surrounded by many rural properties outside of the current Future Urban Zone, the proposal to seek an increase in neighbourhood centre zone building height is unnecessary.</p> <p>There are a number of other commercial &amp; retail centres planned nearby (1-2km) per the Drury-Opaheke Structure Plan as well as proposed in PC51 (Drury2 Precinct), hence there will be plenty of retail &amp; commercial floor space in the vicinity to serve local residents without needing to go over the building height standard 12.6.1 in the AUP for Business : Neighbourhood Centre zone.</p>	<p>Decline PC61. But if PC61 is approved, then decline the Business : Neighbourhood Centre Zone.</p> <p>If PC61 is approved and neighbourhood centre is retained, amendment should be made to follow the building height standards laid out in the AUP for the Neighbourhood Centre zone (13m) instead of allowing building height to be overridden for PC61 Precinct to 18m and 27m.</p>
<p>PC61 is reliant on roading upgrades to Jesmond Rd, Karaka Rd (SH22) and Oira Rd to service the proposed plan change area.</p>	<p>PC61 is assuming that the roading upgrades will be funded and delivered by 3<sup>rd</sup> parties.</p> <p>It appears there has not been any approved funding for these roading upgrades, and even once funding is secured, the acquisition, design and construction will take many, many years.</p> <p>Allowing the PC61 land to be rezoned ahead of these major roading projects being completed will risk housing being delivered and massive stress on the current rural roads and increase likelihood of additional vehicle crashes in an area with poor safety record.</p>	<p>Decline PC61 unless the concerns around transport infrastructure funding and delivery of the roading upgrade can be addressed.</p>

11.3

11.4

<p>Given a larger portion of proposed higher density land compared to the Drury-Opaheke Structure Plan, and high density is yielding a greater dwelling yield, the concern is the current and planned infrastructure has not been sized for this increase in dwellings/population.</p> <p>Even if infrastructure sizing is sufficient to meet PC61 dwellings, there may be insufficient capacity for the remaining future urban zoned land in Drury West when they are re-zoned</p>	<p>Both PC51 and PC61 proposes to zone a larger portion of land to high density zones compared to that set out in the Drury-Opaheke Structure plan.</p> <p>As the AUP has matured, and general acceptance of high density living (terrace houses and apartments) amongst the population, this has resulted in the trend for higher dwelling yield. As seen in the case study of Hobsonville Point, as the development has progress, dwelling yield has increased from 50 dwellings/Ha to upwards of 100 dwellings/Ha in some precincts.</p> <p>The concern is that this trend will also apply in the Drury West area. The dwelling yield estimated by PC61 of 25-50 dwellings/Ha could be on the low end given MHU and THAB zones have no density restrictions.</p> <p>The proposed infrastructure capacity (e.g. for transport, stormwater, wastewater) would have been modelled based on the Drury-Opaheke Structure Plan zone sizes and projected household and population growth in the area. Given this larger portion of high density land, and higher dwelling yields, the risk is there will be insufficient capacity for the current developments as well as the remaining future urban land when they are rezoned.</p>	<p>Decline PC61. Auckland Council should be initiating the Drury West plan change which will provide for full area planning of zoning to meet infrastructure constraints, rather than entertain individual Private Plan Changes which will typically seek greater upzoning of land and will be consuming the proposed infrastructure on a first come first serve basis.</p> <p>11.5</p> <p>If in the unfortunate event PC61 is approved, Council need to conduct a review of the infrastructure capacity and sizing for the whole area based on the higher densities proposed by PC61 and other submitted private plan changes (e.g. PC48, PC49, PC50, PC51)</p>
<p>PC61 does not meet the following outcome stipulated in Section 3.1.2 of the Drury-Opaheke Structure Plan :</p> <p><b>Integration with infrastructure delivery</b></p> <p>a. Land development and infrastructure delivery is highly coordinated</p>	<p>PC61 is reliant on a number of proposed infrastructure (new and upgrades) to be delivered by 3<sup>rd</sup> parties. By rezoning the PC61 land ahead of the infrastructure being delivered is in contradiction of the “Integration with infrastructure delivery” outcome stipulated in the Structure Plan.</p> <p>In addition, by continuing to accept submissions for private plan changes in the Drury West area, when according to the Future Urban Land Supply Strategy (FULSS), Drury West Stage 1 will be development ready by 2022, will lead to a fragmented and piecemeal urbanisation of Drury West, leading to incoherent isolated pockets of urban zones surrounded by rural future urban land – as demonstrated below by superimposing the PC51 and PC61 proposed zonings.</p>	<p>Decline PC61.</p> <p>The Summary section of the Drury-Opaheke Structure Plan states “The structure does not rezone land, rather it will support <b>council-initiated</b> plan changes to provide urban zones. It will also guide the provision of key infrastructure”.</p> <p>The relief sought is for council to fulfil their role as stipulated in the Structure Plan, to initiate and take ownership of the plan change within the Drury West Stage 1 area in order to meet the FULSS target of development ready in 2022.</p> <p>11.6</p>

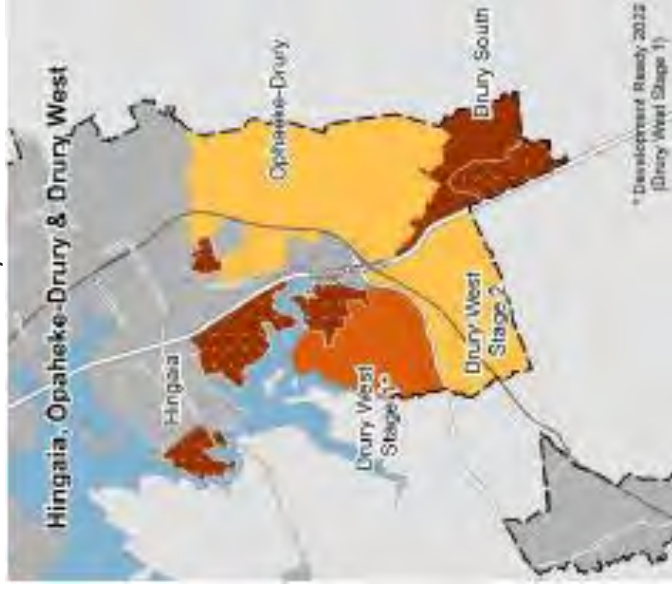


The result will be inconsistent with outcomes stipulated in the Structure Plan. It will result in incoherent land use pattern and will not deliver the outcomes for the Drury-Opaheke area as each private developer will have different motivations than Council's vision and strategy, generally seeking to up-zone their land for better financial return. This is demonstrated in the PC61 proposal, where there is significant upzoning of THAB (from 14.8ha to 27.5Ha) and inclusion of a neighbourhood centre which are not in the structural plan.

If council accepts the proposed PC61 or an altered form of PC61, it will also set the prerogative that Council will be relying on and expecting PPCs to rezone the remaining of the future urban land in Drury West Stage 1, rather than in a Council initiated plan change process.

Where small landowners lack the funds and/or motivation to undertake the PPC process, will they therefore forever remain as

If PC61 is to proceed as a private plan change, rather than declined in favour of a council initiated public plan change, it should be amended to include all remaining future urban land in Drury West Stage 1 in order to meet the timelines in the FULSS and allow for coherent planning of the zoning, infrastructure and environment to be undertaken for the Drury West area.



#11

rural future urban land, even if their land is more suited to THAB or business neighbourhood centre zone?

The optics would be that Council is therefore willing to absolve its responsibility of initiating a public plan change, thus foregoing a coherent master plan in favour of individual developers funding PPCs.

**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 61 (Private) - Wing Family Trust  
**Date:** Monday, 1 March 2021 1:01:34 PM  
**Attachments:** [221\\_Jesmond\\_Rd\\_SUB\\_PC61\\_V2.pdf](#)

---

The following customer has submitted a Unitary Plan online submission.

**Contact details**

Full name of submitter: Wing Family Trust  
Organisation name:  
Agent's full name: Eclipse Group Limited  
Email address: [cath@eclipseplanning.co.nz](mailto:cath@eclipseplanning.co.nz)  
Contact phone number: 0212122495  
Postal address:  
PO Box 5164  
Victoria Street West  
Auckland  
Auckland 1142

**Submission details**

**This is a submission to:**

Plan change number: Plan Change 61 (Private)  
Plan change name: PC 61 (Private): Waipupuke

**My submission relates to**

Rule or rules:  
Refer attached submissions.

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:  
Refer attached submissions.

I or we seek the following decision by council: Decline the plan change, but if approved, make the amendments I requested

Details of amendments: Refer attached submissions.

Submission date: 1 March 2021

Supporting documents  
221 Jesmond Rd SUB PC61 V2.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.

**Submission on proposed Private Plan Change 61, Waipupuke, Auckland Unitary Plan (Operative in Part)**

**To:**

Auckland Council (Unitary Plan)  
Private Bag 92300  
Auckland 1142  
Attention: Planning Technician

Via Email: [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz)

**Submitter Details:**

Wing Family Trust  
Attention: C Wing (Trustee)

Email: [uuings39@gmail.com](mailto:uuings39@gmail.com)  
Phone: 021 500 737

**Trade Competition**

The Submitter will not gain an advantage in trade competition through this submission.

**Specific Provision to Which the Submission Relates**

Whole of Plan Change.

## 1. Reasons for Submission

### Background

- 1.1 The Submitter owns 221 Jesmond Road (Lot 2 DP 170365 held in CT NA 103D/730) (**Figure 1**).
- 1.2 The site has an area of 6.1050ha and is zoned Mixed House Urban under the Auckland Unitary Plan Operative in Part (“AUP”). The site accommodates an intermittent contributor to the Pahurehure Tributary near (the northern boundary) and the ‘main’ Pahurehure Tributary crosses the south eastern corner. The Pahurehure Tributary (**Figure 2**), along with proposed infrastructure (**Figure 3**), is what ‘links’ the subject site to the Plan Change area (in addition to general proximity).

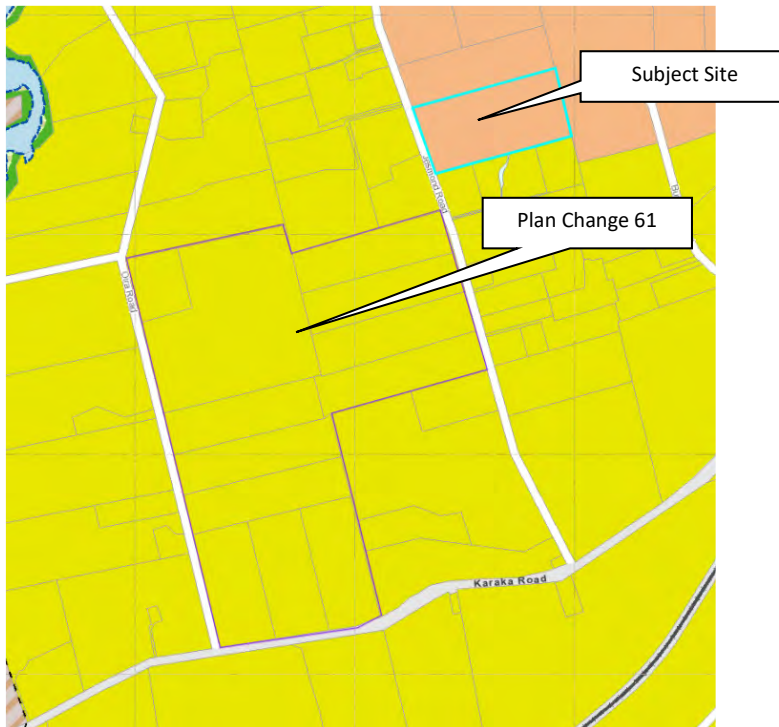


Figure 1: Location Plan (Source: Auckland Council GeoMaps)

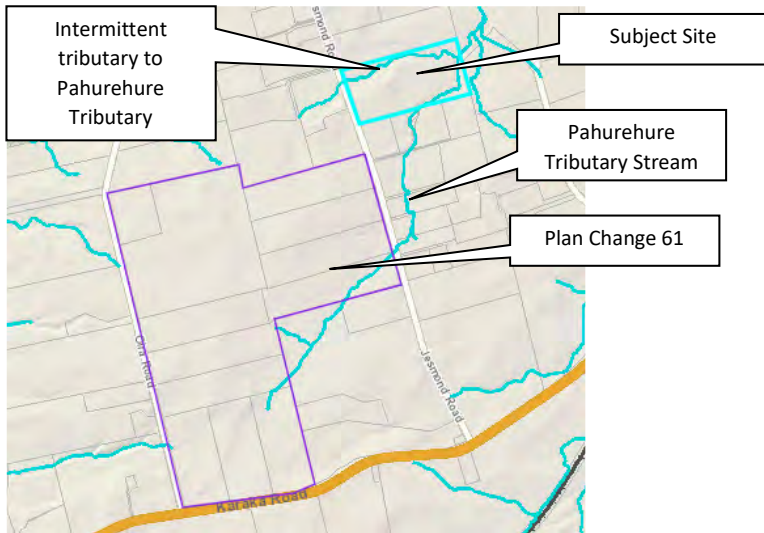


Figure 2: Rivers and Permanent Stream Layers (Source: Auckland Council GeoMapsPublic)

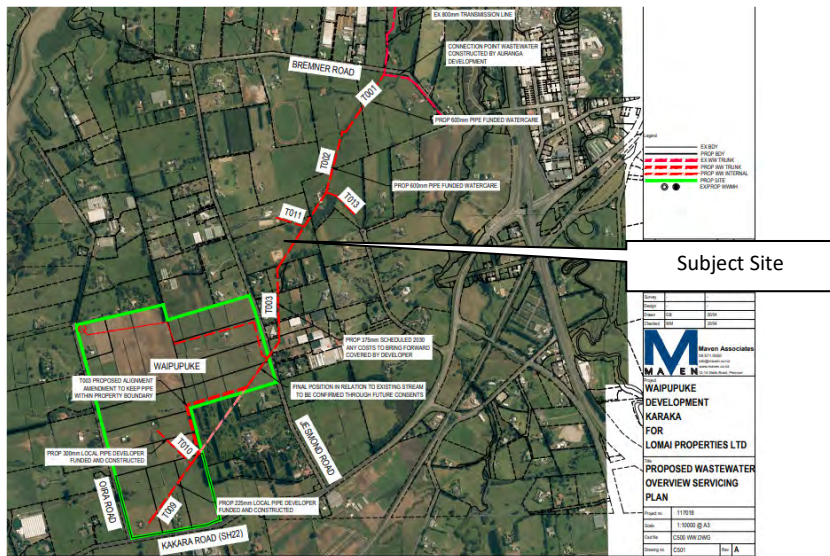


Figure 3: Proposed Wastewater Network (Source: Attachment J, Maven Infrastructure Report<sup>1</sup> for PC61)

<sup>1</sup> <https://www.aucklandcouncil.gov.nz/UnitaryPlanDocuments/pc-61-attachment-j-infrastructure-assessment.pdf> Attachment J, Maven Infrastructure Report for PC61.

**Reason for Submission**

- 1.3 The reasons for the submission are:
- a. downstream effects of stormwater discharges (flooding) have not been fully identified or mitigated; and
  - b. the proposal relies on infrastructure (particularly wastewater) which is proposed to be located on Submitters site.

- 1.4 The whole of PC61 is opposed.

**Stormwater**

- 1.5 The Tonkin and Taylor Stormwater Assessment<sup>2</sup> ("**T&T Report**") indicates slightly more than half of the PC61 area will drain stormwater to the Pahurehure Tributary<sup>3</sup> via the Submitters site (to the Pahurehure Inlet).

- 1.6 The approach taken by PC61 to stormwater, particularly flood management, reflects that of the Drury-Opāheke Draft Stormwater Management Plan (2019) and includes:

*The general flood management approach outlined in the Drury-Opāheke Draft Stormwater Management Plan for the Drury West catchments (Oira Creek and Ngakoroa Stream) is to pass forward large storm event flows<sup>4</sup>*

*The Waipupuke flood management approach is based on the "pass forward" principle, which means that following treatment runoff will be discharged to the watercourses in downstream properties without attenuation. Healthy Waters has indicated that this approach could be acceptable<sup>5</sup>.*

- 1.7 The Drury-Opāheke Draft Stormwater Management Plan also includes a general requirement of:

*Avoid increasing flood risk and flood extent upstream and downstream for all flood events up to the 100 year ARI<sup>6</sup>.*

- 1.8 The T&T Report identifies a number of constraints<sup>7</sup> to this approach but the extent of these constraints appears limited to areas of Future Urban zoned land (eg ponds on 125 and 131

<sup>2</sup> Attachment K of the PC61, <https://www.aucklandcouncil.govt.nz/UnitaryPlanDocuments/pc-61-attachment-k-stormwater-assessment.pdf>

<sup>3</sup> Attachment K of the PC61, Figure 4 and preceding text on page 14.

<sup>4</sup> Attachment K, Section 6, page 97.

<sup>5</sup> Attachment K, Section 7.2.4.3, pages 60 and 61.

<sup>6</sup> Drury-Opāheke Draft Stormwater Management Plan, Section 4.5.1 General, page 63.

<sup>7</sup> Attachment K, Section 7.2.4.3, page 60.

Jesmond Road). For example, the pond on the Submitter's site is not identified as a constraint even though it is downstream of PC61.

- 1.9 T&T have assumed that downstream properties with Urban zonings will be developed in accord with AUP requirements<sup>8</sup> which require conveyance of all upstream flows. The AUP provisions to which T&T have 'assumed' development will be in accordance with are policies, not rules. Policies in their own right do not create any obligation unless an associated rule is breached; therefore are not specific standards which need to be met by future development.
- 1.10 For completeness, rules<sup>9</sup> which manage overland flows (directly associated with the T&T identified policies) include (as permitted activities) fences and flood mitigation works and (as restricted discretionary activities) diversion of entry or exit points, piping or reducing the capacity of overland flow path and buildings on an overland flow path.
- 1.11 None of these rules (or associated policies) require a downstream property to accept increased flood water from a new upstream development; reliance on policies in the AUP to discount effects on Urban zoned land from increased upstream flows therefore is not appropriate.
- 1.12 Regardless, the T&T Report does conclude that there will be an increased risk of flooding to downstream development if not appropriately managed.

*[...] there will be a delay between the Waipupuke and downstream development, with an increased flood risk in the interim if not managed appropriately<sup>10</sup>.*

- 1.13 No quantification of the increase in downstream flood risk is provided. Further, no details of the appropriate methods to mitigate of the increased flood risk are provided beyond:

*[...] the Waipupuke Master Plan includes sufficient space in the Stormwater Parks to accommodate flood attenuation measures in the 53 communal wetlands, if these are in fact needed to mitigate the effects on downstream flooding<sup>11</sup>.* (underline added)

- 1.14 The T&T Report confirms that the finer details of the Stormwater Management Plan ("SMP")<sup>12</sup> will be negotiated between Healthy Waters and the applicant as part of the SMP's inclusion in the Network Discharge Consent ("NDC"). It is assumed that the comment *if these are in fact needed*<sup>13</sup> reflects that the extent of the issue is not known, that the decision as to whether

<sup>8</sup> Attachment K, Section 7.2.4.3, page 60.

<sup>9</sup> AUP, Table E36.4.1 Activity table, Rules (A39) to (A42).

<sup>10</sup> Attachment K, Section 7.2.4.3, page 60.

<sup>11</sup> Attachment K, Section 7.2.4.3, pages 60 and 61.

<sup>12</sup> Attachment K, Section 7.2.4.3, page 6.

<sup>13</sup> Attachment K, Section 7.2.4.3, pages 60 and 61.

flood mitigation should be provided has not yet been made, and that this decision will be part of the SMP/NDC negotiation.

- 1.15 The SMP/NDC 'negotiation' would fall within the NDC process for approving SMPs as set out in Schedule 4<sup>14</sup> of the *Regulations* section of the Auckland Design Manual<sup>15</sup>. This process is not open to public submission or input from affected / downstream land owners unless the applicant proposes an SMP which either impose more stringent requirements on a third party (not applicable in this case) or proposes works on third party property without written approval<sup>16</sup> (also questionable in this instance).
- 1.16 This strongly suggests the assessment of actual flooding effects and what mitigation should (or will not) be provided will be negotiated outside the plan change process without the ability of affected land owners to be involved. In addition, alternative discharge locations (eg to a watercourse adjacent to SH22) or methods (such as additional piped stormwater network) do not appear to have been considered.
- 1.17 In summary;
- (a) information provided to date does not to identify the location or extent of the flood effects on downstream properties adjoining the Pahurehure Tributary Stream;
  - (b) no mitigation is proposed (even though an effect is acknowledged);
  - (c) the Drury-Opāheke Draft Stormwater Management Plan requires development to *avoid increasing flood risk and flood extent upstream and downstream for all flood events up to the 100 year ARI*;
  - (d) reliance on 'future development' to address upstream problems is flawed and not an effects based approach; and
  - (e) current process indicates downstream flooding 'effects' will be assessed and addressed (or not) via a closed process with no affected land owner involvement.

### Wastewater

- 1.18 The Drury-Opāheke Wastewater Structure Plan<sup>17</sup> includes an Indicative Bulk Wastewater Network (reproduced in **Figure 4**). The plan is *indicative* and high level (as would be expected from a Structure Plan). It indicates a waste water line passing through the Submitters site.

<sup>14</sup> [http://content.aucklanddesignmanual.co.nz/regulations/technical-guidance/ndc/Documents/Healthy%20Waters%20NDC\\_Schedule%204\\_p17\\_Greenfields.pdf](http://content.aucklanddesignmanual.co.nz/regulations/technical-guidance/ndc/Documents/Healthy%20Waters%20NDC_Schedule%204_p17_Greenfields.pdf)

<sup>15</sup> Within the "regulation" section; *Regionwide Stormwater Network Discharge Consent NDC*.

<sup>16</sup> [http://content.aucklanddesignmanual.co.nz/regulations/technical-guidance/ndc/Documents/Healthy%20Waters%20NDC\\_Schedule%204\\_p9\\_Situations%20where%20new%20SMP%20can%20be%20adopted.pdf](http://content.aucklanddesignmanual.co.nz/regulations/technical-guidance/ndc/Documents/Healthy%20Waters%20NDC_Schedule%204_p9_Situations%20where%20new%20SMP%20can%20be%20adopted.pdf) Diagram showing *Pathways for adopting a new SMP into the regionwide NDC*

<sup>17</sup> Figure 14, page 59.

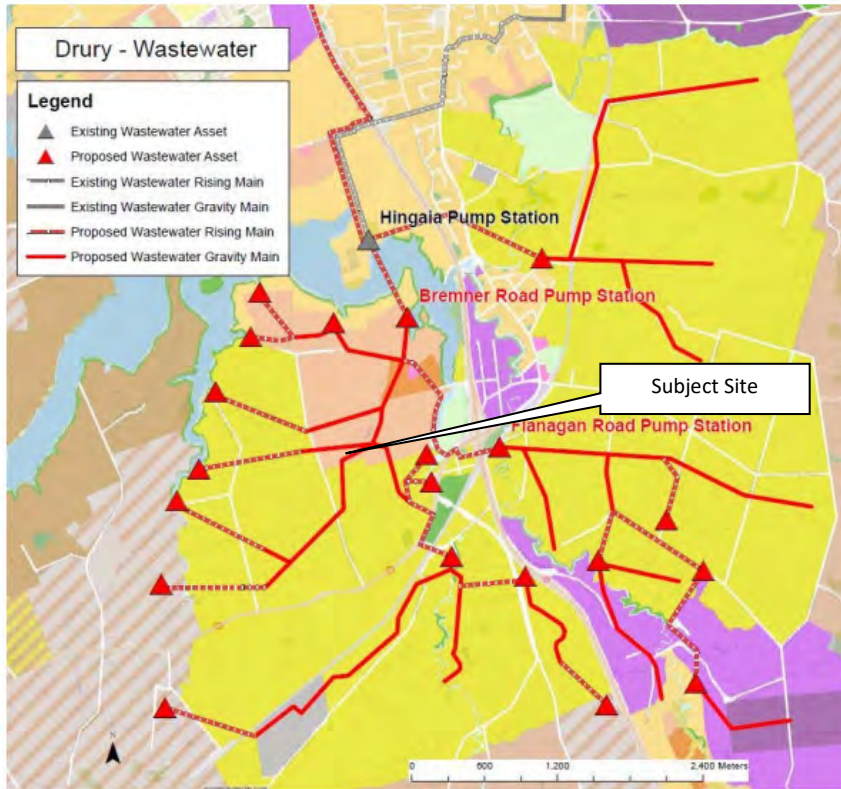


Figure 14 indicative bulk wastewater network

Figure 4: Drury-Opapeke Wastewater Structure Plan Indicative bulk wastewater network

1.19 Figure 7<sup>18</sup> of the Infrastructure Report<sup>19</sup> along with the plan titled *Proposed Wastewater Overview Servicing Plan*<sup>20</sup> provides details of the applicants proposal for wastewater disposal to service the entire PC61 area. A public wastewater pipe (referred to as T003) is proposed to diagonally cross the Submitters site to join T002. It also includes a 'stub' line to service adjoining sites (annotated as T011, **Figure 5**).

<sup>18</sup> Attachment J, Maven Infrastructure Report for PC61, page 17.

<sup>19</sup> <https://www.aucklandcouncil.govt.nz/UnitaryPlanDocuments/pc-61-attachment-j-infrastructure-assessment.pdf> Attachment J, Maven Infrastructure Report for PC61.

<sup>20</sup> Attachment J, Maven Infrastructure Report for PC61, page 38.



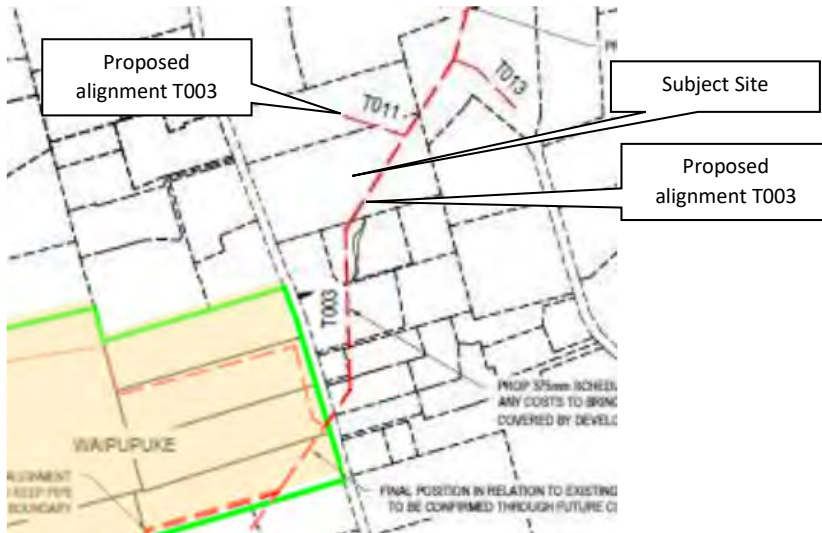


Figure 5: Extract from Figure 7, Infrastructure Report

1.20 The Infrastructure Report states that Watercare supports the proposal and will use the Public Works Act to ensure its construction:

*Maven Associates notes that Watercare and Veolia are both supportive of the Plan Change application<sup>21</sup>.*

*[...] they would support an engineering approval application under the Public Works Act, ensuring construction within private properties is not an issue<sup>22</sup>.*

- 1.21 Documentation directly from Watercare confirming this position is not appended to the Infrastructure Report.
- 1.22 The Submitter acknowledges the need to provide services, however the proposed location of T003 and T011 pose a significant impediment on future development of the Submitters site and have not been discussed (either by PC61 proponents or Watercare) with the Submitter.
- 1.23 The Submitter considers that alternative locations are available which would increase accessibility to public services (for all sites in the development), minimise the impacts on the Submitters site (and sites to the south) and better long term maintenance access.

<sup>21</sup> Section 6.4, page 18.

<sup>22</sup> Section 6.4, page 18.

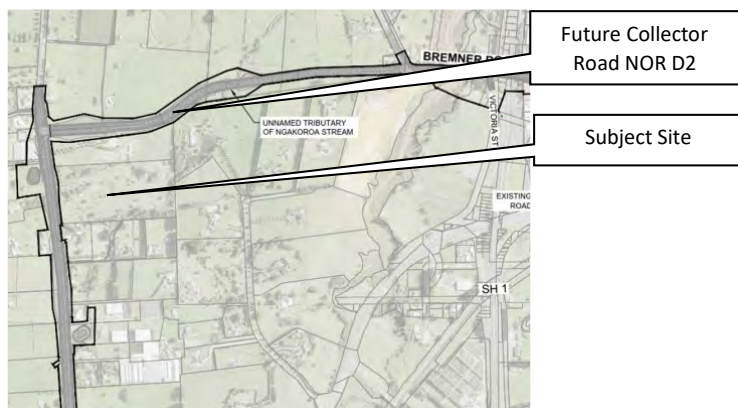
1.24 **Figure 6** is an extract from the Drury 1 Precinct Plan 2<sup>23</sup> which, among other things, shows the location of a future collector road (green dash lines) relative to the Submitters properties.



**Figure 6: Extract from the Drury 1 Precinct Plan 2**

**Commented [C1]:** Move to green dash line. Check NOR>

1.25 **Figure 7** is an extract from Auckland Transport's Notice of Requirement D2 ("**NOR D2**") for the construction, operation and maintenance of an upgraded and new arterial transport corridor and associated activities from Jesmond Road (from State Highway 22) to Waihoehoe Road east of Fitzgerald Road<sup>24</sup>. NOR D2 reflects the future collector road alignment.



**Figure 7: : Extract from NOR D2<sup>25</sup>**

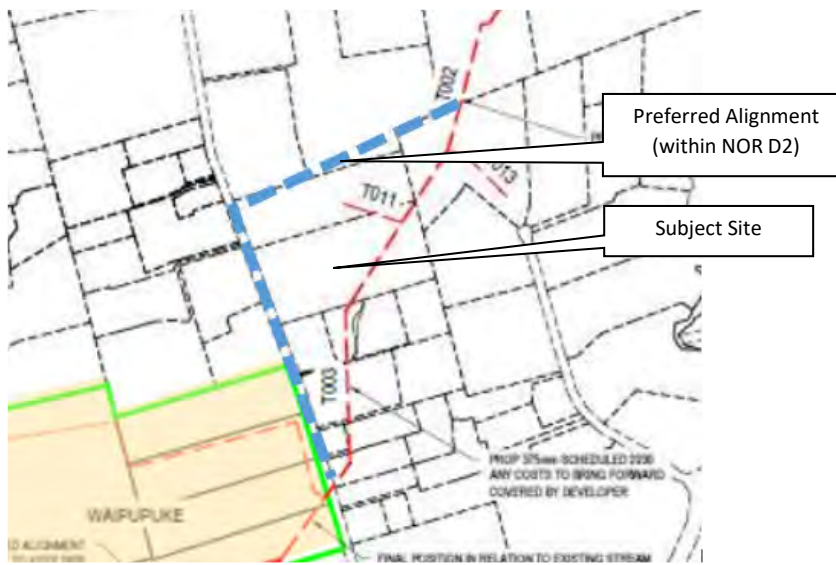
<sup>23</sup>

<https://unitaryplan.aucklandcouncil.govt.nz/Images/Auckland%20Unitary%20Plan%20Operative/Chapter%20%20Precincts/7.%20SHA/Drury%201.pdf>

<sup>24</sup> <https://www.aucklandcouncil.govt.nz/UnitaryPlanDocuments/1%20nor-jesmond-to-waihoehoe-east-form-18.pdf> Summary, Page 1.

<sup>25</sup> <https://www.aucklandcouncil.govt.nz/UnitaryPlanDocuments/1%20nor-jesmond-to-waihoehoe-east-form-18.pdf> Summary, Page 1.

- 1.26 The Submitter seeks that the wastewater network (particularly T003) is aligned to follow Jesmond Road (north from where it exits the PC61 area) and NOR D2 collector road (parallel to the Submitters northern boundary) described as the 'Preferred Alignment' and shown in blue dash on **Figure 8**.



**Figure 8 : Extract from Figure 7, Infrastructure Report with Submitters Amended Layout**

- 1.27 This alignment is supported for the following reasons:
- a. it is a more efficient use of land to place public networks within road reserves as it enables future wastewater connections without recourse to private land owners;
  - b. locating within the road reserve removes the need to engage with unwilling private land owners via the Public Works Act;
  - c. the Preferred Alignment removes the need for T011 (an additional impediment on the Submitters site);
  - d. the installation of public services could potentially be coordinated with the improvements proposed to Jesmond Road (as signalled by Auckland Transport's Notice of Requirement<sup>26</sup>); and
  - e. it would limit remove the impact on the Submitters site and sites to the south.

<sup>26</sup> <https://www.aucklandcouncil.govt.nz/plans-projects-policies-reports-by-laws/our-plans-strategies/unitary-plan/auckland-unitary-plan-modifications/Pages/details.aspx?UnitaryPlanId=99>

11

**2. Relief Sought**

2.0 It is requested that:

- a. Stormwater discharge is designed and implemented within the PC61 area so that there are no site changes to flood levels received on the Submitters site. Technical assessments supporting this design should be provided as part of the PC61 process and included in the SMP submitted for the NDC approval. Agreement of Healthy Waters to this approach should be provided to ensure that the design is adopted as part of the SMP/NDC process.
- b. Public wastewater connections are aligned as illustrated in Figure 8 or other such alignment to the Submitters satisfaction.
- c. Any consequential text or zone changes to grant the relief sought are also made.

12.1

12.2

**Hearing**

The Submitter wishes to be heard in support of this submission. If others make a similar submission, the Submitter will consider presenting a joint case with them at a hearing.

**Address for service of submitter:**

Eclipse Group Limited  
Attention: Cath Heppelthwaite  
PO Box 5164  
Victoria Street West  
Auckland 1142

[cath@eclipseplanning.co.nz](mailto:cath@eclipseplanning.co.nz)  
021 21 22 495

**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 61 (Private) - Harnett Orchard Limited and L and C Griffen  
**Date:** Monday, 1 March 2021 1:02:15 PM  
**Attachments:** [64 and 84 Jesmond Road SUB PC61.pdf](#)

---

The following customer has submitted a Unitary Plan online submission.

#### **Contact details**

Full name of submitter: Harnett Orchard Limited and L and C Griffen

Organisation name:

Agent's full name: Eclipse Group Limited

Email address: [cath@eclipseplanning.co.nz](mailto:cath@eclipseplanning.co.nz)

Contact phone number: 0212122495

Postal address:  
PO Box 5164  
Victoria Street West  
Auckland  
Auckland 1142

#### **Submission details**

##### **This is a submission to:**

Plan change number: Plan Change 61 (Private)

Plan change name: PC 61 (Private): Waipupuke

##### **My submission relates to**

Rule or rules:  
Refer attached submissions.

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:  
Refer attached submissions.

I or we seek the following decision by council: Decline the plan change, but if approved, make the amendments I requested

Details of amendments: Refer attached submissions.

Submission date: 1 March 2021

Supporting documents  
64 and 84 Jesmond Road SUB PC61.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.

## **Submission on proposed Private Plan Change 61, Waipupuke, Auckland Unitary Plan (Operative in Part)**

### **To:**

Auckland Council (Unitary Plan)  
Private Bag 92300  
Auckland 1142  
Attention: Planning Technician

Via Email: [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz)

### **Submitter Details:**

Harnett Orchards Ltd and L and C Griffen

Email: [bharnett839@gmail.com](mailto:bharnett839@gmail.com)

Phone: 021 2790597

### **Trade Competition**

The Submitter will not gain an advantage in trade competition through this submission.

### **Specific Provision to Which the Submission Relates**

Whole of Plan Change.

## 1. Reasons for Submission

### Background

- 1.1 The Submitters own the sites (“**the Sites**”) at 64 and 84 Jesmond Road, both of which are zoned Future Urban under the Auckland Unitary Plan Operative in Part (“**AUP**”). The Sites adjoin the south and east boundary of PC61 (**Figure 1**). The property at 64 Jesmond Road is extensively landscaped and includes the Red Shed café; 84 Jesmond Road contains a residential dwelling and ancillary uses.
- 1.2 The Sites both accommodate the headwaters of what is described in PC61 application documents as the Pahurehure Tributary Stream. The ‘y’ shaped Pahurehure Tributary Stream is what ‘links’ the Site to the Plan Change area (in addition to adjoining boundary proximity).

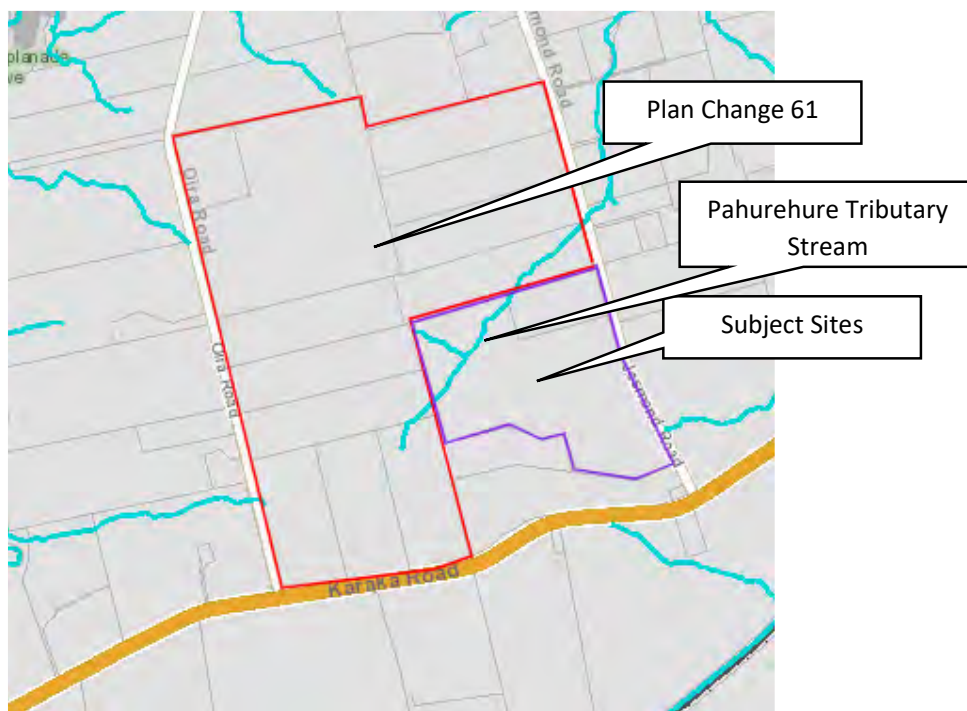


Figure 1: Location Plan / River Plan (Source: Auckland Council GeoMaps)



### Reason for Submission

- 1.3 The reasons for the submission are:
- a. downstream effects of stormwater discharges (flooding) have not been fully identified or mitigated; and
  - b. the proposal relies on infrastructure (particularly wastewater) located adjacent to the Submitters sites.
- 1.4 The whole of PC61 is opposed.

### Stormwater

- 1.5 The Tonkin and Taylor Stormwater Assessment<sup>1</sup> (“**T&T Report**”) indicates slightly more than half of the PC61 area will drain stormwater to the Pahurehure Tributary<sup>2</sup> via the Submitters site (to the Pahurehure Inlet).
- 1.6 The approach taken by PC61 to stormwater, particularly flood management, reflects that of the Drury-Opāheke Draft Stormwater Management Plan (2019) and includes:

*The general flood management approach outlined in the Drury-Opāheke Draft Stormwater Management Plan for the Drury West catchments (Oira Creek and Ngakoroa Stream) is to pass forward large storm event flows<sup>3</sup>*

*The Waipupuke flood management approach is based on the “pass forward” principle, which means that following treatment runoff will be discharged to the watercourses in downstream properties without attenuation. Healthy Waters has indicated that this approach could be acceptable<sup>4</sup>.*

- 1.7 The Drury-Opāheke Draft Stormwater Management Plan also includes a general requirement in relation to flood management to:

*Avoid increasing flood risk and flood extent upstream and downstream for all flood events up to the 100 year ARI<sup>5</sup>.*

- 1.8 The T&T Report concludes that there will be an increased risk of flooding to downstream development between when PC61 is developed and when these areas are developed, if not appropriate managed.

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<sup>1</sup> Attachment K of the PC61, <https://www.aucklandcouncil.govt.nz/UnitaryPlanDocuments/pc-61-attachment-k-stormwater-assessment.pdf>

<sup>2</sup> Attachment K of the PC61, Figure 4 and preceding text on page 14.

<sup>3</sup> Attachment K, Section 6, page 97.

<sup>4</sup> Attachment K, Section 7.2.4.3, pages 60 and 61.

<sup>5</sup> Drury-Opāheke Draft Stormwater Management Plan, Section 4.5.1 General, page 63.

*[...] there will be a delay between the Waipupuke and downstream development, with an increased flood risk in the interim if not managed appropriately<sup>6</sup>.*

- 1.9 Enquires of Auckland Council indicate there is no Council-lead plan change proposed for the area of Future Urban Zoned land bounded by Jesmond Road, SH22 and PC61 (which includes the Submitters sites) so there is no certainty as to the length of time these increased effects will occur.
- 1.10 No quantification of the increase in downstream flood risk is provided. No details of the appropriate methods to mitigate of the increased flood risk are provided beyond:

*[...] the Waipupuke Master Plan includes sufficient space in the Stormwater Parks to accommodate flood attenuation measures in the 53 communal wetlands, if these are in fact needed to mitigate the effects on downstream flooding<sup>7</sup>. (underline added)*

- 1.11 The T&T Report confirms that the finer details of the Stormwater Management Plan (“SMP”)<sup>8</sup> will be negotiated between Healthy Waters and the applicant as part of the SMP’s inclusion in the Network Discharge Consent (“NDC”). It is assumed that the comment *if these are in fact needed<sup>9</sup>* reflects that the extent of the issue is not known, that the decision as to whether flood mitigation should be provided has not yet been made, and that this decision will be part of the SMP/NDC negotiation.
- 1.12 The SMP/NDC ‘negotiation’ would fall within the NDC process for approving SMPs as set out in Schedule 4<sup>10</sup> of the *Regulations* section of the Auckland Design Manual<sup>11</sup>. This process is not open to public submission or input from affected / downstream land owners unless the applicant proposes an SMP which either impose more stringent requirements on a third party (not applicable in this case) or proposes works on third party property without written approval<sup>12</sup> (also questionable in this instance).
- 1.13 This strongly suggests the assessment of actual flooding effects and what mitigation should (or will not) be provided will be negotiated outside the plan change process without the ability of affected land owners to be involved.

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<sup>6</sup> Attachment K, Section 7.2.4.3, page 60.

<sup>7</sup> Attachment K, Section 7.2.4.3, pages 60 and 61.

<sup>8</sup> Attachment K, Section 7.2.4.3, page 6.

<sup>9</sup> Attachment K, Section 7.2.4.3, pages 60 and 61.

<sup>10</sup> [http://content.aucklanddesignmanual.co.nz/regulations/technical-guidance/ndc/Documents/Healthy%20Waters%20NDC\\_Schedule%204\\_p17\\_Greenfields.pdf](http://content.aucklanddesignmanual.co.nz/regulations/technical-guidance/ndc/Documents/Healthy%20Waters%20NDC_Schedule%204_p17_Greenfields.pdf)

<sup>11</sup> Within the “regulation” section; *Regionwide Stormwater Network Discharge Consent NDC*.

<sup>12</sup> [http://content.aucklanddesignmanual.co.nz/regulations/technical-guidance/ndc/Documents/Healthy%20Waters%20NDC\\_Schedule%204\\_p9\\_Situations%20where%20new%20SMP%20can%20be%20adopted.pdf](http://content.aucklanddesignmanual.co.nz/regulations/technical-guidance/ndc/Documents/Healthy%20Waters%20NDC_Schedule%204_p9_Situations%20where%20new%20SMP%20can%20be%20adopted.pdf) Diagram showing *Pathways for adopting a new SMP into the regionwide NDC*

- 1.14 Potentially compounding flooding effects is disruption of existing drainage patterns. In particular, there is an existing field tile drain which runs from PC61 and discharge into the north west corner of the Submitters site (64 Jesmond Road). The drain runs onto a flat area of the Submitters property and results in some ponding during winter months. The Submitter is concerned that the installation of the wastewater pipe (and more generally wider earthworks) will modify/destroy the field tile drain to an extent that additional flooding will result. The Submitter is aware that the AUP contains provisions to endeavour to manage this effects on overland flow paths however as yet the downstream flow effects have not been fully considered.

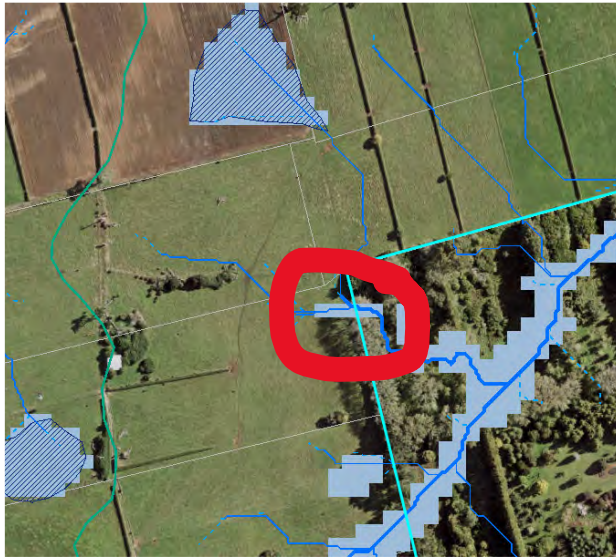


Figure 4: Overland Flow and Flood Hazards (Source: Auckland Council GeoMaps)

- 1.15 In summary;
- (a) information provided to date does not to identify the location or extent of the flood effects on downstream properties adjoining the Pahurehure Tributary Stream;
  - (b) no mitigation is proposed (even though an effect is acknowledged);
  - (c) the Drury-Opāheke Draft Stormwater Management Plan requires development to *avoid increasing flood risk and flood extent upstream and downstream for all flood events up to the 100 year ARI*;
  - (d) current process indicates downstream flooding 'effects' will be assessed and addressed (or not) via the NDP/SMP; a closed process with no affected land owner involvement.

## Wastewater

- 1.16 The Drury-Opaheke Wastewater Structure Plan<sup>13</sup> includes an Indicative Bulk Wastewater Network (reproduced in **Figure 4**). The plan is *indicative* and high level (as would be expected from a Structure Plan). It indicates a wastewater line passing through the Submitters sites.

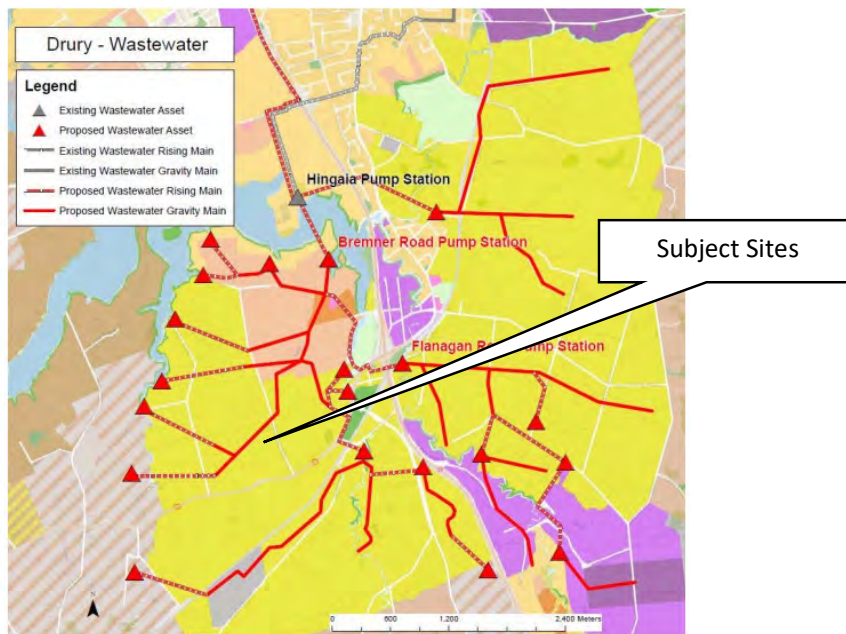


Figure 14 indicative bulk wastewater network

**Figure 5: Drury-Opaheke Wastewater Structure Plan Indicative bulk wastewater network**

- 1.17 Figure 7<sup>14</sup> of the Infrastructure Report<sup>15</sup> along with the plan titled *Proposed Wastewater Overview Servicing Plan*<sup>16</sup> provides details of the applicants proposal for wastewater disposal to service the entire PC61 area.

<sup>13</sup> Figure 14, page 59.

<sup>14</sup> Attachment J, Maven Infrastructure Report for PC61, page 17.

<sup>15</sup> <https://www.aucklandcouncil.govt.nz/UnitaryPlanDocuments/pc-61-attachment-j-infrastructure-assessment.pdf> Attachment J, Maven Infrastructure Report for PC61.

<sup>16</sup> Attachment J, Maven Infrastructure Report for PC61, page 38.



Figure 5: Extract from Figure 7, Infrastructure Report

1.18 Figure 5 confirms that the applicant proposes to locate all wastewater infrastructure within the PC61 area. This is supported by the Submitters.

## 2. Relief Sought

2.0 It is requested that:

- a. Stormwater discharge is designed and implemented within the PC61 area so that there are no site changes to flood levels received on the Submitters site. Technical assessments supporting this design should be provided as part of the PC61 process and included in the SMP submitted for the NDC approval. Agreement of Healthy Waters to this approach should be provided to ensure that the design is adopted as part of the SMP/NDC process.
- b. Public wastewater connections as shown on Figure 5 (and the applicants Infrastructure Report Figure 7) should be retained.
- c. Any consequential text or zone changes to grant the relief sought are also made.

13.1

13.2

## Hearing

The Submitter wishes to be heard in support of this submission. If others make a similar submission, the Submitter will consider presenting a joint case with them at a hearing.

### Address for service of submitter:

Eclipse Group Limited  
 Attention: Cath Heppelthwaite  
 PO Box 5164  
 Victoria Street West  
 Auckland 1142  
[cath@eclipseplanning.co.nz](mailto:cath@eclipseplanning.co.nz)  
 021 21 22 495

**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 61 (Private) - Shan Yin  
**Date:** Monday, 1 March 2021 3:15:29 PM  
**Attachments:** [Submission Neighbour 16 Jesmond.pdf](#)

---

The following customer has submitted a Unitary Plan online submission.

#### **Contact details**

Full name of submitter: Shan Yin

Organisation name: Shan Yin Property Investment Family Trust

Agent's full name:

Email address: eric@merric.co.nz

Contact phone number: 0275992222

Postal address:

P O Box 76166

Manukau

Auckland 2214

#### **Submission details**

##### **This is a submission to:**

Plan change number: Plan Change 61 (Private)

Plan change name: PC 61 (Private): Waipupuke

##### **My submission relates to**

Rule or rules:

NA

Property address: NA

Map or maps: NA

Other provisions:

NA

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? No

The reason for my or our views are:

Please see the support document as attached

I or we seek the following decision by council: Decline the plan change

Submission date: 1 March 2021

Supporting documents

Submission Neighbour 16 Jesmond.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.

## **Submission on proposed Private Plan Change 61, Waipupuke, Auckland Unitary Plan (OperaAve in Part)**

**To:**

Auckland Council (Unitary Plan)

Private Bag 92300

Auckland 1142

Attention: Planning Technician

Via Email: [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz)

**Name: Shan Yin**

---

**Phone:** 0275992222

**Email:** [eric@merric.co.nz](mailto:eric@merric.co.nz)

### **Trade CompeAAon**

The Submitter will not gain an advantage in trade competition through this submission.

### **Specific Provision to Which the Submission Relates**

### **Whole of Plan Change.**



## 1. Reasons for Submission

### Background

1. The Submitter owns 16 Jesmond Road, Drury

### Reason for Submission

2. The reasons for the submission are:
  - a. downstream effects of stormwater discharges (flooding) have not been fully identified or mitigated; and
  - b. the proposal relies on infrastructure (particularly wastewater) which is proposed to be located **on/or adjacent to my property**

**The whole of PC 61 is opposed**

### Stormwater

3. The PC 61 places a higher risk of flooding of properties downstream and has no mitigating proposal to ensure that flooding does not occur. Any future flooding caused by this PC 61 proposal should be at the liability of the proposer and the the Auckland City Council - Therefore it should comply with the Drury Opaheke structure plan

## 4. Wastewater

### **Drury-Opaheke Wastewater Structure Plan Indicative bulk wastewater network**

Figure below



5. We believe that the overland placement of the wastewater infrastructure should not be on private land and should utilise ‘public domain’ ie via declared road network . Utilising this layout would protect private title holders and there would not be the need to invoke Public Works Act access for connectivity . Locating services on public road networks also allows for future connectivity and brings connectivity into line with Drury Opaheke future urban plan . This should be driven by Auckland City Council alongside the recently signalled Auckland Transports Notice of Requirement .
6. The Auckland City Council needs to “step up” and do their job of driving the future development of the Drury West area along the lines of their consulted Drury Opaheke structural plans .

## Relief Sought

### 1

We believe that the Auckland City Council should lead any new changes in the area and not allow Ad hoc - Private Changes - to precede the Drury Opaheke future plan . This would ensure a logical and rational approach to future urban development and provide assurance to affected private land title holders (who are the ratepayers )

2. It is requested that:

- a. The Auckland City Council starts to lead the Process
- b. Stormwater be in accordance with Drury Opaheke Structure Plans and alleviates the flooding risk
- c. Public wastewater connections are on public land and their placement be lead by Council

14.1

### Hearing

The Submitter wishes to be heard in support of this submission. If others make a similar submission, the Submitter will consider presenting a joint case with them at a hearing.

### Address for service of submiPer:

**Shan Yin**

**16 Jesmond Road, Drury**

**eric@merric.co.nz**

**0275992222**

**Before you fill out the attached submission form, you should know:**

You need to include your full name, an email address, or an alternative postal address for your submission to be valid. Also provide a contact phone number so we can contact you for hearing schedules (where requested).

By taking part in this public submission process your submission will be made public. The information requested on this form is required by the Resource Management Act 1991 as any further submission supporting or opposing this submission is required to be forwarded to you as well as Auckland Council. Your name, address, telephone number, email address, signature (if applicable) and the content of your submission will be made publicly available in Auckland Council documents and on our website. These details are collected to better inform the public about all consents which have been issued through the Council.

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least one of the following applies to the submission (or part of the submission):

- It is frivolous or vexatious.
- It discloses no reasonable or relevant case.
- It would be an abuse of the hearing process to allow the submission (or the part) to be taken further.
- It contains offensive language.
- It is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

## Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991  
FORM 5



Send your submission to [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz) or post to :

Attn: Planning Technician  
Auckland Council  
Level 24, 135 Albert Street  
Private Bag 92300  
Auckland 1142

For office use only
Submission No:
Receipt Date:

### Submitter details

#### Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name) Ross Hugh Pickmere as Trustee of The Te Henga Family Trust

Organisation Name (if submission is made on behalf of Organisation) The Te Henga Family Trust

#### Address for service of Submitter

50 Woodlyn Drive, RD 2, Drury 2578

Telephone:  Fax/Email:

Contact Person: (Name and designation, if applicable) Ross Pickmere

### Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number

Plan Change/Variation Name

#### The specific provisions that my submission relates to are:

(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s)

Or  
Property Address

Or  
Map

Or  
**Other (specify)** The various Principles on which the Plan change is based including Urban Design Principles, Landscape and Visual Effects;Connectivity;Hydrology; Proposed Zoning

### 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:

1. The Trust owns a property at 336 Oira Road and has a direct interest as to how development is carried out in the locality.
2. We accept our Property and Waipupuke is within the RUB and we generally support the intensification of area to assist the national issue of providing more land available for housing and amenities
3. **See attached sheet.** (continue on a separate sheet if necessary)

I seek the following decision by Council:

- Accept the proposed plan change / variation
- Accept the proposed plan change / variation with amendments as outlined below
- Decline the proposed plan change / variation
- If the proposed plan change / variation is not declined, then amend it as outlined below.

15.1

- I wish to be heard in support of my submission
- 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

Signature of Submitter  
(or person authorised to sign on behalf of submitter)

1 March 2021  
Date

**Notes to person making submission:**

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well 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:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

Continuation of Submission *Reasons for my reviews:*

3. However, from a Planning perspective this should only be carried out in a cohesive and coherent manner to enhance the Drury locality and gateway to Auckland.
4. The Application has undertaken what would appear to be a comprehensive and detailed report and analysis of many apparent key facets, but it fails in a number of major ways.
5. The Drury/Opaheke area has been identified as a key growth area but there is no masterplan of what the Council wants the whole area to look like on completion. It has therefore forced private developers to bring Private Plan changes for each area of land that they control. Each land is based on a self-contained environment to provide that community with any amenities.
6. Other than by way of private negotiations between each landowner (where no one is compelled to agree) there is no cohesion and enhancing of features that go into an overall environmental effects on the area. As is well evident from the Application (for example Figures 19 to 22 of the Urban Design Assessment), there are multiple individual developments are underway / approved which does not have any overt / apparent plan or cohesion and results in a pepper pot effect as to Drury and the region which results in the “worse” outcome for the District. This simply should not be approved and it is incumbent on the Council to take leadership and ensure outcomes are in the best interests on Drury/Opaheke in this key area of growth for Auckland and New Zealand in what is, in effect, the gateway to Auckland with significant attributes including the wonderful and important tributaries to the Manukau Harbour. Auckland has made some very poor decisions in the past in recognising this features (think Onehunga, Otahuhu, East Tamaki) which it is having to now restore and provide public access and amenities.
7. Waipupuke does not abut such tributaries, but they are close by and the outcome should be part of an overall strategic outcome of which Waipupuke form part.
8. As is well known in the Drury area there is a 3 Billion dollar shortfall in infrastructure and there is no known plan of how this is going to be resolved. The Applicant points to a number of projects such as wastewater, sewage reticulation, transport (road and rail). Karaka Road and the Southern Motorway is already a nightmare and at capacity but, without exception, none of these are in control of the Applicant; none of them have certainty to timing of completion and who is paying for them. In my mind, this should not be a cost on a Developer but should be funded and driven by Central Government (as politically promised) and/or by PPPs or the like.
9. The Applicant wants to be underway by 2022. Required infrastructure is not going to be ready in anything like that timeframe. To approve this Variation without that being closed out to a high degree of satisfaction, would be highly irresponsible from a planning perspective and would have consequences that would be far reaching.
10. If but one example would be that is Services such as waste water / sewage was not connected to a completed and operation public schemes. It is not clear what the “Plan B” is in the interim. The overland flow path is naturally to the Oira Creek which borders our Property further down : but this is a hugely important ecological and environmentally sensitive area and there should be absolutely no chance that this should be risked or compromised.



## FORM 5

### Submission on a publicly notified proposal for policy statement or plan, change or variation under Clause 6 of Schedule 1, Resource Management Act 1991

To: Auckland Council

Name of submitter: Ministry of Education ('the Ministry')

Address for service: C/- Beca Ltd  
21 Pitt Street  
Auckland 1010

Attention: Jess Rose

Phone: 09 308 4565

Email: jess.rose@beca.com

**This is a submission on the Proposed Plan Change 61 to the Auckland Unitary Plan ('Plan Change 61').**

#### Introduction

The Ministry is the Government's lead advisor on the New Zealand education system, shaping direction for education agencies and providers and contributing to the Government's goals for education. The Ministry has responsibility for all education property owned by the Crown. This involves managing the existing property portfolio, upgrading and improving the portfolio, and ensuring that the educational needs of new communities are met through purchasing sites and constructing new schools to meet demand as it occurs. The Ministry has an interest in activities that may impact on educational facilities and assets in the Auckland region and on the timing and urban form of large scale that will generate demand for additional education facilities, including state schools, Māori medium and learning support requirements.

The Ministry could not gain an advantage in trade competition through this submission.

#### The Ministry of Education's interest in the Drury Area

Plan Change 61 is one of five recently notified plan changes in the Drury area seeking to rezone significant amounts of land for residential land use. As noted by the applicant in their economic assessment the Ministry has a National Education Growth Plan 2030<sup>1</sup> (NEGP) which provides a co-ordinated approach for addressing school-aged population growth across New Zealand. The NEGP categorises the Papakura-Rosehill-Drury area as 'Blueprint for Growth', being an area where: "*local government planning includes intensive housing development and expansion into outer urban areas in response to, or causing, a large influx of people to move into a particular area. These areas provide opportunities to master plan education infrastructure collaboratively across agencies to integrate into new communities*".

<sup>1</sup> <https://education.govt.nz/assets/Uploads/290819-NEGP-final-version-May-2019.pdf>



The NEGP anticipates that the school network in the Papakura-Rosehill-Drury catchment will need to support approximately 11,500 to 12,600 students. This generates the potential need for 4 – 6 new primary schools and at least one new state secondary school in this area by 2030.

### Position on this plan change

Plan Change 61 is seeking to rezone approximately 56ha of Future Urban zoned land in Drury (adjacent to Jesmond Road) to a mix of Residential zones with provision of a Neighbourhood Centre zone and Open Space zones. Once these zonings are in place, the development will enable approximately 1400 – 2800 new dwellings.

The Ministry broadly supports the proposed plan change (and other plan changes in the area) in so far as it will provide a framework for the development of much needed housing for the wider Auckland Region. This will, however, require additional capacity in the local school network to cater for this growth as the area develops. In terms of responding to future growth in the area, the Ministry has taken the following actions to expand the school network in the area:

- A site has been purchased at 41 Burberry Road, Drury and has been through a statutory process and is designated for a future Primary School and Early Childhood Education (ECE) centre (Designation 5062, Drury West Primary School).
- Land at 401 and 281 Jesmond Road, Drury has been purchased for the establishment of a Secondary School. The notice of requirement process is due to commence in early 2021. This secondary school will be located approximately 700 m north of the proposed plan change area.

The Ministry provides and plans for schools in response to demand created by residential development or intensification. This involves significant investments by the Crown in the form of purchasing land and subsequently developing the site for a school. It is important to ensure that other key infrastructure such as roading, wastewater and utilities are addressed up front as part of the plan change process to ensure wider infrastructure provision is timed appropriately to avoid access or service issues for education facilities (for example needing to establish appropriate road infrastructure to access a new school site and three waters infrastructure to service it).

The Ministry therefore has an interest in:

- How development is planned and sequenced, particularly in terms of infrastructure provision such as roading as this will impact where and when schools can be established.
- Ensuring the Precinct provisions specifically acknowledge and provide for schools. This is critical given schools are a critical piece of social and community infrastructure. An absence of supportive provisions can place obstacles in the way of establishment of education facilities in future years.
- The urban form and amenity provided through connectivity and usable areas of public open space.

The Ministry broadly supports provisions in the plan change that seek to put in place a framework that will deliver integrated communities with a pattern that supports the concepts of liveable, walkable and connected neighbourhoods. This includes a transport network that is easy and safe to use for pedestrians and cyclists and is well connected to public transport, shops, schools, employment, open spaces and other amenities.

It is important given the future location of the secondary school site at 401 and 281 Jesmond Road, that transport impacts along Jesmond Road are thoroughly considered through the development process. The

Ministry therefore supports the inclusion of the objectives, policies and permitted activity standards that seek to address this potential issue, as outlined below.

**Decision sought**

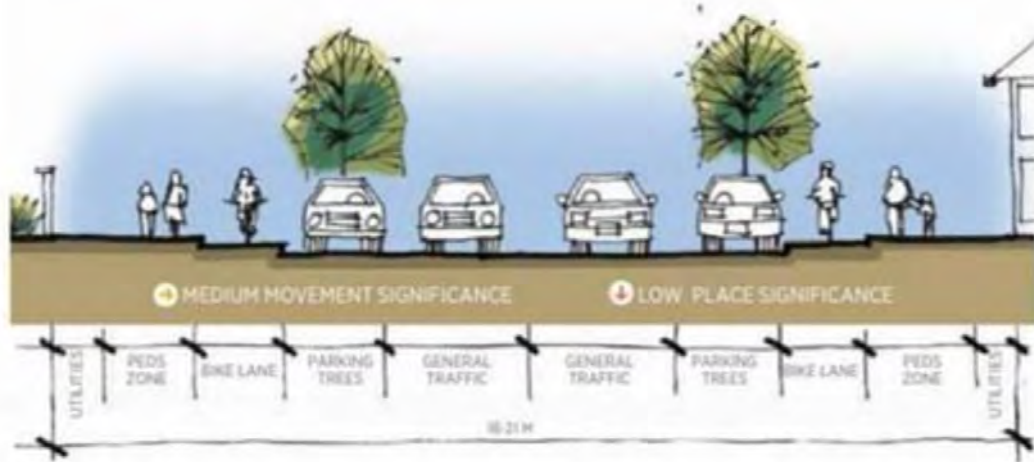
The Ministry supports the inclusion of the following objectives, policies and permitted activity standards in the Waipupuke Precinct Chapter:

- Objective IXXX.2 (6) An accessible blue green network is established through the Precinct which supports pedestrian, cycle and vehicle access. | 16.1
- Objective IXXX.2 (8) A collector road network that connects Jesmond Road with Oira Road combined with internal roads that enhance movement through and within the site. | 16.2
- Objective IXXX.2 (9) Subdivision and development (including infrastructure provision) is coordinated with the delivery of the transport, infrastructure and services required to provide for the development. | 16.3
- Policy IXXX.3 (6) Provide for pedestrian, cyclist, vehicle and riparian connections throughout the Precinct. | 16.4
- Policy IXXX.3 (10) Require subdivision and development to provide appropriate transport and other infrastructure capacity within the precinct and to provide connections to the adjoining road network in accordance with Precinct Plan 3. | 16.5
- Permitted Activity Standard: IXXX.6.3 Collector Roads.

Purpose:

- ensure the collector road network within the precinct provides for public transport, vehicles, parking, cyclists, pedestrians, utilities, trees and raingardens.

(1) The Collector Roads identified on Precinct Plan 3 shall be developed in the locations identified on Precinct Plan 3 and shall be designed and constructed in accordance with the cross section below at a minimum.



- Permitted Activity Standard IXXX.6.5 Arterial Road Access | 16.7

*Purpose:*

- *restrict direct vehicle access from individual sites and road intersections onto Jesmond Road*
- *avoid direct vehicle access from individual sites and road intersections to State Highway 22*
- *achieve the safe and efficient operation of transport infrastructure*

*(1) No road intersections shall be permitted directly onto Jesmond Road except for the proposed collector road as indicated on Precinct Plan 3.*

*(2) No private vehicle access from any property shall be permitted directly onto Jesmond Road, except for one vehicle access located to the south of the Protected Stream identified on Precinct Plan 2.*

*(3) No road intersections or private vehicle access from any property shall be permitted directly onto State Highway 22.*

16.7

The Ministry requests amendments to the following permitted activity standard in the Waipupuke Precinct Chapter (change is shown as ~~strikethrough~~).

- *Permitted Activity Standard IXXX.6.8 Arterial Road Intersections*

*Purpose:*

- *Assess the performance of the SH22/Oira Road and SH22/Jesmond Road intersections after 2,000 dwellings have been consented within Waipupuke Precinct.*

*(1) A restricted discretionary resource consent application shall be required under this standard for any residential dwelling resource consent application after 2,000 residential dwellings have been consented within Waipupuke Precinct.*

~~*(2) This standard shall not apply if the following transport upgrades are provided prior to the 2,000 residential dwelling number being reached within Waipupuke Precinct:*~~

~~*a. Oira Road widening and SH22 intersection upgrade.*~~

~~*b. Jesmond Road widening and SH22 intersection upgrade.*~~

~~*c. SH22 improvements*~~

~~*d. Jesmond Road Extension*~~

~~*e. Drury West rail station construction*~~

~~*f. Rail network upgrade*~~

~~*g. Bremner Road works*~~

~~*h. Pukekohe Expressway*~~

16.8

The reason for the requested removal of Standard /XXX.6.8(2) is the upgrades listed are unlikely to individually have a material effect on the SH22/Jesmond Road intersection meaning that there will still be a need for an intersection analysis with an extra 2000 dwellings using the intersection before more dwellings are consented. It is important that this assessment takes place before further development is approved so that the functionality of the road network in this area is maintained.

Given the level of increase in housing provision in Drury as a result of this private plan change and the other plan changes in Drury, the Ministry requests regular engagement with Auckland Council and the applicant to keep up to date with the housing typologies being proposed, staging and timing of this development so that the potential impact of the plan changes on the school network can be planned for. The key Ministry contact people for this development area are James Puketapu and Janet Schofield. Their contact details are as follows:

James Puketapu

Senior Delivery Manager | Acquisitions and Designations

+6496329509

James.Puketapu@education.govt.nz

Janet Schofield

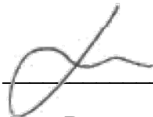
Planning Manager Schooling Networks

+6496329433

Janet.Schofield@education.govt.nz

Any consequential amendments required to give effect to the matters set out in this submission.

The Ministry wishes to be heard in support of its submission.



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**Jess Rose**  
**Planner – Beca Ltd**

**(Consultant to the Ministry of Education)**

**Date:** 1 March 2021

**Submission on a notified proposal for Private Plan Change 61 – Waipupuke  
under Clause 6 of Schedule 1  
Resource Management Act 1991**

1 March 2021

Auckland Council  
Plans and Places  
Private Bag 92300  
Auckland 1142  
Attn: John Duguid

mail: [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz)

**Name of submitter: Ministry of Housing and Urban Development (HUD)**

This is a submission on Private Plan Change 61 (**Plan Change**) to the Auckland Unitary Plan (operative in Part).

HUD could not gain an advantage in trade competition through this submission.

**HUD's role and responsibilities**

HUD leads New Zealand's housing and urban development work programme. We are responsible for strategy, policy, funding, monitoring and regulation of New Zealand's housing and urban development system. We are working to:

- address homelessness
- increase public and private housing supply
- modernise rental laws and rental standards
- increase access to affordable housing, for people to rent and buy
- support quality urban development and thriving communities.

We work closely with other central and local government agencies, the housing sector, communities, and iwi. Our purpose is thriving communities where everyone has a place to call home – he kāinga ora, he hapori ora.

**Wider Context**

*Auckland Housing and Urban Growth Programme*

HUD's particular interest in the Plan Change stems from its role in co-leading the New Zealand Urban Growth Partnership Programme, and specifically the joint Council-Crown Auckland Housing and Urban Growth Programme that has identified Drury as one of four priority development areas in the region.

Drury is currently the largest urban development area in New Zealand, and its strategic location within the Hamilton-Auckland Corridor makes its successful development a matter of national importance. HUD wishes to ensure that all plan changes in Drury-Opāheke appropriately reflect the area's national and regional significance and its status as a joint priority development area for both the Government and Council.

#### *The National Policy Statement on Urban Development*

The National Policy Statement on Urban Development (NPS-UD) came into effect on 20 August 2020. The NPS-UD includes objectives and policies to ensure that New Zealand has well-functioning urban environments.

To implement the NPS-UD, local authorities must comply with specific policies within specified timeframes including changes to regional policy statements and district plans. Policy three and Subpart six of the NPS-UD directs Tier 1 local authorities to enable intensification. HUD has a co-lead role with the Ministry for the Environment in overseeing its successful national implementation and wishes to ensure that all plan changes in Drury-Opāheke (and elsewhere) appropriately implement the NPS-UD.

#### *Transit-orientated development*

The Auckland Plan, Auckland Unitary Plan, Government Policy Statement on Land Transport and NPS-UD all place public transport, and in particular rapid transit networks, at the very core of urban form and structure. This transit-orientated approach to urban development is also reflected in the *Hamilton-Auckland Corridor Statement of Shared Spatial Intent* (which extends from Papakura and Drury in the north to Hamilton and Cambridge in the south) in which the relevant councils, iwi, and the Government commit to a 'radical re-orientation of urban development to public transport.'

In practical terms this means concentrating intensive employment, housing, civic and high trip-generating amenities around rapid transit interchanges and providing important levels of connectivity to the stations and surrounding areas for active modes and supporting public transport services. As part of a new national task group set up to realise Transit-Orientated Development, HUD wishes to ensure that plan changes in Drury-Opāheke support the national and regional policy aims for transit-orientated development.

#### *Drury-Opāheke Structure Plan*

HUD and other government agencies supported the Drury-Opāheke structure Plan (the Structure Plan) which Auckland Council adopted in August 2019. The Structure Plan sets out a bold vision and spatial framework for a well-integrated community that, amongst many other attributes, will reduce dependency on private motor vehicles by placing active modes and public transport at the heart of the land use planning and structure planning. HUD wishes to ensure that all plan changes in Drury-Opāheke give effect to the Structure Plan's vision, policy, and spatial framework.

#### *NZ Upgrade Programme*

The Government's NZ Upgrade Programme has allocated significant funding towards the extension and enhancement of bulk transport networks in and around the Drury-Opāheke area. Given the above context the most essential element of the programme (from an urban development perspective) is the extension of Auckland rapid transit network from Papakura to Pukekohe, including new stations at Drury Central and Drury West.

The early construction of these stations will allow the Drury-Opāheke area to develop in a highly transit-orientated manner from the start. This is a significant departure from the traditional greenfield development patterns in New Zealand where high-capacity and high-frequency public transport is absent. HUD wishes to ensure that any plan changes in Drury-Opāheke are highly supportive of this innovative early provision of high-quality public transport and contribute to realizing the benefit of this significant investment.

#### *Auckland Future Urban Land Supply Strategy*

The *Auckland Future Urban Land Supply Strategy (FULSS)* is a companion policy to the Auckland Plan and Auckland Unitary Plan. It sets out Council's preferred sequence and timing of development linked to the provision of the leading and enabling transport, network and social infrastructure and services. Whilst HUD supports the need for integrated planning, we are more focused on the principle, which is that successful development requires supporting public sector investment at the right time, scale, and quality.

The NZ (New Zealand) Upgrade Programme has allocated significant funding to the Drury-Opāheke area to enable development at an increased pace and scale to what was anticipated in the FULSS. HUD wishes to ensure that developers in and around the area can take advantage of this significant and ground-breaking investment through appropriate rezoning and development.

#### **Scope of Submission**

The submission relates to the Plan Change in its entirety.

#### **The Submission is:**

HUD **supports** the plan change, which seeks to rezone land within the spatial extent of the Waipupuke2 Precinct ("**the Proposed Precinct**" or "**Precinct**") from Future Urban Zone ("**FUZ**") to a combination of Residential – Terrace Housing and Apartment Buildings Zone ("**THAB**"), Residential – Mixed Housing Urban Zone ("**MHU**"), Neighbourhood Centre Zone ("**NCZ**") and Open Space Informal Recreation Zone. This is subject to HUD's relief being granted and matters raised in its submission being addressed.

While HUD in principle supports the proposed rezoning to a mixture of residential and neighbourhood centre zoning within the context of the Structure Plan and the NZ Upgrade Programme. However, HUD considers that the scale of activity proposed could be amended to better implement the requirements of the National Policy Statement on Urban Development ("**NPS-UD**") and better support a modal shift to a greater utilisation of public transport. We recognise that the proposed re-zoning and the relief that HUD seeks is departing from what was anticipated in the Structure Plan but consider that it supports the planned (currently preferred) location of the Drury West Train Station.

The Drury West Train Station is being planned for a location at an extension of Jesmond Road as shown on figure 2-3 of the Integrated Transportation Assessment Report. The opportunity for a highly transit-orientated development should be enabled through Plan Change enabling greater intensification and walkable access to the location of the planned train station.

HUD therefore seeks several amendments to the Plan Change which are set out in further detail in Table 1 below.

## Relief Sought

HUD seeks the following decision from Auckland Council on the Plan Change:

- That the matters raised in Table 1 be addressed to provide for the sustainable management of the Region's natural and physical resources and thereby achieve the purpose of the Resource Management Act 1991 ("**the Act**" or "**RMA**").
- Such further or other relief, or other consequential or other amendments, as are considered appropriate and necessary to address the concerns set out herein.

In the absence of the relief sought, the Plan Change:

- is contrary to the intensification requirements of the National Policy Statement on Urban Development;
- will undermine the value of the NZ Upgrade Programme investment in the new railway stations; and
- will undermine the opportunity for the Drury West area to be a transit orientated development that makes a meaningful reduction in the dependency on private motor vehicles as envisioned by the Drury – Opāheke Structure Plan

## Hearings

HUD wishes to be heard in support of its submission. If others make a similar submission, HUD will consider presenting a joint case with them at a hearing.

Signature of person authorized to sign on behalf of Submitter:



## Ernst Zollner

Kaiaki  
Place-based Policy & Programmes  
Ministry of Housing and Urban Development

Address for Service of person making submission:

Ministry of Housing and Urban Development

Contact Person: Ernst Zollner

Email: Ernst.Zollner@hud.govt.nz

Phone: 021 241 5308

Postal Address: Ministry of Housing and Urban Development, PO Box 82, Wellington 6140



Table 1: Requested Plan Change amendments

Provision Number	Reason for Submission	Relief Sought	
<b>Scale of the proposed activity</b>			
Whole Plan Change (including Precinct Plans)	The location of the Drury West rail station is planned has changed from where it was proposed in the Drury – Opāheke Structure Plan. Enabling intensive residential development within walking distance of the planned rail station will support the use of the upgraded public transport network.	Increase the extent of the THAB so that it also includes also all of the stage 2 area currently proposed for MHU.	17.1
Whole Plan Change (including Precinct Plans)	Figure 2 of the Integrated Transportation Assessment Report shows the planned location of the Drury West Rail Station. Better access to and connectivity with the neighboring FUZ zoned land at the corner of Jesmond Road and SH22 should be provided that better enables walking access from Stages 1 & 3 to the planned rail station.	The road layouts and connections with the neighbouring land at the corner of Jesmond Road and SH22 should be increased to provide for better walking access to through the land to the location of the planned rail station.	17.2
Height Variation Control Plan	The plan change is not currently meeting the intensity requirements of the NPS-UD which requires building heights of at least six stories to be enables around existing and planned rapid transit stops such as the Drury West Rail Station. The neighbourhood centre is proposing a height control of 27m and applying this height limit throughout the THAB zone to the south of the collector road will better support the Drury West rail station.	Increase the height variation control to 27m across all of the THAB zone to the south of the collector road for the medical centre.	17.3

**Submission on Proposed Private Plan Change 61 – Waipupuke,  
Auckland Unitary Plan Operative in Part**

**Clause 6. Schedule 1 to the Resource Management Act 1991**

**To: Attn: Planning Technician**  
**Auckland Council,**  
**Level 24, 135 Albert Street**  
**Private Bag 92300,**  
**Auckland 1142**  
**By Email:unitaryplan@aucklandcouncil.govt.nz**

**Name of Submitter:** Elly S Pan (“Pan”), c/- the address for service set out below.

1. This is a submission on the Proposed Private Plan Change 61 – Waipupuke (“**the Plan**”).
2. This is a submission in opposition to the Proposed Private Plan Change 61 – Waipupuke.
3. PAN could not gain an advantage in trade competition through this submission. In any event, PAN is directly affected by effects of the subject matter of the submission that:
  - (a) Adversely affect the environment; and
  - (b) Do not relate to trade competition or the effects of trade competition.
4. The specific provisions of the Unitary Plan that this submission relates to are:
  - (a) The entire proposed Private Plan Change 61 – Waipupuke
5. PAN’s submission is as follows:
  - (a) The submitter is the owner of Number 38 Burberry Road and Number 341 Jesmond Road.
  - (b) The submitter has owned the land for over 19 years and use the property as their principal place of residence in New Zealand.

- (c) The submitter in accepting Auckland Council plans to urbanise Drury that the land surrounding their property will change. The submitter then seeks to ensure that the proposed plan change will not detrimentally affect
- a) their existing use and enjoyment of the land
  - b) the future use and value of the property
  - c) the land will not be physically impacted by the proposed development
  - d) there will be no financial impacts
  - e) access to and from their property will be maintained to a standard no less than they currently enjoy.
- (d) The Private plan Change in its current form does not address its effects on surrounding properties and presumes other landowners and third parties will provide infrastructure, infrastructure upgrades and accept downstream effects of development.
- (e) The access to the submitter's properties is via Burberry Road, currently a no exit road and via Jesmond Road. Burberry Road connects to SH22 for access to the wider road network and Jesmond Road also connects to SH 22 plus Bremner Road.
- (f) The Proposed Plan relies on the utilisation of existing public assets, and future upgrades by others in particular SH 22 and SH 1 to support the function and viability of the proposed development
- (g) The Plan also states the funding of infrastructure is critical to achieving the comprehensive and co-ordinated approach to development. However while there is reference to development funding agreements and these are to be provided prior to the hearing they are not included within the notified documents. As a result no downstream landowner (where this infrastructure is to be located) has had the opportunity to submit or comment on the development funding arrangements.
- (h) The applicant has advised there is an urgent need for development of this type to be enabled to meet the needs of the Auckland Region while in part this is true it is also reliant on taking a share of service existing needs that are currently provided for elsewhere, in Pukekohe, Drury, and Papakura and further afield in Auckland.

- (i) In addition Auckland Council placed a Future Urban Zone on this land which signalled the future intention, Auckland Council did not provide live zonings.
  - (j) The proposed Private Plan Change seeks to increase bulk and height, amend activity status and applicable provisions thereby reducing the opportunity for the community to have any input into the development if this proposed private plan change is approved.
6. The submitter believes that the proposed Private Plan will not achieve or meet the above stated objectives for the following reasons
- (a) There has been inadequate consultation on the proposed land use and provision of infrastructure.
  - (b) There is no means within the Plan to provide for key items of infrastructure to be in place before the levels of demand degrade service performance
  - (c) There are no development funding agreements presented with the planning documents
  - (d) Unless and until the Proposed Plan provisions are amended in accordance with the relief sought below they will not:
    - (i) Promote the sustainable management of resources;
    - (ii) Otherwise be consistent with Part 2 of the Resource Management Act 1991 (“RMA”); or
    - (iii) Be appropriate in terms of section 32 of the RMA
7. PAN seeks the following relief from Auckland Council:
- (a) That the Plan be rejected in its entirety
  - (b) Such other relief or other consequential amendments as are considered appropriate or necessary to address the concerns set out in this submission.
8. PAN would welcome an opportunity to be heard in support of this submission.

18.1

18.1

9. If others make a similar submission, PAN will consider presenting a joint case with them.

Dated this 1<sup>st</sup> Day of March 2021

**Elly S Pan**

A handwritten signature in blue ink, appearing to read 'Nigel Hosken', is written over a horizontal line.

By Nigel Hosken on behalf of Elly S Pan

**ADDRESS FOR SERVICE:** The offices of Hosken & Associates Ltd, 99 Gloria Avenue, Te Atatu Peninsula, Auckland 0610, Tel 09 834 2571, 0274 770 773,

E-mail [nigel@hosken.co.nz](mailto:nigel@hosken.co.nz)



Level 5, AMP Tower  
 Customs Street West  
 Private Bag 106602  
 Auckland 1143  
 New Zealand  
 T 64 9 969 9800  
 F 64 9 969 9813  
[www.nzta.govt.nz](http://www.nzta.govt.nz)

## FORM 5

### Submission on a notified proposal for Private Plan Change 61 – Waipupuke under Clause 6 of Schedule 1 Resource Management Act 1991

1 March 2021

Auckland Council  
 Plans and Places  
 Private Bag 92300  
 Auckland 1142  
 Attn: John Duguid

Email: [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz)

#### **Name of submitter: The New Zealand Transport Agency**

This is a submission on Private Plan Change 61 – Waipupuke Precinct (**Plan Change**) to the Auckland Unitary Plan (Operative in Part).

The New Zealand Transport Agency (**Waka Kotahi**) could not gain an advantage in trade competition through this submission.

#### **Waka Kotahi role and responsibilities**

Waka Kotahi is a Crown Entity established by Section 93 of the Land Transport Management Act 2003 (LTMA). Waka Kotahi's objective is to undertake its functions in a way that contributes to an effective, efficient, and safe land transport system in the public interest. Waka Kotahi's roles and responsibilities include:

- Managing the State Highway system, including planning, funding, designing, supervising, constructing, maintaining and operating the system.
- Managing funding of the land transport system, including auditing the performance of organisations receiving land transport funding.
- Managing regulatory requirements for transport on land and incidents involving transport on land.
- Issuing guidelines for and monitoring the development of regional land transport plans.

The Plan Change relates to areas that are close to and potentially affect State Highway 22, for which Waka Kotahi has plans for improvement and upgrading. Waka Kotahi interest in this proposed Plan Change stems from its role as:

- A transport investor to maximise effective, efficient and strategic returns for New Zealand.

- A planner of the land transport network to integrate one effective and resilient network for customers.
- Provider of access to and use of the land transport system to shape smart efficient, safe and responsible transport choices.
- The manager of the State Highway system and its responsibility to deliver efficient, safe and responsible highway solutions for customers.

#### **Government Policy Statement on Land Transport.**

Waka Kotahi also has a role in giving effect to the Government Policy Statement on Land Transport (GPS). The GPS is required under the LTMA and outlines the Government's strategy to guide land transport investment over the next 10 years. The four strategic priorities of the GPS 2021 are safety, better travel options, climate change and improving freight connections. A key theme of the GPS is integrating land use, transport planning and delivery. Land use planning has a significant impact on transport policy, infrastructure and services provision, and vice versa. Once development has happened, it has a long-term impact on transport. Changes in land use can affect the demand for travel, creating both pressures and opportunities for investment in transport infrastructure and services, or for demand management. Likewise, changes in transport can affect land use.

Waka Kotahi gives effect to the GPS through a number of strategic plans including:

- Arataki – our ten-year view of the step changes and actions needed to deliver on the government's current priorities and long-term outcomes for the land transport system;
- Toitu Te Taiao – Our sustainability action plan. This notes two big challenges around reducing greenhouse gases and improving public health;
- Keeping Cities Moving – our national mode shift plan based around shaping urban form, making shared and active modes more attractive and influencing travel demand and transport choices.

#### **Wider Context**

In making this submission, Waka Kotahi is cognisant of the context of the Plan Change and ongoing planning processes and projects. These include:

- Te Tupu Ngātahi's planning work on the Drury transport network which includes a number of new and upgraded arterial roads in the wider Drury area, including the future upgrade of State Highway 22;
- The Auckland Council adopted Drury–Opaheke Structure Plan;
- The recent funding of rail network upgrades in the wider area, including electrifying the line from Papakura to Pukekohe and constructing three new stations at Drury Central, Drury West and Paerata;
- Other private development proposals in the area including plan changes.

A high level of care is required to ensure integration between the projects in the area and the planning outcomes being sought, all of which have differing timeframes.

**Decision sought**

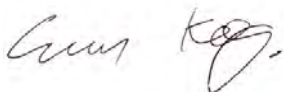
Waka Kotahi supports the plan change but seeks amendments and / or further information to provide greater certainty around the provision and funding of transport infrastructure and to ensure that good land use and transport outcomes are achieved.

Decisions that Waka Kotahi seeks on the Plan Change are set out in its submissions contained in **Table 1**. Waka Kotahi also seeks any consequential changes to the Plan Change required to give effect to the relief described in **Table 1**.

**Hearings**

Waka Kotahi wishes to be heard in support of its submission. If others make a similar submission, Waka Kotahi will consider presenting a joint case with them at a hearing.

Signature of person authorised to sign on behalf of Submitter:

**Evan Keating**

Acting Team Lead, Environmental Planning, Waka Kotahi

Address for Service of person making submission:

NZ Transport Agency

Contact Person: Brendan Clarke

Email: [Brendan.clarke@nzta.govt.nz](mailto:Brendan.clarke@nzta.govt.nz)



**Table 1: NZ Transport Agency Submission on Auckland Unitary Plan (OIP) Plan Change 61 (Private) Waipupuke**

Sub #	Provision Number	Reason for Submission	Relief Sought
1	Whole Plan Change (including Precinct Plan)	The Proposed Plan Change enables a level of residential density consistent with the Drury-Opaheke Structure Plan.	<p><b>Relief Sought</b>                      Base text is PC61as notified, changes accepted.                      New text <u>underline</u>                      Deleted text <del>throughout</del>                      Support with specific amendments and relief sought throughout this submission.</p>
2	Whole Plan Change (including Precinct Plans and supporting documents)	Page 10 of the Masterplan Document (Attachment B) shows a Staging Plan which generally indicates a north-south staging of development. This is considered appropriate as it follows existing development patterns within Drury West. Further, this will allow time for the upgrade of State Highway 22 (which includes walking and cycling facilities) and Drury West Station, both of which are currently programmed for 'second decade' (2028-2034). Waka Kotahi has concerns that should Stage 3 and its associated high density land use proceed prior to these key pieces of infrastructure being constructed, there will be little walking, cycling and public transport opportunities, which will likely lead to poor urban form outcomes and private vehicle-oriented development.	<p>Amend Plan Change to provide clarity over staging of development and any associated triggers for staging. In particular, Stage 3 should be developed in conjunction with the Upgrade of State Highway 22 and associated walking and cycling facilities, as well as the Drury West station. A proposed suite of infrastructure triggers is proposed in Attachment 1 below.</p>
3	Attachment B – Master Plan – Connectivity Plan	A Notice of Requirement to alter the existing State Highway 22 corridor has recently been submitted to Auckland Council. The reference to a setback along the State Highway 22 frontage is broadly in line with this NoR and is supported.	Retain reference to setback along State Highway 22.
4	Attachment B – Master Plan – Connectivity Plan	This Plan shows a Collector Road connecting with State Highway 22/Karaka Road, which goes against the provisions contained within the Precinct Plan. There should be no mention of this collector road intersection.	Amend Attachment B – Master Plan – Connectivity Plan to remove reference to a connection between the Collector Road and State Highway 22.

5	IXXX.2 Objectives	<p>The objectives are generally supported as they provide for quality urban design, mana whenua values, active and public transport, appropriate infrastructure and the safe and efficient operation of the transport network. In particular, Objective 9 is supported as it provides for the coordination of land use with necessary infrastructure upgrades.</p>	<p>Retain, subject to relief sought in submission point below.</p>	19.5
6	IXXX.2 Objectives	<p>Waka Kotahi proposes to introduce a suite including an objective, policies and methods which will seek to limit effects on sensitive activities in locations where noise and vibration levels result in negative health and amenity outcomes. Waka Kotahi also seeks a gradual reduction in exposure as existing activities are altered or relocated. This outcome aligns with Waka Kotahi’s Toitū Te Taiao – Our Sustainability Action Plan which in turn implements the Government Policy Statement on Land Transport 2021 The introduction of provisions to provide human health and amenity protection within District Plans is one of a number of methods employed by Waka Kotahi to achieve these outcomes.</p>	<p>Insert new objective:  <u>Protect sensitive activities from potential health and amenity effects that may arise from noise and vibration associated the operation of the transport network.</u></p>	19.6
7	IXXX.3 Policies	<p>The policies are generally supported as they provide for quality urban design, mana whenua values, active and public transport, appropriate infrastructure and the safe and efficient operation of the transport network. In particular, Policy 10 is supported as it provides for the coordination of land use with necessary infrastructure upgrades. It is however important to clarify what is being referred to with ‘Precinct Plan 2 (Policy 8) and ‘Precinct Plan 3 (Policy 10) – it is assumed these refer to plans in the Master Planning document, however as these plans themselves carry no corresponding title, this needs to be clarified.</p>	<p>Clarify which ‘Precinct Plans’ are being referred to in the Policy set.</p>	19.7
8	IXXX.3 Policies	<p>Refer to submission point above.</p>	<p>Insert new policies:  <u>Policy X</u></p>	19.8

			<p>Locate and design new and altered buildings, and activities sensitive to noise to minimise potential effects of the transport network</p> <p><u>Policy XX</u></p> <p>Manage the location of sensitive activities (including subdivision) through set-backs, physical barriers and design controls.</p>	19.8
<p><b>9</b></p>	<p>New activity needed across all zones – infringement of Standard IXXX.6.8 Arterial Road Intersections</p>	<p>As per the ITA response to the Clause 23 request, the intersection of Oira Road and State Highway 22 requires upgrading prior to development occurring on site. Further, as access will also occur via Jesmond Road, this intersection also requires upgrading prior to development occurring on site. As per our submission point below, a new trigger is proposed to reflect this, non-compliance with this trigger/standard should be a Non-Complying Activity.</p>	<p>Add a new activity reference in all Zones as follows:</p> <p><u>(Axx) Any activity not in accordance with Standard IXXX.6.8 Arterial Road Intersections – Non-Complying</u></p>	19.9
<p><b>10</b></p>	<p>Table IXXX.4.1 Residential - Terrace House and Apartment Building Zone A2 – Service Stations fronting State Highway 22</p>	<p>There has not been sufficient assessment (including traffic assessment) to support a Restricted Activity status for Apartment Building Zone in this area. The Terrace Housing and Apartment Building Zone generally provides for service stations as a Discretionary Activity, and this should remain in this instance.</p>	<p>Delete Activity A2 from Table IXXX.4.1</p>	19.10
<p><b>11</b></p>	<p>Table IXXX.4.1 Residential - Terrace House and Apartment Building Zone A3 – Fast food outlet (including drive through facility fronting State Highway 22</p>	<p>There has not been sufficient assessment (including traffic assessment) to support a Restricted Activity status for fast food outlets in this area. The Terrace Housing and Apartment Building Zone generally provides for service stations as a Discretionary Activity, and this should remain in this instance.</p>	<p>Delete Activity A3 from Table IXXX.4.1</p>	19.11
<p><b>12</b></p>	<p>Table IXXX.4.1 Residential - Terrace House and Apartment Building Zone A17 – Infringement of Standard IXXX.6.5 – Arterial Road Access</p>	<p>It is important that the existing form and function of State Highway 22 is retained, so a Non-Complying Activity Status for new accesses is supported.</p>	<p>Retain as notified.</p>	19.12

<b>13</b>	Table IXXX.4.2 Residential - Mixed Housing Urban Zone A12 – Infringement of Standard IXXX.6.5 – Arterial Road Access	It is important that the existing form and function of State Highway 22 is retained, so a Non-Complying Activity Status for new accesses is supported.	Retain as notified.	19.13
<b>14</b>	Table IXXX.4.3 Business – Neighbourhood Centre Zone (A6) Retail (excluding supermarkets) up to 3,500m2 GFA per site	Whilst a Neighbourhood Centre within this Precinct is generally supported, it is not clear why the GFA enabled as a Permitted Activity is significantly greater than what is generally provided for under this zone (450m2). It is considered that there has not been sufficient assessment of the effects, particularly the traffic effects, of such a high level of GFA as a Permitted Activity, and that the existing Neighbourhood Centre provisions should be applied unless further assessment and justification is provided	Either: Delete Rule IXXX.4.3 (A6); Or Provide additional assessment as to the traffic effects of large format retail on the transport network.	19.14
<b>15</b>	Table IXXX.4.3 Business – Neighbourhood Centre Zone (A8) Medical and Specialist Facility	The Clause 23 response from the applicant states that there are agreements in place for specialist medical facilities to establish within the Precinct. It is however not clear what the scale, nature and associated effects will be. It is considered that the existing rule framework of the Neighbourhood Centre Zone is appropriate – any activities that fall outside this existing framework should be subject to appropriate assessment and consideration.	Either: Delete Rule IXXX.4.3 (A8); Or Provide additional assessment as to the traffic effects of these additional activities on the transport network.	19.15
<b>16</b>	IXXX.5 Notification	A number of proposed Restricted Discretionary Activities have the potential to pose adverse effects on the transport network which have not been thoroughly assessed through this Plan Change. Non-notification is not considered appropriate for this precinct, as it is important that Waka Kotahi retain the ability to comment as a potentially affected party where development has the potential to impact the transport network.	Delete Rule IXXX.5.	19.16
<b>17</b>	IXXX.6.5(3) Arterial Road Access	State Highway 22 is currently a Limited Access Road where new access is generally not encouraged or permitted. This Performance Standard reflects this and should be retained.	Retain Standard IXXX.6.5(3).	19.17
<b>18</b>	IXXX.6.8 Arterial Road Intersections	The Integrated Traffic Assessment provided in response to the Clause 23 request suggests that no development occur prior to the intersection of Oira Road and State Highway 22	Amend Standard IXXX.6.8 to reflect the appropriate triggers, as identified in the ITA and this submission. A	19.18

	<p>being upgraded to a dual-lane roundabout, yet this is not reflected in this Standard. Further, it is noted that the intersection of Jesmond Road and State Highway 22 is also close to capacity, and as there will be traffic associated with the Plan Change using the SH22/Jesmond Road intersection, a similar trigger is required here (similar to that applied to other Plan Changes in the area).</p> <p>It is also appropriate to include all development in this trigger – whilst the proposed provisions focus solely on dwellings as a trigger, other possible permitted activities, including retail, have the potential to generate significant traffic volumes which will exacerbate the issues at these intersections.</p> <p>Insert technical standard to provide for human health protection adjacent to state highways for the reasons outlined in submission points 6 and 8</p>	<p>suggested wording for this amended standard is included as Attachment 1.</p>
<p><b>19</b></p>	<p>IX.6.9 Standards (new standard)</p>	<p>Insert activity controls as per attachment 2 below</p>
<p><b>20</b></p>	<p>IXXX.7 Assessment – Restricted Discretionary Activities</p>	<p>Add additional assessment criteria and matters of discretion to IXXX.7.1(1), IXXX.7.1(13), IXXX.7.2(1) and IXXX.7.1(13) as follows:  (x) the outcome of any consultation with Waka Kotahi</p>

Attachment 1:

IXXX.6.8 Arterial Road Intersections

Purpose:

- To ensure the ongoing safe and efficient functioning of the transport network.
- 1) No subdivision or development shall occur prior to the following infrastructure being provided (unless an alternative solution has been agreed with Waka Kotahi):
  - a. The intersection of Oira Road and State Highway 22 being upgraded to a two-lane roundabout;
  - b. The intersection of Jesmond Road and State Highway 22 being upgraded with a two-lane roundabout with approach lanes, or traffic signals (including approach lanes) where the posted speed limit supports their implementation to provide a safety and capacity solution

- 2) No subdivision or development within the area defined as 'Stage 3' of the Masterplan shall occur prior to the following infrastructure being provided (unless an alternative solution has been agreed with Waka Kotahi)
- a. The Upgrade of State Highway 22, including separate walking and cycling infrastructure, from Oira Road to Jesmond Road.
- 3) No more than 2,000 dwellings shall be constructed before the following transport upgrades have been implemented:
- a. Oira Road widening and SH22 intersection upgrade.
  - b. Jesmond Road widening and SH22 intersection upgrade.
  - c. SH22 improvements
  - d. Jesmond Road Extension
  - e. Drury West rail station construction
  - f. Rail network upgrade
  - g. Bremner Road works
  - h. Pukekohe Expressway

Attachment 2:

IXXX.6.X Noise

At any point within 100 metres from the edge of a state highway carriageway or designation:

*Outdoor road noise*

1. Any noise sensitive space in a new building, or alteration to an existing building, that contains an activity sensitive to noise where:
  - a. External road noise levels are less than 57  $dB_{Leq}(24h)$  at all points 1.5 metres above ground level within the proposed notional boundary; or
  - b. there is a noise barrier at least 3 metres high which blocks the line-of-sight to the road surface from all points 1.5 metres above ground level within the proposed notional boundary.

*Indoor road noise*

2. Any noise sensitive space in a new building, or alteration to an existing building, that contains an activity sensitive to noise where the building or alteration is:
  - a. Designed, constructed and maintained to achieve indoor design noise levels resulting from the road not exceeding the maximum values in Table 1; or

- b. At least 50 metres from the carriageway of any state highway and is designed so that a noise barrier entirely blocks line-of-sight from all parts of doors and windows, to the road surface.

**Table 1**

<b>Occupancy/activity</b>	<b>Maximum road noise level L<sub>Aeq</sub>(24h)</b>
<b>Building type: Residential</b>	
Sleeping spaces	40 dB
All other habitable rooms	40 dB
<b>Building type: Education</b>	
Lecture rooms/theatres, music studios, assembly halls	35 dB
Teaching areas, conference rooms, drama studios, sleeping areas	40 dB
Libraries	45 dB
<b>Building type: Health</b>	
Overnight medical care, wards	40 dB
Clinics, consulting rooms, theatres, nurses' stations	45 dB
<b>Building type: Cultural</b>	
Places of worship, marae	35 dB

*Mechanical ventilation*

- 3. If windows must be closed to achieve the design noise levels in clause 2(a), the building is designed, constructed and maintained with a mechanical ventilation system that:
  - a. For habitable rooms for a residential activity, achieves the following requirements:
    - i. Provides mechanical ventilation to satisfy clause G4 of the New Zealand Building Code; and
    - ii. is adjustable by the occupant to control the ventilation rate in increments up to a high air flow setting that provides at least 6 air changes per hour; and
    - iii. provides relief for equivalent volumes of spill air; and
    - iv. provides cooling and heating that is controllable by the occupant and can maintain the inside temperature between 18CC and 25CC; and
    - v. does not generate more than 35 dB LAeq(30s) when measured 1 metre away from any grille or diffuser.

- b. For other spaces, is as determined by a suitably qualified and experienced person.

*Indoor road vibration*

- 4. Any noise sensitive space with a noise sensitive room in a new buildings or alterations to existing buildings containing an activity sensitive to noise, closer than 40 metres to the carriageway of a state highway, is designed constructed and maintained to achieve road vibration levels not exceeding 0.3mm/s

$V_{w,95}$

*Design report*

- 5. A report is submitted by a suitably qualified and experienced person to the council demonstrating compliance with clauses (1) to (4) above (as relevant) prior to the construction or alteration of any building containing an activity sensitive to noise. In the design:
  - a. Road noise is based on measured or predicted noise levels plus 3 dB.





**SUBMISSION ON PROPOSED PLAN CHANGE 61 - WAIPUPEKE,  
DRURY WEST – AUCKLAND UNITARY PLAN BY  
KĀINGA ORA HOMES AND COMMUNITIES**

**TO:** Auckland Council  
Private Bag 92300  
Victoria Street West  
Auckland 1010

*Submission via email: [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz)*

**KĀINGA ORA HOMES AND COMMUNITIES** (“**Kāinga Ora**”) at the address for service set out below makes the following submission on proposed Plan Change 61 – Waipupuke, Drury West (“**PC61**”) to the Auckland Unitary Plan Operative in Part (“**AUP:OP**”).

**Background**

1. Kāinga Ora was established in 2019 as a statutory entity established under the Kāinga Ora-Homes and Communities Act 2019. Kāinga Ora consolidates Housing New Zealand Corporation, HLC (2017) Ltd and parts of the KiwiBuild Unit. Under the Crown Entities Act 2004, Kāinga Ora is listed as a Crown entity and is required to give effect to Government policies.
2. Kāinga Ora is now the Government’s delivery entity for housing and urban development. Kāinga Ora will therefore work across the entire housing spectrum to build complete, diverse communities that enable New Zealanders from all backgrounds to have similar opportunities in life. As a result, Kāinga Ora has two core roles:
  - (a) being a world class public housing landlord; and
  - (b) leading and co-ordinating urban development projects.
3. Kāinga Ora’s statutory objective requires it to contribute to sustainable, inclusive, and thriving communities that:
  - (a) provide people with good quality, affordable housing choices that meet diverse needs; and

- (b) support good access to jobs, amenities and services; and
  - (c) otherwise sustain or enhance the overall economic, social, environmental and cultural well-being of current and future generations.
4. Kāinga Ora is focused on delivering quality urban developments by accelerating the availability of build-ready land, and building a mix of housing including public housing, affordable housing, homes for first home buyers, and market housing of different types, sizes and tenures.
  5. The public housing portfolio managed by Kāinga Ora in Auckland comprises approximately 30,100 dwellings<sup>1</sup>. Auckland is a priority to reconfigure and grow Kāinga Ora's housing stock to provide efficient and effective public and affordable housing that is aligned with current and future residential demand in the area, and the country as a whole.
  6. Kāinga Ora has a shared interest in the community as a key stakeholder, alongside local authorities. Kāinga Ora's interests lie in the provision of public housing to persons who are unable to be sustainably housed in private sector accommodation, and in leading and co-ordinating residential and urban development projects. Kāinga Ora works with local authorities to ensure that appropriate services and infrastructure are delivered for its developments.
  7. In addition to its role as a public housing provider, Kāinga Ora also has a significant role as a landowner, landlord, rate payer and developer of residential housing. Strong relationships between local authorities and central government are key to delivering government's priorities on increasing housing supply.
  8. Policy decisions made at both central and local government level have impacts on housing affordability. The challenge of providing affordable housing will require close collaboration between central and local government to address planning and governance issues to reduce the cost of construction, land supply constraints, infrastructure provisions and capacity as well as an improved urban environment.
  9. Kāinga Ora is interested in all issues that may affect the supply and affordability of housing. These include the provision of services and infrastructure and how this may

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<sup>1</sup> As of 30 September 2019

impact on Kāinga Ora existing and planned housing, community development and Community Group Housing (“CGH”) suppliers.

10. In addition to the above, Kāinga Ora will play a greater role in urban development in New Zealand. The legislative functions of Kāinga Ora, as outlined in the Kāinga Ora Act, illustrate this broad mandate and outline two key roles of Kāinga Ora in that regard:
  - a) initiating, facilitating and/or undertaking development not just for itself, but in partnership or on behalf of others; and
  - b) providing a leadership or coordination role more generally.
11. Notably, Kāinga Ora’s statutory functions in relation to urban development extend beyond the development of housing (which includes public housing, affordable housing, homes for first time buyers, and market housing) to the development and renewal of urban environments, as well as the development of related commercial, industrial, community, or other amenities, infrastructure, facilities, services or works.
12. Kāinga Ora has an interest in the wider ongoing urbanisation of Drury, and the implications for the fulfilment of its functions and on its landholdings within the area. Kāinga Ora has submitted on proposed Plan Change 48, 49, 50 and 51 to-date, and owns the land located at 85 Jesmond Road opposite the PPC61 spatial extent.

### Scope of Submission

13. This submission relates to PC61 in its entirety.

### The Submission is:

14. **Kāinga Ora supports the plan change in part**, which seeks to rezone land within the spatial extent of the Proposed Waipupuke Precinct (“**the Proposed Precinct**” or “**Precinct**”) from Future Urban Zone (“**FUZ**”) to a combination of Residential – Terrace Housing and Apartment Buildings Zone (“**THAB**”), Residential – Mixed Housing Urban Zone (“**MHU**”), Open Space – Informal Recreation Zone (“**OSIR**”) and Business – Neighbourhood Centre Zone (“**NCZ**”). This is subject to Kāinga Ora’s relief being granted and matters raised in its submission being addressed. In particular, but without limiting the generality of the above:
  - (a) Kāinga Ora generally supports the proposed zonings and their layout within the spatial extent of the Proposed Precinct for the reasons outlined in the PC61 supporting documentation, and which are generally aligned with the zoning

indicated on the Drury-Opāheke Structure Plan 2019. The proposed zonings and corresponding precinct provisions for Waipupuke will promote and enable a compact urban form that is anchored by the proposed commercial centre and large open space, and supported by the Precinct's transportation connectivity in the form of collector roads, cycling provision and proximity to the planned centre to the east – consistent with Chapter B2 of the Regional Policy Statement (“RPS”) in the AUP: OP. **Kāinga Ora seeks the retention of the proposed zoning and the layout in the spatial extent of the Proposed Precinct.**

20.1

- (b) Kāinga Ora considers Policy 3 (d) of the National Policy Statement on Urban Development 2020 (“NPS:UD”) to be of particular relevance to the intensity of land use proposed within PC61. This supports the utilisation of the THAB zone both around the proposed NCZ and adjacent to the key route of Karaka Road / SH22. Kāinga Ora considers it is critical to the success of future development, that the aspirations of the Waipupuke master plan are realised within the precinct provisions themselves in order to avoid development that, due to its proximity to State Highway One, nevertheless becomes a car-driven urban environment. **Kāinga Ora seeks the retention of the provisions and precinct plan of the Proposed Precinct with the exemptions of points noted below.**

20.2

- (c) There is a clear demand for developable land within the Auckland Region to facilitate an increase in housing supply and consequential-positive effects on housing affordability.

15. While Kāinga Ora supports in part the proposed zonings and precinct provisions, **Kāinga Ora seeks a number of amendments and/or clarifications to PC61** which are set out in further detail in this submission below. In particular, but without limiting the generality of the above:

- (a) Rezoning of land at this time for urban development is sequenced with the Future Urban Land Supply Strategy 2017 (“FULSS”) to have a timing of ‘2018 – 2022’. However, the structure plan and FULSS also identify that the extent of land to the southeast of the proposed Waipupuke Precinct adjoining Karaka Road (SH22) and Jesmond Road (not included in PC61 and to remain as FUZ) is within the 2018-2022 sequencing. Omission of this land for rezoning will compromise the opportunity for coordinated urbanisation, consolidation and

development as a result of the differing land use standards that would apply between urbanised land (as currently proposed for rezoning) and the balance of FUZ land referred to above. Consistent with its submissions on Proposed Plan Change 51, **Kāinga Ora submit that it is appropriate for this land to be included for rezoning at this time and seek that the land identified in Attachment 1 be zoned Residential – Terrace Housing and Apartment Buildings zone ('THAB') in accordance with the Drury-Opapeke Structure Plan.** For the avoidance of doubt, that land comprises the following:

- 16 Jesmond Road, Drury;
- 64 Jesmond Road, Drury;
- 54 Jesmond Road, Drury; and
- 84 Jesmond Road, Drury.

20.3

- (b) The land situated at 85 Jesmond Road is owned by Kāinga Ora, which is opposite the spatial extent of the proposed precinct's interface with Jesmond Road. Additional traffic generation and consequential effects on the existing transport will therefore have an effect on future development in the wider area. **It is necessary to ensure that any localised traffic effects that may require certain upgrades to the roading network, are sufficiently acknowledged within respective Precincts and equitably distributed to ensure that individual developers are not burdened with sole-responsibility for necessary network upgrades. Kāinga Ora seeks clarification and/or amendments to the proposed Waipupuke Precinct Provisions to ensure this occurs.**

20.4

- (c) Further to the above; unlike Proposed Plan Change 51 which requires an intersection upgrade to Jesmond Road prior to any development occurring, the proposed precinct provisions and notified wording of PC61 enable development of up to 2,000 dwellings within the proposed precinct before an assessment of traffic effects on the critical intersections (Karaka Road/SH22 intersections with Oira and Jesmond Roads) is required (refer proposed precinct provision IXXX.6.8 Arterial Road Intersections). Having reviewed the supporting Traffic Assessment and Clause 23 response prepared by Commute Transportation, the following recommendation is noted:

“The current performance of some movements at the State Highway 22 / Oira Road intersection is LOS D/E and has delays well over 2 minutes. This intersection needs to be upgraded prior to any development of Waipupuke [emphasis added]. After this update, the performance of the SH22 / Oira Road intersection will be an improvement up until approximately 2000 units”<sup>2</sup>.

It would appear that the above upgrade requirement has not been accounted for in IXXX.6.8 as-notified, and enables development of up to 2,000 dwellings to occur within the proposed precinct without *any* upgrade to the Oira Road intersection with SH22. There is also confusion (based on the above excerpt) as to whether the exclusion provided for under IXXX.6.8 (2) relates to the above-referenced initial upgrade prior to development, or the funded works.

Regardless, if an identified upgrade is required to take place prior to any development within the precinct, then this should be acknowledged within the Proposed Precinct Provisions. **Kāinga Ora therefore seeks amendment to IXXX.6.8 to ensure that all necessary upgrades to the existing road network are accounted for, and clearly related to any necessary thresholds and/or timeframes.**

20.5

(d) The notification exclusions provided for under IXXX.5 Notification, are considered to be excessive in some instances and may exclude participation in future resource consent applications. Intensive activities or alternative road layouts otherwise envisaged by the proposed precinct provisions may affect residential amenity values. **Kāinga Ora submits that limited notification is appropriate for the following activities and seeks that the limited notification exclusion (at least) does not apply to: alternative collector road locations (x.4.1 (A15)), (x.4.2 (A11)), (x.4.3 (A17)); Community Centres and Halls (x.4.4 (A1)), Clubrooms (x.4.4 (A3)) and Recreation Facilities (x4.4 (A5)).**

20.6

(e) Numbering within Table IXXX.4.4 Open Space – Informal Recreation Zone contains an error and omits the (A2) activity. **Kāinga Ora seeks renumbering of the Table IXXX.4.4 Open Space – Informal Recreation Zone as-required.**

20.7

<sup>2</sup> Clause 23 Further information response – Commute Transportation, ‘Local Traffic Effects’ 19 November 2020, page 19.

- (f) Under IXXX.6.2 Yards, the wording of the standard as-notified can be clarified to ensure that the side boundary exemption only applies to part of the boundary, not the entire boundary if a common wall is present. **Kāinga Ora seeks the following amendment to the proposed wording of IXXX.6.2 Yards:**

- (i) [...] Side yards within the Business-Neighbourhood Centre zone, Residential-Terrace House and Apartment Building zone and the Residential-Mixed Housing Urban zone do not apply to those parts of a site boundary ~~ies~~ where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.

20.8

### Relief Sought

16. Kāinga Ora seeks the following decision from Auckland Council on PC61:
- (a) That the Plan Change is approved, subject to the relief sought in Kāinga Ora's submission and attachment being addressed.
  - (b) That the proposed provisions of the Proposed Precinct be deleted or amended, to address the matters raised in this submission and attachment, so as to provide for the sustainable management of the Region's natural and physical resources and thereby achieve the purpose of the Resource Management Act 1991 ("**the Act**" or "**RMA**").
  - (c) Such further or other relief, or other consequential or other amendments, as are considered appropriate and necessary to address the concerns set out herein.
  - (d) Any other alternative or consequential relief to give effect to this submission.
17. In the absence of the relief sought, PC61:
- (a) is contrary to the sustainable management of natural and physical resources and is otherwise inconsistent with Part 2 of the Act;
  - (b) will compromise the opportunity for coordinated urbanisation and development of land that is sequenced for urbanisation;

- (c) will undermine opportunities for the comprehensive development that is aligned with the zoning pattern identified within the Drury-Opāheke Structure Plan 2019; and
  - (d) will in those circumstances impact significantly and adversely on the ability of people and communities to provide for their social, economic and cultural wellbeing.
18. Kāinga Ora does not consider it can gain an advantage in trade competition through this submission.
19. Kāinga Ora wishes to be heard in support of this submission.
20. If others make a similar submission, Kāinga Ora would be willing to consider presenting a joint case with them at hearing.

**Dated** this 1<sup>st</sup> day of March 2021



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**Brendon Liggett**  
Manager – Development Planning  
Kāinga Ora Homes and Communities

**ADDRESSES FOR SERVICE:**

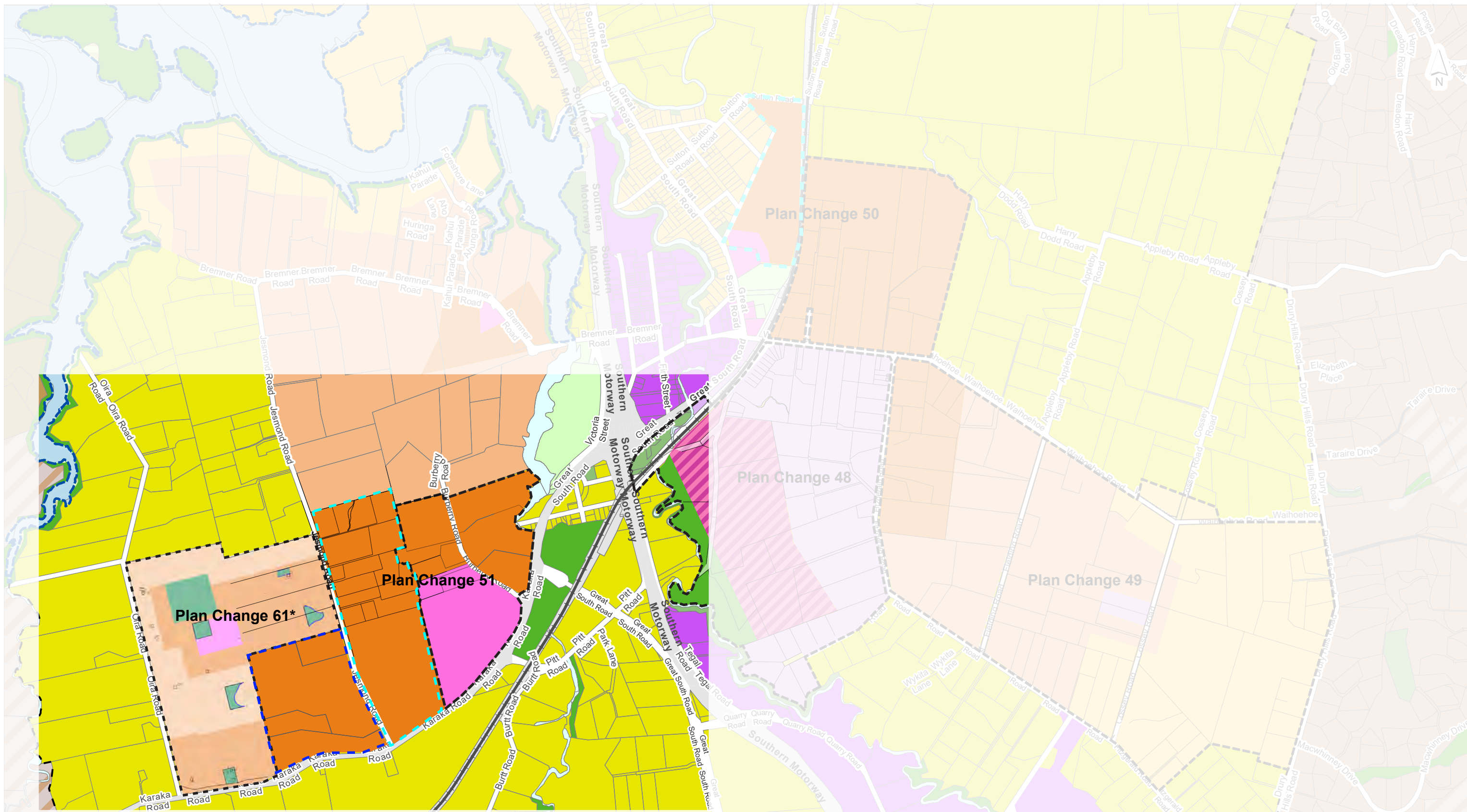
Campbell Brown Planning Ltd  
PO Box 147001  
Auckland  
Attention: Michael Campbell  
Email: [michael@campbellbrown.co.nz](mailto:michael@campbellbrown.co.nz)

Kāinga Ora – Homes and Communities  
PO Box 74598  
Greenlane, Auckland  
Email: [developmentplanning@hnzc.co.nz](mailto:developmentplanning@hnzc.co.nz)



**Attachment 1**





**DISCLAIMER:**  
 This map/plan is illustrative only and all information should be independently verified on site before taking any action. Copyright Auckland Council. Land Parcel Boundary information from LINZ (Crown Copyright Reserved). Whilst due care has been taken, Auckland Council gives no warranty as to the accuracy and plan completeness of any information on this map/plan and accepts no liability for any error, omission or use of the information. Height datum: Auckland 1946.

### Proposed Rezoning Map Plan Change 61

\* based on proposed precinct plans



Scale @ A3  
 = 1:15,000

Date Printed:  
 29/09/2020

**Legend**

- Metropolitan Centre Zone
- Local Centre Zone
- Mixed Use Zone
- Open Space Zone
- Terraced Housing and Apartment Building Zone
- Notified Plan Change areas
- Proposed PC 51 Zoning inclusion
- Proposed PC 61 Zoning inclusion
- Mixed Housing Urban Zone
- Mixed Housing Suburban Zone



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Submission on Private Plan Change 61 - Waipupuke to the  
Auckland Unitary Plan

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To: Attn: Planning Technician  
Auckland Council  
Level 24, 135 Albert Street  
Private Bag 92300  
Auckland 1142  
unitaryplan@auckland.govt.nz

From: Karaka and Drury Limited

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### Introduction

1. This is a submission on Private Plan Change 61 - Waipupuke ("PPC 61") to the partly operative **Auckland Unitary Plan ("AUP")**, made by Karaka and Drury Limited ("the submitter").
2. The submitter:
  - (a) Is not a trade competitor for the purposes of PPC 61 and could not gain an advantage in trade competition through this submission;
  - (b) Neither supports nor opposes, but is neutral with respect PPC 61; and
  - (c) Seeks that PPC 61 be approved as notified, for the reasons outlined below.
3. This submission relates to PPC 61 in its entirety.

### The submitter

4. The submitter has over the last 5 years undertaken significant structure planning and master planning of the Drury West area, to ensure that a vibrant, cohesive and compact urban outcome can be achieved for that area.
5. The submitter has worked with other developers within Drury as part of the Drury Developer's Group to test and agree a shared masterplan for the wider Drury-Opaheke area (both Drury East and Drury West).
6. The submitter participated extensively in the development of the Council's adopted Drury-Opaheke Structure Plan ("DOSP"), which the submitter supports.

### Reasons for submission:

7. In summary and in light of the above, the submitter seeks that PPC 61 be approved as notified, on the basis that as currently drafted, the PPC:

- (a) Will promote the sustainable management of natural and physical resources and is not contrary to Part 2 and other relevant provisions of the Resource Management Act 1991 ("RMA").
- (b) Will enable the social, economic and cultural well-being of the community in the Auckland region.
- (c) Will meet the reasonably foreseeable needs of future generations.
- (d) Appropriately gives effect or has regard to all applicable higher order planning instruments, including the Regional Policy Statement provisions of the AUP.
- (e) Accords with and will assist the Council in carrying out its functions under the RMA, having regard to the efficiency and effectiveness of the PPC 61 provisions relative to other means.
- (f) Will enable quality planning outcomes to be achieved for Drury-Opapeke and Drury-West in particular, which are consistent with the DOSP and can be delivered in a timely manner.

#### Relief Sought

- 8. The submitter seeks that PPC 61 be approved as notified.
- 9. For the avoidance of doubt, the submitter does not support any changes being made to PPC 61 as notified, to the extent that such changes may impact on the quality of planning outcomes that the submitter seeks to achieve for Drury West, or the timing of when those outcomes can be delivered.
- 10. The submitter wishes to be heard in support of its submission.
- 11. If others make a similar submission, the submitter will consider presenting a joint case with them at any hearing.

21.1

Charles Ma  
 Karaka and Drury Limited  
 Level 36, 7/21 Queen Street, Auckland  
[charles@made.co.nz](mailto:charles@made.co.nz)  
 0211597165

1 March 2021

Plans and Places  
Auckland Council  
Private Bag 92300  
Auckland 1142  
Attn: Planning Technician

Email: [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz)

**Re: Proposed Private Plan Change 61 – Waipupuke**

Please find attached Auckland Transport's submission on the Proposed Private Plan Change 61.

If you have any queries in relation to this submission, please contact Kevin Wong Toi, Principal Planner at [Kevin.Wong-Toi@at.govt.nz](mailto:Kevin.Wong-Toi@at.govt.nz), or on 09 447 4200.

Yours sincerely



Kevin Wong Toi  
Principal Planner, Land Use Policy and Planning

cc:  
Tattico Limited  
Attention: Vijay Lala  
Via email: [vijay.lala@tattico.co.nz](mailto:vijay.lala@tattico.co.nz)

Encl: Auckland Transport's submission on Proposed Private Plan Change 61 – Waipupuke



**FORM 5 – SUBMISSION ON NOTIFIED PROPOSAL FOR PRIVATE PLAN CHANGE 61  
WAIPUPEKE UNDER CLAUSE 6 OF SCHEDULE 1, RESOURCE MANAGEMENT ACT  
1991**

**To** Auckland Council  
Private Bag 92300  
Auckland 1142

**From** Auckland Transport  
Private Bag 92250  
Auckland 1142

**1.0 Introduction**

- 1.1 Lomai Properties Limited (**the applicant**) has lodged a proposed private plan change (**PPC 61** or **the plan change**) to the Auckland Unitary Plan: Operative in Part (**AUPOP**) to rezone 56 hectares of Future Urban Zoned land in Drury West to: Business: Neighbourhood Centre zone (2.02 hectares); Residential: Terrace Housing and Apartment Buildings zone (27.52 hectares); Residential: Mixed Housing Urban zone (21.2 hectares); and the development of an open space network (4.79 hectares).
- 1.2 Auckland Transport is a Council Controlled Organisation of Auckland Council (**the Council**) and the Road Controlling Authority for the Auckland region. Auckland Transport has the legislated purpose to contribute to an ‘effective, efficient and safe Auckland land transport system in the public interest’<sup>1</sup>. In fulfilling this role, Auckland Transport is responsible for:
- a. The planning and funding of most public transport;
  - b. Promoting alternative modes of transport (i.e. alternatives to the private motor vehicle);
  - c. Operating the roading network; and
  - d. Developing and enhancing the local road, public transport, walking and cycling networks.
- 1.3 Auckland Transport is part of Te Tupu Ngātahi Supporting Growth (**SG**) which is a collaboration between Auckland Transport and Waka Kotahi NZ Transport Agency (**Waka Kotahi**) to plan and route protect the preferred transport network in future growth areas such as Drury. In reviewing PPC 61, Auckland Transport has had regard to the draft Integrated Transport Assessment dated April 2019, which complemented the Drury – Opāheke Structure Plan. The Drury – Opāheke Structure Plan was prepared by Council and went through a robust process, including three phases of consultation, before being adopted by Auckland

<sup>1</sup> Local Government (Auckland Council) Act 2009, section 39.





Council's Planning Committee in August 2019. The structure plan sets out the high-level pattern of land uses and the supporting infrastructure network for approximately 1,921 hectares of Future Urban zoned land around Drury and Opāheke.

1.4 The Integrated Transport Assessment completed for the Drury – Opāheke Structure Plan identifies a strategic transport network for the area to support the land use patterns outlined in the Structure Plan. The transport projects it identifies that are relevant to PPC 61 include, but are not limited to, a new rail station at Drury West with a park and ride facility, connector bus network, upgrade of Karaka Road/State Highway 22, upgrade of Karaka Road/State Highway 22 / Oira Road intersection, upgrade of Karaka Road/State Highway 22 / Jesmond Road intersection and the upgrade of Jesmond Road and Oira Road to urban arterial and collector road standards respectively.

1.5 Auckland Transport could not gain an advantage in trade competition through this submission.

## 2.0 **Auckland Transport's submission is:**

2.1 The key overarching considerations and concerns for Auckland Transport are described as follows:

### **Auckland Plan 2050**

2.2 The Auckland Plan 2050 (**Auckland Plan**) is a 30-year plan for the Auckland region outlining the long-term strategy for Auckland's growth and development, including social, economic, environmental and cultural goals. The Auckland Plan is a statutory spatial plan required under section 79 of the Local Government (Auckland Council) Act 2009. The plan provides for between 60 and 70 per cent of total new dwellings to be built within the existing urban footprint. Consequently, between 30 and 40 per cent of new dwellings will be in new greenfield developments, satellite towns, and rural and coastal towns.

2.3 Transport outcomes identified in the Auckland Plan to enable this growth includes providing better connections, increasing travel choices and maximising safety. To achieve these outcomes, focus areas outlined in the Auckland Plan include targeting new transport investment to the most significant challenges, making walking, cycling and public transport preferred choices for many more Aucklanders and better integration of land use and transport. The high-level direction contained in the Auckland Plan identifies future urban form outcomes and informs the strategic transport priorities to support growth. It is recognised that not all transport effects generated by PPC 61 will be addressed by strategic transport projects, and the mitigation of these effects is required by the applicant, including mitigating the interim effects of staged development and local network upgrades.



### **Managing Auckland-wide growth and rezoning**

- 2.4 The high-level spatial pattern of future regional development is represented in the Auckland Plan including the Future Urban Zone in the AUPOP and further defined through sub-regional level planning including the Drury – Opāheke Structure Plan, to then be enabled through appropriate plan change processes. At the regional level, PPC 61 is one of the larger scale greenfield areas contributing to the overall growth in transport demands in parallel with the on-going smaller scale incremental growth that is enabled through the AUPOP.
- 2.5 This wide scale growth across the region places greater pressure on the available and limited transport resources that are required to support the movement of additional people, goods and services. In this regard, the alignment of the AUPOP enabled growth and plan changes with the provision of transport infrastructure and services is contingent on having a high level of certainty around the funding and delivery of the required infrastructure and services. Without this certainty, Auckland Transport is concerned that there will continue to be significant transport network deficiencies in the provision and co-ordination of transport responses to the dispersed growth enabled across the region.

### **Sequencing of growth and alignment with the provision of transport infrastructure and services**

- 2.6 Guidance on the sequencing and timing of future urban land identified in the Auckland Plan (i.e. “unzoned” greenfield areas of development) was discussed in the Future Urban Land Supply Strategy 2017 (**FULSS**), and subsequently incorporated into the updated Auckland Plan in 2018. This document sets out the anticipated timeframes for “development ready” areas over a 30-year period. The FULSS helps to inform infrastructure asset planning and funding priorities, and in turn supporting development capacity to ideally be provided in a coordinated and cost-efficient way via the release of “development ready” land. In this respect it is noted that PPC 61 is roughly in step with the staging indicated within the FULSS, however, this land release staging is based on “development ready” land. The analysis undertaken for the FULSS provided for a broad determination of bulk infrastructure requirements, acknowledging the need for more detailed planning through structure planning and bulk infrastructure planning and delivery/construction processes. These planning and delivery processes need to be considered in order to have land ready for development.
- 2.7 The urbanisation of future urban land enabled through plan changes (such as PPC 61) that precedes the wider staging and delivery of planned infrastructure and services requires careful consideration of transport needs. This includes the requirement for applicants/developers to mitigate the transport effects associated with their developments and to provide transport infrastructure needed to service their developments. In addition, there is the need to provide for strategic transport infrastructure to service the whole growth area identified in FULSS or the Supporting Growth network that needs to be brought forward because of their development. Any misalignment between the timing of infrastructure and services



and the urbanisation of greenfield areas brings into question whether the proposed development area is “development ready”.

2.8 Addressing the effects arising from development occurring ahead of the provision of the required transport network improvements and services is dependent on funding to support the planning, design, consenting and construction of transport infrastructure, services and improvements. There is a need to assess and clearly define the responsibilities relating to the required infrastructure and the potential range of funding and delivery mechanisms including the role of applicants/developers, and the financially constrained environment that Auckland Council and Auckland Transport are operating within. Discussions between the Council, the applicant, other landowners in the Drury area and the Government on this fundamental issue are ongoing, and Auckland Council and Auckland Transport are hopeful that a solution to the infrastructure funding and financing issues can be found. However, at this stage such a solution is not in place.

2.9 The plan change proposal (i.e. the amended provisions and the resulting anticipated development enabled by these amendments) will lead to urbanisation in the Drury area and requires the provision (including funding and delivery) of transport infrastructure and services to the area. The need to coordinate urban development with infrastructure planning and funding decisions is highlighted in the objectives of the National Policy Statement on Urban Development 2020 (**NPS-UD**) which are quoted below (with emphasis in bold):

*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*
- (c) responsive, particularly in relation to proposals that would supply significant development capacity.*

2.10 The Regional Policy Statement (**RPS**) objectives and policies in the AUPOP place similarly clear emphasis on the efficient provision of infrastructure and on the integration of land use and development with infrastructure, including transport



infrastructure. Refer, for instance, to Objectives B2.2.1(1)(c) and (5) and B3.3.1(1)(b), and Policies B2.2.2(7)(c), B2.4.2(6) and B3.3.2(5)(a) (e.g. Policy B3.3.2(5)(a) is to: *“Improve the integration of land use and transport by ... ensuring transport infrastructure is planned, funded and staged to integrate with urban growth”*).

- 2.11 Auckland Transport considers that the lack of alignment between the release of the subject site and the timing of supporting infrastructure and services is a key issue in assessing the effects associated with the proposal. It is important to ensure that any adverse transport effects can be appropriately mitigated. The assessment of effects should also consider whether it is necessary to limit the scale of growth that can be realistically supported in the initial stages of development based on the extent of mitigation provided by the applicants/developers.

### **Supporting transport and land use integration opportunities**

- 2.12 The integration of transport and land use is a prerequisite to managing potential and actual adverse transport effects, as well as encouraging positive transport effects. In the context of PPC 61 and other plan changes in the Drury area, such as PPC 48 (Drury Centre Precinct), PPC 49 (Drury East Precinct), and PPC 50 (Waihoehoe Precinct) and PPC 51 (Drury 2 Precinct), the investigation, planning and delivery of the strategic transport infrastructure and services needed to support the wider growth identified in the Drury – Opāheke Structure Plan area is being undertaken through the Supporting Growth Programme<sup>2</sup>.
- 2.13 The planned transport investments facilitated by planning being undertaken by Supporting Growth represent a significant investment in new and upgraded transport infrastructure and services. To realise and optimise the benefits of these investments, there is a need to assess and provide or safeguard for the integration of the land use development enabled by the plan change with the immediate and wider transport network and facilities. This integration may take the form of supporting the mutually reinforcing benefits of increased intensity along high quality and accessible public transport corridors, safeguarding the future connectivity of the wider transport network or providing for street frontages and facilities that are consistent with the wider planned transport network requirements.

### **Cumulative effects**

- 2.14 Cumulative adverse effects on the transport network can result from multiple developments that may individually have minor effects but in

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<sup>2</sup> The Supporting Growth Programme is a collaboration between Waka Kotahi NZ Transport Agency, Auckland Transport and Auckland Council.



combination with others result in significant effects. In this case, the transport effects of PPC 61 should be considered in conjunction with the potential effects from plan changes which have recently been notified<sup>3</sup> and also seek to rezone Future Urban zoned land within the Drury – Opāheke Structure Plan area for urban developments that will potentially start at around the same time. Therefore, these notified plan changes to rezone land in the wider Drury area for urban developments or higher development yields should be read and considered together. It is also important from a transport and land use perspective to consider the need to integrate the PPC 61 Precinct Plan with the likely future networks and land uses located on land outside of the immediate Precinct Plan area. This includes how the level of growth enabled by PPC 61 affects the overall capacity for growth in the vicinity of the plan change and in turn how this impacts on the planning, funding and delivery of the required transport network requirements. The estimated yield of dwellings enabled by the lodged and notified Drury Plan Changes is around 18,000 dwellings.

- 2.15 In addition to the suite of Drury plan changes currently under consideration, over time it is expected that other land holdings will also seek to rezone their sites to enable further incremental urbanisation. From the transport viewpoint, this approach of responding to the piecemeal development of non-contiguous and fragmented land ownership patterns is potentially problematic in regard to planning for and securing an integrated transport network. This includes the need to consider consistency in provisions with adjacent development sites/precincts, address cross-site/boundary transport network mitigation requirements and determine the responsibility for the delivery of transport related mitigation where there are multiple properties and frontages under different land ownership.

### **Assessment and identification of effects and mitigation**

- 2.16 In the context of PPC 61, the extent, scale and intensity of potential transport effects and the methods for mitigating these effects will require a combination of both wider strategic transport network connections, upgrades and facilities that are identified in the Drury – Opāheke Structure Plan area and developer mitigation.
- 2.17 The capacity to address the transport effects of PPC 61 is reliant and dependent on a suite of wider strategic transport network connections, upgrades and facilities that are programmed to support the Drury – Opāheke Structure Plan area. The identification and programming of these transport network improvements is being undertaken as part of the Supporting Growth Programme and is subject to a separate investigation, planning and delivery process. For example, Notices of Requirement have been lodged for State Highway 22 improvements and Jesmond

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<sup>3</sup> PC 48 (Private): Drury Centre Precinct; PC 49 (Private) Drury East Precinct; PC 50 (Private) Waihoehoe Precinct; PC 51 (Private) Drury 2 Precinct; PC 52 (Private): 520 Great South Road, Papakura; and PC 58 (Private) 470 Great South Road



Road widening, however these projects remain unfunded.<sup>4</sup> Ideally, these transport network improvements would be in place before the land use development is implemented. The scale of the Supporting Growth Programme means that there will be a lag time relating to the planning, design, consenting and construction of the strategic transport network connections, upgrades and facilities.

- 2.18 Given this inter-dependency on a separate process where there is no certainty around funding for all the identified network improvements, there is a need to consider a range of mitigation methods including the potential deferral of development or a review of land development staging to ensure co-ordination and alignment with the required transport network mitigation. The applicant's framework to give effect to the provision of transport infrastructure mitigation requirements includes the application of staging / threshold mechanisms. These mechanisms need to be devised so as to result in planning provisions that are clearly expressed, enforceable and effective and do not place an undue funding and planning risk on Auckland Transport in regard to non-compliance with these provisions.
- 2.19 The above overarching considerations have informed the following specific submission points addressed in Auckland Transport's submission.

### 3.0 **Specific parts of the plan change that this submission relates to:**

- 3.1 Auckland Transport's submission seeks to ensure that PPC 61 appropriately manages the effects of the proposal (i.e. the amended provisions and the resulting anticipated development enabled by these amendments) on the local and wider transport network. The specific parts of the plan change that this submission relates to are set out in the main body of this submission and **Attachment 1** and include the following:
- a. Lack of infrastructure funding / funding and delivery certainty to support development;
  - b. Staging and timing of transport infrastructure and services to support the proposed development;
  - c. Development triggers / provision of transport upgrades and mitigation;
  - d. Land use integration with public transport and active mode networks;
  - e. The transport network proposed within the Precinct Plan and connections with adjacent areas;
  - f. The impact of the proposed land use and roading network on the current and future arterial network;

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<sup>4</sup> [Drury Arterials Network: Jesmond to Waihoehoe West FTN Upgrade \(Auckland Transport\)](#) and [Drury Arterials Network: Alteration to Designation 6707 State Highway 22 Updgrade \(NZTA\)](#)



- g. Reliance on the funding and delivery of strategic transport infrastructure and identification of interim mitigation if this infrastructure is not in place;
- h. Proposed vehicle access restriction along arterial routes; and
- i. Noise mitigation.

3.2 Auckland Transport acknowledges and appreciates the responses that the applicant provided on queries requested through the Clause 23 process prior to the notification of the private plan change. However, a number of key concerns are yet to be fully addressed as detailed in **Attachment 1**.

3.3 PPC 61 has been notified shortly after five other plan changes in the Drury area (PPCs 48, 49, 50, 51 and 52). Good planning outcomes, particularly those in relation to the transport network, rely on the need to consider effects of all of these private plan changes in an integrated manner to ensure sound and integrated planning and decision making. For this purpose, Auckland Transport's submissions on PPC 61 should be read and considered along with Auckland Transport's submissions on PPCs 48, 49, 50, 51 and 52. Copies of Auckland Transport's submissions on PPC 48, PPC 49, PPC 50, PPC 51 and PPC 52 can be accessed via the Auckland Council website.<sup>5</sup>

3.4 Auckland Transport **opposes** PPC 61, **unless** the matters/concerns raised in this submission (including the main body and **Attachment 1**) are appropriately addressed, and any adverse effects of the proposal on the transport network can be adequately avoided or mitigated.

#### 4.0 Decisions sought from the Council

4.1 Auckland Transport's primary position at this time is that the Council should decline PPC 61 unless the concerns raised in this submission including the main body and **Attachment 1** are appropriately addressed and resolved.

4.2 **Attachment 1** provides further detail of the decisions sought from the Council, including alternative relief in the event that Auckland Transport's primary relief (that PPC 61 be declined) is not accepted.

4.3 In all cases where amendments to the plan change are proposed, Auckland Transport would consider alternative wording or amendments to the objectives, policies, rules, methods and maps which address the reason for Auckland

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<sup>5</sup> PPC 48 Submitter 27 <https://www.aucklandcouncil.govt.nz/UnitaryPlanDocuments/pc-48-sdr.pdf>  
 PPC 49 Submitter 35 <https://www.aucklandcouncil.govt.nz/UnitaryPlanDocuments/pc-49-sdr.pdf>  
 PPC 50 Submitter 22 <https://www.aucklandcouncil.govt.nz/UnitaryPlanDocuments/pc-50-sdr.pdf>  
 PPC 51 Submitter 39 <https://www.aucklandcouncil.govt.nz/UnitaryPlanDocuments/pc-51-summary-of-decisions-requested.pdf>  
 PPC 52 Submitter 13 <https://www.aucklandcouncil.govt.nz/UnitaryPlanDocuments/pc-52-sdr.pdf>



Transport's submission. Auckland Transport also seeks any further, other or consequential relief required to respond to the reasons for this submission and/or give effect to the decisions requested.

4.4 Auckland Transport is available and willing to work through the matters raised in this submission with the applicant.

#### **5.0 Appearance at the hearing**

5.1 Auckland Transport wishes to be heard in support of this submission.

5.2 If others make a similar submission, Auckland Transport will consider presenting a joint case with them at the hearing.

**Name:** Auckland Transport

**Signature:**

A handwritten signature in black ink, appearing to read 'CR.' with a flourish.

Christina Robertson

Group Manager, Strategic Land Use and Spatial Management

**Date:** 1 March 2021

**Contact person:** Kevin Wong Toi  
Principal Planner, Land Use Policy and Planning

**Address for service:** Auckland Transport  
Private Bag 92250  
Auckland 1142

**Telephone:** 09 447 4200

**Email:** [Kevin.Wong-Toi@at.govt.nz](mailto:Kevin.Wong-Toi@at.govt.nz)



**Attachment 1**

The following table sets out where amendments are sought to PPC 61 Waipupuke Precinct Provisions and AUPOP maps and also identifies those provisions which Auckland Transport supports.

Italics = *PPC 61 notified text*

Strikethrough = ~~proposed deletions~~

Bold and underline = **proposed additions**

Issue Provision	/ Relevant Precinct Provisions	Position (Support / Oppose)	Reasons for submission	Decision / relief sought
Plan change has not addressed adverse transport effects	Entire plan change	Oppose	<p>Auckland Transport is concerned that the adverse transport effects, including cumulative effects, have not been adequately mitigated to enable the development of PPC 61 (currently estimated at 1,400 to 2,800 dwellings and 3,000m<sup>2</sup> to 6,000m<sup>2</sup> Gross Floor Area (GFA) of non-residential activities).</p> <p>A number of other amendments are requested to the PPC 61 precinct provisions for the reasons outlined below.</p>	Decline PPC 61 unless Auckland Transport's concerns as outlined in this submission are resolved.



Issue Provision	Relevant Precinct Provisions	Position (Support / Oppose)	Reasons for submission	Decision / relief sought
Lack of infrastructure / funding and delivery certainty to support development	Entire Plan Change	Oppose	<p>Auckland Transport is concerned that PPC 61 provides no clear indication of how transport infrastructure would be financed and funded. PPC 61 is reliant on major transport infrastructure projects (both bulk infrastructure as well as upgrades to existing infrastructure and operational services) to be provided by third parties. These provisions are required to service and support the rezoning of the precinct area from Future Urban Zone to a mix of Business and Residential zones.</p> <p>While a number of the “New Zealand Upgrade Programme” projects and other peripheral transport infrastructure improvements have been planned, the Regional Land Transport Plan 2018-2028 has not identified or allocated funding for major transport infrastructure or new services to support the urbanisation in the Drury area before 2028. Even where proposed infrastructure is funded, it will take years to consent, design and construct.</p> <p>Developments happening ahead of any supporting transport infrastructure being in place (as being fully “development ready”) is not sound resource management practice.</p> <p>Moreover, uncoordinated transport infrastructure provision will not result in well-functioning urban environments as anticipated by the NPS-UD and will lead to poor land use-transport integration outcomes.</p>	<p>Decline PPC 61 unless the reasons for this submission, as outlined in the main body of this Transport’s concerns about transport infrastructure and services funding deficit, are appropriately addressed and resolved.</p> <p>If PPC 61 is not declined, then given that there is no certainty around funding and delivery for required infrastructure improvements, there is a need to consider a range of mitigation methods including the potential deferral of development or a review and implementation of land development staging to ensure co-ordination and alignment with the required transport network mitigation.</p>



Issue Provision	/ Relevant Precinct Provisions	Position (Support / Oppose)	Reasons for submission	Decision / relief sought
<p>Misalignment of release development site and the provision of transport infrastructure upgrades</p>	<p>Entire Plan Change</p>	<p>Oppose</p>	<p>Auckland Transport is not supportive of development proposals where there is no provision, or there is inadequate provision, for the necessary infrastructure to enable development to be appropriately serviced, such as the upgrading of the surrounding transport network where it will be required.</p> <p>Auckland Transport does not have funding to provide for any required strategic infrastructure or upgrades to support the development of such land.</p> <p>As noted above, the Auckland Plan and the FULSS identify Drury West Stage 1 to be considered for release for urban development in 2018—2022 (1<sup>st</sup> half, Decade One). Drury West Stage 1 is identified as being development ready from 2022. PPC61 is therefore, when the lead times for making operative plan changes are taken into account, roughly in step with the Auckland Plan Development Strategy and FULSS sequencing.</p> <p>Notwithstanding this, the area is not as matters stand infrastructure ready. While there is provision for new rail stations included within the New Zealand Upgrade Programme, there is no current funding for the upgrade of State Highway 22 / Karaka Road and upgrades to Bremner Road and Jesmond Road. Should there be any changes to the availability of funding (and subsequent delivery) for the identified transport infrastructure, there will be a need to review the scale and timing / staging of any developed transport enabled by PPC 61 and to reassess how the generated transport demands and effects would be provided for and mitigated.</p> <p>Auckland Transport is also concerned the staging of PPC 61 development may adversely affect the ability of the future transport network to be upgraded to address the cumulative</p>	<p>Decline PPC 61, or alternatively amend the plan change to incorporate provisions and / or identify appropriate mechanisms to provide for the required transport upgrades that are appropriately staged in accordance with the provision of the wider transport network improvements and build out the enabled land use development.</p>



Issue Provision /	Relevant Precinct Provisions	Position (Support / Oppose)	Reasons for submission	Decision / relief sought
			effects of growth associated with urbanisation of the Future Urban land within Drury.	
Upgrade of existing roads to required urban standard	Precinct Plan	Oppose	<p>PPC 61 does not address the need for frontage upgrades to be provided at the time of development.</p> <p>PPC 61 could lead to development along Oira Road, State Highway 22 / Karaka Road and Jesmond Road without associated frontage improvements. These frontage improvements should ideally be provided for at the time of development by the developer as mitigation of effects generated by each respective site or area.</p> <p>It is noted that Notices of Requirement have been lodged for State Highway 22 improvements and Jesmond Road widening<sup>6</sup> and urbanisation / frontage improvements should be configured so as to provide for / not preclude the full outcome.</p> <p>These roads are currently built, in part, to a rural standard and developers should be required to form the interim urbanisation of these site frontages that will not preclude the ultimate form of the upgrades along these corridors being realised. Required upgrades would include, without limitation, provision of</p>	<p>Amend PPC 61 to incorporate provisions and / or mechanisms which address the following in relation to the upgrade of Oira Road, State Highway 22 / Karaka Road and Jesmond Road:</p> <ul style="list-style-type: none"> <li>• Vesting and formation of frontage, drainage and carriageway upgrades</li> <li>• Timing of upgrade requirements</li> <li>• Funding and delivery of the above work.</li> </ul>

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<sup>6</sup> [Drury Arterials Network: Jesmond to Waihoehoe West FTN Upgrade \(Auckland Transport\)](#) and [Drury Arterials Network: Alteration to Designation 6707 State Highway 22 Updgrade \(NZTA\)](#)



Issue Provision	/	Relevant Precinct Provisions	Position (Support / Oppose)	Reasons for submission	Decision / relief sought
Consistency with AUPOP Regional Policy Statement (RPS)		Entire Plan Change	Oppose	<p>footpath, kerbs and channels, earthworks to integrate with development levels, cycle facilities, street lights, berm and street trees as well as carriageway widening/upgrading, land vesting and stormwater treatment and conveyance.</p> <p>The applicant's assessment of the proposed plan change against the AUPOP Regional Policy Statement (RPS) provisions has indicated that –  <i>The land subject to this Private Plan Change Request is located within the Urban Area identified within Appendix 1A, is zoned for Future Urban purposes and is anticipated under the Auckland Unitary Plan to follow a structure planning process and be rezoned for residential use in the future through a plan change process (within the timeframe that is proposed by the PPC).</i><sup>7</sup>  <a href="#">Appendix 1A</a> of the AUPOP is the Urban Area 2016 identifying the main contiguous urban zones as at the operative date of</p>	Decline PPC 61 on the basis that the area is not giving effect to the Regional Policy Statement (RPS) or alternatively reconcile the discrepancy between the relevant RPS provisions (B2.2.1 Objective 2 and B2.2.2 Policy 4) and the Drury – Opāheke Structure Plan in the context of statutory regional planning guidance on future urban zones in Auckland.

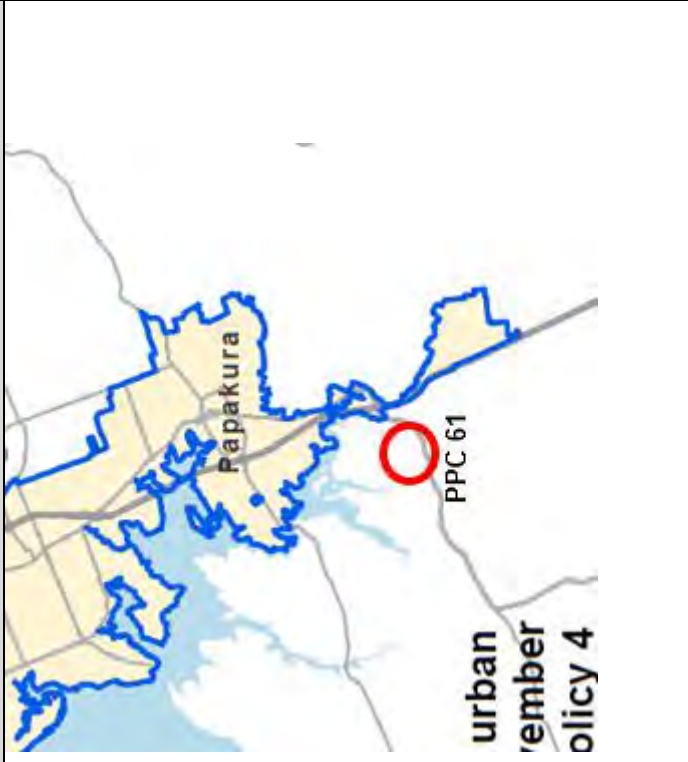


Issue Provision /	Relevant Precinct Provisions	Position (Support / Oppose)	Reasons for submission	Decision / relief sought
			<p>the Unitary Plan (15 November 2016) and relates to RPS B2.2.1 Objective 2<sup>8</sup> and B2.2.2 Policy 4<sup>9</sup>.</p> <p>The PPC 61 land is outside of the Urban Area identified in Appendix 1A (refer to below diagram) although it is within the Rural Urban Boundary. This being the case, PPC 61 is inconsistent with the “promote urban growth and intensification within the urban area 2016” aspect of Policy B2.2.2(4). In terms of Policy B2.2.2(4) growth should be “enabled” but not necessarily “promoted”. This highlights a disjoint between the Regional Policy Statement policies and the non-statutory Drury – Opāheke Structure Plan. For example, whether the Drury – Opāheke Structure Plan was the mechanism to enable the urban growth envisaged in Drury West while recognising that this area was not initially viewed as a location where growth would be encouraged.</p>	

<sup>8</sup> B2.2.1 Objectives, (2) Urban growth is primarily accommodated within the urban area 2016 (as identified in Appendix 1A).

<sup>9</sup> B2.2.2 Policies, (4) Promote urban growth and intensification within the urban area 2016 (as identified in Appendix 1A), enable urban growth and intensification within the Rural Urban Boundary, towns and coastal towns and villages, and avoid urbanisation outside these areas.



Issue Provision	Relevant Precinct Provisions	Position (Support / Oppose)	Reasons for submission	Decision / relief sought
Transport and land use integration	IXX.2 Objectives & IXX.3 Policies	Oppose	 <p>The specific outcomes anticipated within the Waipupuke precinct identified by the applicant include "Transport provisions including provision of roading within the site,</p>	Amend PPC 61 to incorporate amended and/or additional objectives and policies to address the application of transport and land use integration principles including: <ul style="list-style-type: none"> <li>efficiently servicing key origins/destinations by high quality public transport from the outset of development;</li> <li>minimising walk distances to public transport nodes and stops;</li> </ul>



Issue Provision /	Relevant Precinct Provisions	Position (Support / Oppose)	Reasons for submission	Decision / relief sought
			<p><i>provision of pedestrian and cycle paths and control of access to arterial roads</i>".<sup>10</sup></p> <p>These narrow outcomes do not reflect the broader transport and land use integration principles that will ultimately support the on-going management of transport demands and effects proposed to be enabled by PPC 61.</p> <p>Mode share as a specific transport outcome is discussed in the application's Integrated Transport Assessment (ITA). The ITA notes that in order to achieve the mode share forecasts, the following is considered important:</p> <ul style="list-style-type: none"> <li>• Provision of high-quality public transport early in the development of the area</li> <li>• High quality active mode links are provided to centres and public transport nodes</li> <li>• Design of high-quality urban streets to promote active mode travel</li> <li>• Building forms and street design which reduce vehicle ownership<sup>11</sup></li> </ul> <p>The Drury – Opāheke Structure Plan (August 2019) includes a summary of potential matters to be addressed in plan changes including transport and land use integration considerations. These considerations are also discussed in the AEE.<sup>12</sup></p> <p>Auckland Transport notes that the above considerations identified in the ITA and AEE will inform transport and land use</p>	<ul style="list-style-type: none"> <li>• mitigating barriers to safely accessing public transport;</li> <li>• locating a variety of land uses within a defined catchment to reduce travel distances / enable local trips by active modes; and</li> <li>• encouraging travel demand management initiatives.</li> </ul>

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<sup>10</sup> Plan Change Report Section 32 Analysis Assessment of Environmental Effects (22 January 2021), section 5.2 Detail of the Plan Change Request  
<sup>11</sup> Waipupuke Private Plan Change Integrated Transportation Assessment Report (28 October 2020), section 5.1 mode share and trip rates  
<sup>12</sup> Plan Change Report Section 32 Analysis Assessment of Environmental Effects (22 January 2021), section 6.5.3 Potential matters to be addressed in plan changes





Issue Provision /	Relevant Precinct Provisions	Position (Support / Oppose)	Reasons for submission	Decision / relief sought
			<p>integration outcomes but are not explicitly reflected in the proposed precinct plan objectives and policies. Additional objectives and policies to address transport and land use integration are sought.</p>	
Staging requirements-General	Entire Plan Change	Oppose	<p>PPC 61 does not include general provisions which would enable the consideration of the staging applied to subdivision and the proposed development in line with the delivery of required infrastructure to mitigate adverse effects and service the development.</p> <p>Where network connections/links cross several properties, staging can affect the level of interim connectivity leading to adverse effects including the inability to introduce public transport services to new urban areas.</p>	<p>Amend PPC 61 to include appropriate activity rules, standards, matters of discretion and assessment criteria in relation to staging requirements.</p> <p>Amend PPC 61 to incorporate provisions that address cross boundary transport network mitigation requirements and determining the responsibility for the delivery to ensure interim adverse effects on the transport network are mitigated.</p>
Staging and timing of transport infrastructure and services to support the proposed development	Entire plan change	Oppose	<p>The Clause 23 traffic assessment has indicated that the State Highway 22 / Oira Road intersection needs to be upgraded (from priority controlled to roundabout) prior to any development of the plan change area. It is suggested that subsequent to this upgrade, the performance of the State Highway 22 / Oira Road and State Highway / Jesmond Road intersections will not require any further improvement up until the development reaches approximately 2,000 units.</p> <p>This development threshold is reflected in the proposed precinct provisions as a restricted discretionary activity resource consent assessment for any residential dwelling</p>	<p>Decline PPC 61 or alternatively amend the plan change to incorporate provisions addressing the staging and timing of transport infrastructure and services with the proposed development build-out and the interim effects of development proceeding ahead of the ultimate planned network, including:</p> <ul style="list-style-type: none"> <li>The requirement for transport infrastructure and services to be delivered prior to the construction of anticipated stages of development enabled by the plan change.</li> </ul>

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Issue Provision	/ Relevant Precinct Provisions	Position (Support / Oppose)	Reasons for submission	Decision / relief sought
			<p>resource consent application (excluding superlot subdivision applications) after 2,000 dwellings have been consented within the Waipupuke plan change area.</p> <p>The proposed assessment framework includes an exemption from the restricted discretionary assessment if a number of strategic transport upgrades are provided prior to the 2,000 residential dwelling number being reached within Waipupuke Precinct.<sup>13</sup></p> <p>Other than this, there are no new staging requirements proposed.</p> <p>Managing the potential effects of poorly aligned infrastructure and land use will require strong staging related mechanisms to ensure that the interim effects of the development proceeding ahead of the required transport network and services upgrades are mitigated or avoided. This mitigation needs to be provided by developers in conjunction with or ahead of their development.</p> <p>Auckland Transport is concerned that interim adverse effects may result if the following network improvements are not provided at the right time. This includes:</p> <ul style="list-style-type: none"> <li>• Early active mode access to the proposed new rail station and /or bus services;</li> <li>• Introduction of public transport services to the Precinct Plan area</li> </ul>	<ul style="list-style-type: none"> <li>• The appropriate application of development staging rules and standards including the activity status when breaching triggers for transport infrastructure requirements.</li> <li>• Recognising the associated processes necessary to bring about delivery of transport infrastructure and services as the basis for defining the timeframes for transport infrastructure and services in relation to the staging of the enabled land use development.</li> <li>• The transport infrastructure requirements to include: <ul style="list-style-type: none"> <li>- Early active mode access to the proposed new rail station and / or bus services;</li> <li>- Introduction of public transport services to the Precinct Plan area</li> <li>- Any interim improvements to State Highway 22;</li> <li>- Upgrade of the State Highway 22 / Oira road intersection to a roundabout</li> <li>- Internal collector and local connections identified within precinct plan</li> </ul> </li> </ul>

<sup>13</sup> Oira Road widening and SH22 intersection upgrade; Jesmond Road widening and SH22 intersection upgrade; SH22 improvements; Jesmond Road; Extension; Drury West rail station construction; Rail network upgrade; Bremner Road works; and. Pukekohe Expressway.



Issue Provision	/	Relevant Precinct Provisions	Position (Support / Oppose)	Reasons for submission	Decision / relief sought
				<ul style="list-style-type: none"> <li>• Any interim improvements required to State Highway 22 as it transitions from a high-speed rural state highway to an urban arterial.</li> <li>• Upgrade of existing roads to required urban standard</li> <li>• Internal collector and local connections identified within precinct plan</li> <li>• Any other transport improvements identified as being required to support proposed development</li> </ul> <p>As part of the Clause 23 traffic assessment a number of scenarios have been tested with varying assumptions around the land use (dwellings and employees) and corresponding transport network improvements. The focus of this assessment provided by the applicant is on the performance of the State Highway 22 / Oira Road and State Highway / Jesmond Road intersections. Aside from these intersections, there is no discussion on or definition of the provision of other transport mitigation required based on the anticipated staging of development.</p> <p>Further clarification is also required on how the proposed threshold mechanism would work in practice, for example, monitoring of the cumulative number of dwellings consented within the Waipupuke plan change area may be an appropriate mechanism (assuming these consents relate to land use consents for residential activities). However, if the residential development is permitted based on the relevant AUPOP provisions, then these dwellings would not necessarily require a land use consent and therefore not be monitored. Also, it is unclear as to whether the exception to the restricted discretionary assessment is based on <u>all</u> the transport</p>	<ul style="list-style-type: none"> <li>- Any other transport improvements identified as being required to support proposed development</li> </ul>



Issue Provision	/ Relevant Precinct Provisions	Position (Support / Oppose)	Reasons for submission	Decision / relief sought
			<p>upgrades being provided prior to the 2,000 dwelling threshold being reached.</p> <p>The responsibility for delivering the identified intersection is also not explicitly addressed.</p>	
<p>Identification and mitigation of operational effects on the transport network</p>	<p>Entire plan change</p>	<p>Oppose</p>	<p>The implementation of the enabled land use will generate operational effects on the function and sustainable management of transport assets. These effects will potentially include but are not limited to the following:</p> <ul style="list-style-type: none"> <li>• Accelerated rate of damage on roading assets generated by increased vehicle movements such as Heavy Commercial Vehicles associated with development and infrastructure construction.</li> <li>• Consideration of the requirements to build significant utility infrastructure in the existing road corridors which are also likely to disturb the insitu pavements. This will therefore accelerate the need to upgrade the roads irrespective of the Integrated Transport Assessment evaluation of peak hour generation and/or operating capacity thresholds. Accelerating this work could also impact the overall resilience of the local road network and could impede on traffic diversions by other key infrastructure works (e.g. Papakura to Bombay, rail, motorway widening, Drury South Interchange, Mill Road etc).</li> <li>• Rerouting of traffic via Bremner Road (i.e. as a rat run east west across Drury) based on the development timing and the potential effects on Jesmond Road and its intersection controls.</li> <li>• Rerouting of traffic and network impacts due to temporary construction detours (e.g. during rail widening works etc) will also have a significant impact</li> </ul>	<p>Amend PPC 61 precinct provisions to provide for the mitigation of operational transport effects as part of the suite of transport staging provisions.</p>



Issue Provision	/ Relevant Precinct Provisions	Position (Support / Oppose)	Reasons for submission	Decision / relief sought
			<p>on the existing roads, their controls and pavement conditions.</p> <p>The Integrated Transport Assessment identifies some of the generic construction traffic considerations and expectations associated with preparing a Construction Traffic Management Plan<sup>14</sup>. This discussion does not identify the relevant nuances that need to be considered in regard to the mitigation requirements to address construction traffic effects on both the capacity and condition of roads. In this regard, there is no certainty that these operational effects will be appropriately addressed at the resource consent stage when a Construction Traffic Management Plan is prepared.</p> <p>To provide a greater level of certainty of addressing operational effects, it is suggested that as part of the proposed transport staging provisions (discussed above as part of the staging and timing of transport infrastructure and services to support the proposed development) a specific item be included to address the identification of any interim mitigation measures.</p>	
Restricting access along State Highway 22 / Karaka Road and Jesmond Road	Arterial road access restrictions	Support with amendments	<p>State Highway 22 / Karaka Road is part of the State Highway network managed by Waka Kotahi and is classified as an arterial road in the AUPOP. The role of State Highway 22 / Karaka Road includes accommodating regional freight movements. Jesmond Road has been identified as a future arterial road as part of the Supporting Growth Programme's strategic network. Jesmond Road is managed by Auckland Transport. It is noted that in the future, State Highway 22 / Karaka Road may be revoked as a state highway and transferred to Auckland Transport as an urban route (for</p>	<p>22.11</p> <ul style="list-style-type: none"> <li>Support the retention of the standards as they apply to PPC 61 area.</li> <li>Amend PPC 61 to include an additional objective in the precinct provisions addressing the safe and efficient operation of the key strategic routes supporting the plan change area.</li> <li>Amend PPC 61 to include an additional policy in the precinct provisions addressing the</li> </ul> <p>22.12</p> <p>22.13</p>

<sup>14</sup> Waipupuke Private Plan Change Integrated Transportation Assessment Report (28 October 2020), section 9 Construction traffic



Issue Provision	/	Relevant Precinct Provisions	Position (Support / Oppose)	Reasons for submission	Decision / relief sought
				<p>example when an alternative strategic route is in place – i.e. the Pukekohe Expressway).</p> <p>Given the status of State Highway 22 / Karaka Road and Jesmond Road as key parts of the transport network, Auckland Transport supports the proposed arterial road access restrictions (refer below for proposed suite of provisions). The proposed restrictions would support the safe and efficient operation of these routes.</p> <p><i>Table IXXX.4.1 Residential - Terrace House and Apartment Building Zone</i>  <i>(A17) Infringement of Standard IXXX6.5 – Arterial Road Access (NC)</i></p> <p><i>Table IXXX.4.2 Residential - Mixed Housing Urban Zone</i>  <i>A(13) Infringement of Standard IXXX6.5 – Arterial Road Access (NC)</i></p> <p><i>Table IXXX.4.3 Business - Neighbourhood Centre Zone</i>  <i>A(19) Infringement of Standard IXXX6.5 – Arterial Road Access (NC)</i></p> <p><i>Table IXXX.4.4 Open Space – Informal Recreation Zone</i>  <i>A(23) Infringement of Standard IXXX6.5 – Arterial Road Access (NC)</i></p> <p><i>IXXX.6.5 Arterial Road Access</i>                      Purpose:</p> <ul style="list-style-type: none"> <li>restrict direct vehicle access from individual sites and road intersections onto Jesmond Road</li> </ul>	<p>management of adverse effects on the effective, efficient and safe operation of State Highway 22 / Karaka Road and Jesmond Road for all transport users through the application of vehicle access restrictions.</p> <ul style="list-style-type: none"> <li>For avoidance of any doubt, to amend PPC 61 to indicate the extent of the vehicle access restrictions on IXXX9.3 Waipupuke Precinct Plan 3: Transport and provide appropriate cross references in the relevant standards.</li> <li>As and when Jesmond Road is upgraded to an arterial route, to amend the AUPOP planning maps (arterial road control) to identify it as an arterial road.</li> </ul>

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Issue Provision	/	Relevant Precinct Provisions	Position (Support / Oppose)	Reasons for submission	Decision / relief sought
				<ul style="list-style-type: none"> <li>• <i>avoid direct vehicle access from individual sites and road intersections to State Highway 22</i></li> <li>• <i>achieve the safe and efficient operation of transport infrastructure</i></li> </ul> <p>(1) <i>No road intersections shall be permitted directly onto Jesmond Road except for the proposed collector road as indicated on Precinct Plan 3.</i></p> <p>(2) <i>No private vehicle access from any property shall be permitted directly onto Jesmond Road, except for one vehicle access located to the south of the Protected Stream identified on Precinct Plan 2.</i></p> <p>(3) <i>No road intersections or private vehicle access from any property shall be permitted directly onto State Highway 22.</i></p> <p>It is noted that there are no objectives or policies addressing these precinct-based provisions and Auckland Transport seeks the inclusion of an additional objective and policy to inform the proposed vehicle access standard.</p>	



Issue Provision	/	Relevant Precinct Provisions	Position (Support / Oppose)	Reasons for submission	Decision / relief sought
Alignment of proposed land uses and road network with public transport infrastructure and routes		Zoning IXXX9.3 Waipuke Precinct Plan 3: Transport	Oppose in part	<p>One of the factors determining the proposed location and density of land uses as set out in PPC 61 are the suite of roading and public transport upgrades planned for the wider Drury area. For example, the principle of locating higher density development in closer proximity to public transport routes is reflected in the PPC 61 policies.<sup>15</sup></p> <p>Jesmond Road is proposed to be upgraded to an arterial road forming part of a future Frequent Transport Network (FTN) route. When complete, this will provide a high frequency bus service supporting access to the PPC 61 area, both Drury rail stations and connections to the rest of Auckland via the extended FTN. Walkable access to this network is important for the town centre as is access to the future rail station.</p> <p>Collector and local roads and active mode routes need to be developed so that they efficiently and effectively connect the new urban areas including the proposed town centre (part of PPC 51: Drury 2 Precinct) to the Jesmond Road arterial route and the future rail stations. This will help maximise the active mode catchments around public transport routes and stations.</p> <p>In regard to the proposed alignment of the collector road network servicing PPC 61, there is an expectation that the collector network will be of a standard to support bus movements. To enable a local bus network to function efficiently, the alignment of the proposed PPC 61 east-west collector network needs to be aligned so that it is consistent with the Drury - Opaheke Structure Plan 2019 (as shown below). This forms a future east-west link between Oira Road</p>	<p>Amend PPC 61 land uses in terms of density and zoning location to better align and integrate with the proposed pattern of future bus routes and services.</p> <p>Amend PPC 61 east-west collector network to align with the proposed collector network shown in the Drury - Opaheke Structure Plan 2019.</p>


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<sup>15</sup> IXXX.3 Policy (5) Locate more intensive accommodation and commercial development opportunities adjacent to primary transport corridors, public transport routes and the neighbourhood centre.





Issue Provision	/	Relevant Precinct Provisions	Position (Support / Oppose)	Reasons for submission	Decision / relief sought
				<p>in the west and proposed town centre (part of PPC 51 (Private): Drury 2 Precinct) to the east of Jesmond Road. It is noted that the east-west collectors shown in IXX9.3 Waipupuke Precinct Plan 3: Transport are not consistent with the Structure Plan.</p>  <p>To optimise the land uses serviced by the proposed bus routes, opportunities to generate a more dense linear urban form along Oria Road and Jesmond Road should be considered. This would be consistent with Policy (5) in the proposed precinct provisions.<sup>16</sup></p> <p>The zoning pattern proposed as part of PPC 61 includes Terrace Housing and Apartment Buildings residential zoned</p>	

<sup>16</sup> Policy (5) Locate more intensive accommodation and commercial development opportunities adjacent to primary transport corridors, public transport routes and the neighbourhood centre



Issue Provision	/ Relevant Precinct Provisions	Position (Support / Oppose)	Reasons for submission	Decision / relief sought
			<p>land in the southern part of the plan change area on the assumption that State Highway 22 / Karaka Road caters for a primary bus service.<sup>17</sup> Bus routes along State Highway 22 are generally not ideal given the high traffic volumes (including heavy vehicle movements) and constraints around pedestrians crossing this corridor. It is therefore unlikely that the proposed Terrace Housing and Apartment Buildings zone fronting the northern side of State Highway 22 will be directly serviced by bus services. The timing of other public transport improvements also needs to be considered, including the Drury West rail station, and the identification of any interim mitigation that is needed should these improvements not be implemented before the build out of the PPC 61 development.</p>	



Issue Provision	/ Relevant Precinct Provisions	Position (Support / Oppose)	Reasons for submission	Decision / relief sought
Proposed road cross-sections	IXXX.6 Standards IXXX.6.3 Collector Roads	Oppose in part	<p>Auckland Transport seeks a consistent approach across Private Plan Change precinct provisions in the use of cross sections which outline the standards to be applied to future road construction. This approach should balance the need for flexibility to respond to changing design standards over time and the need for certainty, particularly where roads have to be constructed over time by a number of developers.</p> <p>This inconsistency is highlighted by the variation in road cross-sections proposed as part of PPC 61. For example, the Integrated Transport Assessment<sup>18</sup> has indicated overall road widths of 20m and 16m for collector and local roads respectively. The proposed precinct provisions include a generic collector road cross-section diagram<sup>19</sup> indicating an overall range in width of 18 to 21m and cross-section for local roads. This is less wide than provided for within the other Drury plan changes and may not be of sufficient width to accommodate the required design elements including separated cycleways.</p> <p>Auckland Transport seeks provisions within Precinct Plans which indicate overall minimum road reserve widths as well as the functional requirements and key design elements for street design. These should be supported by appropriate activity status, matters for discretion and assessment criteria to provide for instances where these provisions are not met. Auckland Transport also considers it appropriate that when development is undertaken next to a rural road, the road should be upgraded to the appropriate urban standard.</p>	<p>Delete IXXX.6.3(1) road cross-section diagram.</p> <p>Amend PPC 61 to include provisions relating to the minimum road reserve widths and key design elements and functional requirements of new roads and roads which need to be upgraded to urban standards including but not limited to:</p> <ul style="list-style-type: none"> <li>• Carriageway</li> <li>• Footpaths</li> <li>• Cycleways</li> <li>• Public Transport</li> <li>• Ancillary Zone (parking, street trees etc.)</li> <li>• Berm</li> <li>• Frontage</li> <li>• Building Setback</li> <li>• Design Speed (e.g. to support safe active mode movements)</li> <li>• Confirming that the proposed width of collector roads is adequate to accommodate required design elements and increase if necessary</li> </ul>

<sup>18</sup> Waipupuke Private Plan Change Integrated Transportation Assessment Report (28 October 2020), section 7.1 Site access  
<sup>19</sup> Sourced from Auckland Transport's Roads and Street Framework document, neighbourhood collector typology, pg 44 which has been superseded by a new version.



Issue Provision	/	Relevant Precinct Provisions	Position (Support / Oppose)	Reasons for submission	Decision / relief sought
				<p>The minimum road corridor width required to support the functional requirements and key design elements for each road or road typology should be defined. This width should be informed by the key design elements and functional requirements.</p> <p>Auckland Transport seeks the deletion of the road cross-section diagram included in the draft precinct provisions and to replace this with an approach in accordance with the above points.</p>	
Application of proposed precinct mechanism		Entire plan change	Support	Auckland Transport supports the use of precinct provisions to set out any specific transport related mitigation, assessment or staging requirements.	Retain the use of precinct provisions

22.19



Issue Provision	/ Relevant Precinct Provisions	Position (Support / Oppose)	Reasons for submission	Decision / relief sought
Notification	IXXX.5 Notification	Oppose	<p>The proposed provisions include the following notification rule: <i>Any application for resource consent for a restricted discretionary activity listed in Tables IXXX.4.1 to 4.4 will be considered without public or limited notification or the need to obtain written approval from affected parties unless the Council decides that special circumstances exist under sections 95A(9) or 95B(10) of the Resource Management Act 1991.</i></p> <p>There is no explanation or justification for the proposed approach to notification. It is noted that PPC 61 is proposing activities with a restricted discretionary activity status with the potential to have adverse effects on the transport network such as service stations and fast food outlets (including drive through facilities). Auckland Transport therefore supports the application of the normal tests for notification under the relevant sections of the Resource Management Act.</p>	<p>Amend the notification rule for restricted discretionary activities so that the normal tests for notification under the relevant sections of the Resource Management Act apply.</p>



Issue Provision	/ Relevant Precinct Provisions	Position (Support / Oppose)	Reasons for submission	Decision / relief sought
Active modes	IXX.2 Objectives IXX.3 Policies IXX.9.3 Waipupuke Precinct Plan 3: Transport	Support in part	<p>Auckland Transport supports the PPC 61 precinct provisions that provide for active (walking and cycling) mode connections. The focus of the precinct provisions is on the 'internal' active mode network such as the accessibility opportunities for active modes enabled through the proposed blue green network.</p> <p>To further recognise the potential role of active modes in generating positive transport effects and supporting the level of growth enabled by PPC 61, further development of the provisions is sought identifying the role of active modes to 'external' destinations (e.g. schools) and the public transport network. The provision of active modes pedestrian and cycle ways as shown in the PPC 61 master planning document should also be reflected in the Waipupuke Precinct Plan 3: Transport.</p>	<p>Amend the PPC61 precinct provisions to incorporate policies, standards and assessment criteria as appropriate to provide for efficient and effective active mode movements reflecting the following transport outcomes:</p> <ul style="list-style-type: none"> <li>Walking and pedestrian connections to / from public transport routes (including Jesmond Road Frequent Transit Network and Oira Road), stops and future rail stations</li> <li>Walking and pedestrian connections to / from local facilities and destinations including schools.</li> <li>Safe walking and cycling facilities provided for as part of the proposed road/street network including local roads and access ways and provisions for rear access along roads with cycle facilities.</li> <li>To include pedestrian and cycleway linkages as shown in the PPC 61 masterplan documents on IXX.9.3 Waipupuke Precinct Plan 3: Transport and any additional items as noted above.</li> </ul>



Issue Provision	Relevant Precinct Provisions	Position (Support / Oppose)	Reasons for submission	Decision / relief sought
<p>Provision of service stations and fast food outlets (including drive through facility) fronting State Highway 22 in the precinct provisions</p>	<p>Table IXXX.4.1 Residential - Terrace House and Apartment Building Zone</p> <p>IXXX.7 Assessment – Restricted Discretionary Activities</p> <p>IXXX.7.1 Matters of discretion (1)</p> <p>IXXX.7.2 Assessment criteria (1)</p>	<p>Oppose</p>	<p>The proposed precinct provisions have identified service stations and fast food outlets (including drive through facilities) fronting State Highway 22 as Restricted Discretionary activities within the Residential - Terrace House and Apartment Buildings zone. Both of these activities are generally characterised as potentially high trip generating activities attracting, relative to other activities provided for in the Terrace Housing and Apartment Buildings zone, a greater number of trips throughout the day, and in turn the potential for greater effects on the transport network.</p> <p>Elsewhere in the proposed precinct provisions there is a vehicle access control to avoid direct vehicle access from individual sites and road intersections to State Highway 22. This standard is consistent with State Highway 22's role as a limited access arterial route. Infringing this standard is a Non-Complying activity. The outcomes associated with the proposed activity status for these high trip generating activities and the vehicle access control are considered incongruous from an effects management viewpoint.</p> <p>When considering the land use activity status and vehicle access control together, the assessment framework is likely to result in vehicle access being taken from Oira Road to service these activities which is unlikely to require an assessment of transport network effects.<sup>20</sup> In this situation, it is also possible that the additional vehicle trips associated with these activities generate conflicts with the movement of active modes, noting that PPC 61 is proposing pedestrian/cycle ways and open space amenities in the vicinity of the proposed Residential -</p>	<p>Amend the PPC 61 precinct provisions by removing activities (A2) Service Stations fronting State Highway 22 and (A3) Fast food outlet (including drive through facilities) fronting State Highway 22 from Table IXXX.4.1 Residential - Terrace House and Apartment Buildings zone and removing related matters of discretion (IXXX.7.1(1)) and assessment criteria (IXXX.7.2.(1)).</p>

<sup>20</sup> It is unlikely a new vehicle access off Oira Road would require a transport assessment of the operational effects unless for example the access was located within 10m of the State Highway 22 / Oira Road intersection (E27.6.4.1.(3)(a) of the AUPOP).



Issue Provision /	Relevant Precinct Provisions	Position (Support / Oppose)	Reasons for submission	Decision / relief sought
			<p>Terrace House and Apartment Buildings zone in the south of the precinct plan.</p> <p>By way of a comparison, it is noted that the activity status of the service station and fast food outlet activities in the AUPOP Chapter H Residential - Terrace House and Apartment Buildings zone are<sup>21</sup> Discretionary and Non-Complying respectively. The PPC 61 provisions are, from the land use activity viewpoint, proposing a more enabling planning framework than the Chapter H zone provisions in a transport environment that is more sensitive to adverse trip generation effects (with State Highway 22 being a limited access arterial route) than the 'general' arterial roads that would be considered under the Chapter H zone provisions.</p> <p>Overall, the proposed service station and fast food outlet activities fronting State Highway 22 are considered incompatible from an effects point of view with the transport network and use of amenity related facilities reflected in the PPC61 master plan to support the Terrace House and Apartment Buildings zone. For these reasons, Auckland Transport requests that the proposed provisions for service station and fast food outlet activities fronting State Highway 22 be removed from the precinct provisions.</p>	
Transport assessment assumptions	Entire plan change	Oppose	<p>The Integrated Transport Assessment (ITA) supporting the PPC 61 proposal makes a high level comparison of the predicted households and jobs using assumptions and information derived from the Macro Strategic Model (MSM) regional transport model used to inform the Drury-Opāheke and Pukekohe-Paerata Structure Plan.<sup>22</sup> The ITA indicated that the</p>	<p>Further assessment of the transport effects of the enabled land use activities proposed in the PPC 61 precinct plan provisions is sought from the applicant. Depending on the outcome of this assessment, to include amended and / or additional provisions</p>

<sup>21</sup> Table H6.4.1 Activity table (A16) Service stations on arterial roads – Discretionary activity and (A1) Activities not provided for – Non-complying Drury-Opāheke and Pukekohe-Paerata Structure Plan - Draft Integrated Transport Assessment (2 April 2019)





Issue Provision	/ Relevant Precinct Provisions	Position (Support / Oppose)	Reasons for submission	Decision / relief sought
			<p>level of development planned within the relevant model zone would be consistent with the assumptions in the MSM model and in turn the growth assumed in MSM model was used to assess and identify the transport network required to service the PPC 61 development.<sup>23</sup></p> <p>In this regard, the MSM model has made certain assumptions around the estimated buildout of dwellings within the relevant model zone. The MSM model has indicated that the bulk of the residential build out would occur between 2033 and 2038.<sup>24</sup> At a high level, the development timing of PPC 61 is broadly in line with outputs of the strategic MSM model.</p> <p>The adopted rate of development/growth which has been used for the basis of the ITA may be subject to change given the more recent pressures on residential household stock in greater Auckland. Should the uptake of growth occur in advance of the assumptions adopted as part of the PPC 61 assessment, this in turn will have an impact on the need to coordinate the implementation of transport infrastructure. The coordination of the development buildout staging and corresponding transport provision should also consider the scenario of an accelerated uptake of growth and the capacity of the transport network to respond to this scenario.</p> <p>The proposed PPC 61 provisions provide for a greater scale of commercial and retail development when compared to the</p>	<p>(objectives, policies, rules, standards and assessment criteria) are sought within PPC 61 that:</p> <ul style="list-style-type: none"> <li>• Restrict the overall scale and intensity of activities that can be provided without any identified transport mitigation measures OR provide for appropriate transport mitigation measures with the staged development of PPC 61.</li> <li>• Provide for the further assessment (through later resource consents or similar) of any development at a scale beyond that which can be shown to be satisfactorily accommodated by the transport network, without any identified transport mitigation measures.</li> <li>• Provide for an appropriate activity status for high trip generating activities, including associated assessment criteria to consider effects on the operation of the transport network.</li> </ul>

<sup>23</sup> Waipupuke Private Plan Change Integrated Transportation Assessment Report (28 October 2020), sections 4.1. MSM model assumptions and 4.2 Comparison to forecast growth

<sup>24</sup> Waipupuke Private Plan Change Integrated Transportation Assessment Report (28 October 2020), Figure 4-3: Indicative buildout of Waipupuke vs modelling assumptions



Issue Provision	/ Relevant Precinct Provisions	Position (Support / Oppose)	Reasons for submission	Decision / relief sought
Stormwater management	Entire plan change	Support in part	<p>corresponding Auckland-wide zone provisions.<sup>25</sup> Further assessment of the transport related effects resulting from the more enabling land use activities is required. This includes the extent of both potential positive effects (e.g. encouraging internal trips<sup>26</sup> / reduced trip lengths) and adverse effects (e.g. localised peak period traffic generation and external trips attracted to larger scale commercial amenities).</p> <p>It is noted that the Stormwater Management Plan (SMP) prepared in support of PPC 61 has identified how the future effects of stormwater will be managed at the point in time when the decision is made to urbanise the land. In this regard, any subsequent subdivision submitted after a SMP is adopted for a plan change needs to be in accordance with the adopted SMP. Auckland Transport has a direct interest in the SMP and subsequent process to implement stormwater treatment as road asset manager and the potential implications of the SMP on the on-going operation and maintenance of the road network as a physical resource.</p>	<p>Any subsequent amendments to the PPC 61 precinct provisions providing direction on the how stormwater is managed within the road network are reviewed and if required amended to safeguard Auckland Transport's interests in the sustainable management of the road network.</p> <p>Auckland Transport seeks that the drafting of the stormwater related provisions be consistent with those to apply with the Drury East plan changes (PPC48-50). This includes those policies and rules</p>

<sup>25</sup> For example the H12 Business – Neighbourhood Centre Zone provides for offices up to 500m<sup>2</sup> gross floor area per site as permitted and supermarkets up to 450m<sup>2</sup> gross floor area per tenancy as permitted. This compares to the PPC 61 proposed precinct provisions where offices up to 1,500m<sup>2</sup> GFA per site are permitted and retail (excluding supermarkets) up to 3,500m<sup>2</sup> GFA per site as permitted. It is noted that there are differences in the provisions in terms the per tenancy and per site based thresholds.

<sup>26</sup> Clause 23 response: Waipupuke PPC Local Traffic effects (19 November 2020) contains assumptions on the split of internal and external trips as shown in Table 5-3. The proposed split of internal and external trips reflects the general assumption in Section 5.1.2 of the Clause 23 traffic response that - "A neighbourhood centre is expected to primarily cater for the land surrounding the centre and is only expected to attract external trips in limited circumstances." It is noted in Section 5.2.1 Precinct description of the Section 32 Analysis Assessment of Environmental Effects that – "A key feature of the neighbourhood centre and the precinct is the Southern Auckland Medical and Specialist Centre which will provide health and medical services to the population of the Auckland Region, particularly those in South Auckland". This suggest a significant component of trips associated with the medical centre (as part of the Neighbourhood Centre) would be external trips from a wider catchment.



Issue Provision /	Relevant Precinct Provisions	Position (Support / Oppose)	Reasons for submission	Decision / relief sought
			<p>The SMP framework is supported in principle including the recognition of Auckland Transport's preference for fewer larger treatment devices. In regard to the replacement, relocation or upgrade of any culvert structures, Auckland Transport suggests that these are considered and incorporated as part of the suite of road network upgrade mitigation measures and coordinated with the overall staging of the PPC 61 build out. Auckland Transport requests that any subsequent amendments to the precinct provisions providing direction on how stormwater is managed within the road network is reviewed and if required amended to safeguard Auckland Transport's interests in the sustainable management of the road network.</p> <p>Auckland Transport also seeks that the drafting of the stormwater provisions be consistent with those to apply with the Drury East plan changes (PPC48-50). This includes those policies and rules requiring consideration of the operating costs associated with proposed stormwater treatment assets as well as opportunities for consolidation of treatment assets where appropriate.</p>	<p>requiring consideration of the operating costs associated with proposed stormwater treatment assets as well as opportunities for consolidation of treatment assets where appropriate.</p>
Proposed precinct road network connections to the west (Oira Road) and east (Jesmond Road)	IXXX Waipupuke Precinct Plan	Oppose in part	<p>PPC 61 provides for east-west collector road links that would ultimately need to connect to adjoining private land outside of the plan change boundary that is zoned as Future Urban Zone.</p> <p>The general level of network connection is supported. However, there is no discussion or analysis to demonstrate the feasibility of continuing the routes to the western side of Oira Road or to the eastern side of Jesmond Road (also discussed in a separate point in relation to the alignment of public transport connections) in a manner that integrates with wider future development of adjoining properties. The future arterial status</p>	<p>Auckland Transport seeks the following:</p> <ul style="list-style-type: none"> <li>• That feasible and optimal future network link alignments to the east and west and north of PPC 61 be confirmed and integrated with PPC 61 and wider network requirements.</li> <li>• That these be identified within the Precinct Plan or by other means where they continue beyond it.</li> <li>• That the PPC61 collector network is aligned with the provision of a direct link from Jesmond Road to the town centre being</li> </ul>



Issue Provision	/	Relevant Precinct Provisions	Position (Support / Oppose)	Reasons for submission	Decision / relief sought				
				<p>of Jesmond Road necessitates the identification of key east west routes and associated intersections.</p> <p>As part of Auckland Transport's submission on PC 51 (Private): Drury 2 Precinct it was suggested that there should be a direct east west link from Jesmond Road to the town centre and north south collector network which is capable of accommodating buses.</p> <p>There is a need to provide some certainty and definition of the proposed PPC 61 network in regard to its integration with potential connections that are to be applied beyond the precinct in regard to both east-west and north-south connections.</p>	<p>considered as part of PPC 51: Drury 2 Precinct.</p>				
Noise Mitigation		<p>IXXX.3 Policies</p> <p>IXXX.6 Standards and IXXX.4.1 - IXXX.4.4 Activity tables</p>	<p>Oppose in part</p> <p>Oppose in part</p>	<p>PPC 61 does not adequately address noise mitigation. These additions seek to ensure that noise-sensitive activities in proximity to arterial roads are controlled to address potential health and reverse sensitivity effects.</p>	<p>Amend PPC 61 with the following amendments:</p> <p>Add a new policy as follows:  <b>Ensure that new activities sensitive to noise adjacent to arterial roads are located, designed and constructed to mitigate adverse effects of road noise on occupants.</b></p> <p>Add a new standard to require that the assessed incident noise level to the façade of any building facing an arterial road that accommodates a noise-sensitive space is limited to a given level.</p> <p>As a consequential amendment, add a new rule as follows:</p> <table border="1" data-bbox="1289 1809 1380 1937"> <tr> <td data-bbox="1289 1809 1321 1937"><input checked="" type="checkbox"/></td> <td data-bbox="1321 1809 1353 1937"><b>Development that does not RD</b></td> </tr> <tr> <td data-bbox="1353 1809 1380 1854"></td> <td data-bbox="1353 1854 1380 1937"><b>comply with IX.6.X Noise Mitigation.</b></td> </tr> </table>	<input checked="" type="checkbox"/>	<b>Development that does not RD</b>		<b>comply with IX.6.X Noise Mitigation.</b>
<input checked="" type="checkbox"/>	<b>Development that does not RD</b>								
	<b>comply with IX.6.X Noise Mitigation.</b>								

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Issue Provision	Relevant Precinct Provisions	Position (Support / Oppose)	Reasons for submission	Decision / relief sought
	IXXX.7.2 Assessment criteria	Oppose in part		Add a new assessment criterion as follows: <b><u>The extent to which noise sensitive activities in proximity to arterial roads are managed.</u></b>
Consistency of approach and provisions across private Drury plan changes	Entire plan change	Oppose in part	Auckland Transport seeks a consistency of approach and drafting across the policies and other provisions contained within PPC 61 and the other Drury private plan changes (48, 49, 50 and 51) provided that this exercise does not adversely affect the other outcomes it is seeking.	Make necessary amendments to PPC 61 to achieve an integrated development framework with and between adjoining/adjacent plan changes/development areas to ensure consistency in approach, including in relation to objectives, policies, rules, methods and maps, across the private plan changes within the Drury growth area.

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**IN THE MATTER** of the Resource  
Management Act 1991  
(**RMA**)

**A N D**

**IN THE MATTER** of a submission under clause  
6 of the First Schedule to the  
RMA on Private Plan Change  
61 – Waipupuke

**SUBMISSION ON NOTIFIED PROPOSAL FOR PRIVATE PLAN CHANGE 61 –  
WAIPUPOKE (PC 61)**

**To:** Auckland Council  
**Name of Submitter:** **Auckland Council**  
**Address:** 35 Albert Street  
Private Bag 92300  
Auckland 1142

**Introduction**

1. This is a submission on the following proposed private plan change by Lomai Properties Ltd ("LPL"):  

Plan Change 61 – Waipupuke ("PC 61")
2. Auckland Council could not gain an advantage in trade competition through this submission.
3. This submission relates to PC 61 in its entirety and all provisions of PC 61 including:
  - a. the IXXX Waipupuke Precinct
  - b. the Auckland Unitary Plan Maps.
4. PC 61 is one of seven private plan changes notified recently in the Drury Future Urban Zone. The council has also made submissions on: Plan Change 48 (Drury Centre Precinct) by Kiwi Property No.2 Ltd, Plan Change 49 (Drury East Precinct) by Fulton Hogan Development Ltd, PC 50 (Waihoehoe Precinct) by Oyster Capital Ltd and Plan Change 51 (Drury 2 Precinct) by Karaka and Drury Ltd (together with PC 61 "**the Drury Plan Changes**").

**General reasons for the submission**

5. Future urban areas, such as the PC 61 land, play an important role in Auckland's future growth. Auckland Council supports the future urbanisation of the land subject to the Drury Plan Changes, acknowledges the commitment made by the Government to the Drury area through the New Zealand Upgrade Programme, and is working with the Drury Plan Change applicants,

others landowners and the Government to jointly tackle the significant infrastructure funding shortfall (both capital and operating cost) that remains.

6. However, as a result of that shortfall, Auckland Council has significant concerns with PC 61 in its present form in its entirety as it:
  - a. does not promote sustainable management of resources, will not achieve the purpose of the RMA, and is therefore inconsistent with Part 2 of the RMA;
  - b. does not manage or enable the efficient and integrated use, development and protection of natural and physical resources;
  - c. does not avoid, remedy or mitigate adverse effects;
  - d. is inconsistent with, or fails to give effect to, provisions of relevant planning instruments;
  - e. does not meet the requirements of section 32 of the RMA; and
  - f. does not meet the requirement of section 75 of the RMA.

#### **SPECIFIC REASONS FOR THE SUBMISSION**

7. In particular, but without limiting the generality of the above, Auckland Council has significant concerns with PC 61 for the reasons stated below.

#### **PC 61 fails to integrate infrastructure planning / funding with land use**

8. A key concern for the Auckland Council is that PC 61 does not provide for the strategic integration of infrastructure, and the planning and funding of such infrastructure, with land use. The provision of such infrastructure works – which are of course physical resources in terms of the RMA – will not be achieved at a rate with which the council (representing the community) can physically and economically cope. This concern is exacerbated by the combined infrastructure requirements of the Drury Plan Changes.
9. The council acknowledges the funding for Drury transport infrastructure proposed to be made available by the Government through the New Zealand Upgrade Programme which is currently under review. However, there remains a significant infrastructure funding shortfall. In short, PC 61 is reliant on major infrastructure projects to service development which are not financed or funded (both capital and operating costs). There is no certainty as to the timing of delivery of these projects. PC 61 would thus enable urban development which will not be serviced by adequate infrastructure and would fail to ensure a quality built and transit-orientated environment.
10. Matters concerning the funding and timing of infrastructure are directly relevant to decisions on zoning, and it is poor resource management practice and contrary to the purpose of the RMA to zone land for an activity when the infrastructure necessary to allow that activity to occur without adverse effects on the environment does not exist.<sup>1</sup> Discussions between the council, the applicant, other landowners in the Drury area and the Government on this fundamental issue are ongoing. However, at this stage a solution to the infrastructure funding and financing shortfall is not in place.

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<sup>1</sup> See, for instance, **Foreworld Developments Ltd v Napier City Council**, W8/2005.

### PC 61 is inconsistent with relevant planning instruments

11. Until an infrastructure funding and financing solution is found, PC 61 is inconsistent with, and fails to give effect to, relevant RMA and Council strategic planning instruments, including:
  - a. the National Policy Statement on Urban Development 2020 (**NPS-UD**);
  - b. Regional Policy Statement (**RPS**) provisions of the Auckland Unitary Plan (**AUP**);
  - c. the Auckland Plan 2050 (**Auckland Plan**);
  - d. the Long Term Plan 2018-2028 (**LTP**); and
  - e. the Regional Land Transport Plan 2018-2028 (**RLTP**).

#### NPS-UD

12. PC 61 is inconsistent with, and fails to give effect to, 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”*.

#### AUP RPS

13. PC 61 is inconsistent with, and fails to give effect to, relevant provisions of the AUP RPS. This includes the following provisions of Chapter B2 – Urban Growth and Form, which require the integration of infrastructure provision with urbanisation on a timely and efficient basis:
  - a. B2.2.1 Objective (1)(c): *“A quality compact urban form that enables ... (c) better use of existing infrastructure and efficient provision of new infrastructure”*;
  - b. B2.2.1 Objective (5): *“The development of land within the Rural Urban Boundary, towns, and rural and coastal towns and villages is integrated with the provision of appropriate infrastructure”*;
  - c. B2.2.2. Policy 7(c), which requires rezoning of land within the Rural Urban Boundary to: *“integrate with the provision of infrastructure”*;
  - d. B2.4.2 Policy (6) in relation to urban intensification: *“Ensure development is adequately serviced by existing infrastructure or is provided with infrastructure prior to or at the same time as residential intensification”*;
  - e. B2.9. Explanation and Principal Reasons for Adoption, 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.



[Emphasis added]

14. The provisions of RPS Chapter B3 – Infrastructure, Transport and Energy similarly require integration of the provision of transport infrastructure with urban growth:
  - a. B3.3.1. Objective (1)(b): *“Effective, efficient and safe transport that: ... (b) integrates with and supports a quality compact urban form”*;
  - b. B3.3.2. Policy (5), Integration of subdivision, use and development with transport: *“Improve the integration of land use and transport by: (a) ensuring transport infrastructure is planned, funded and staged to integrate with urban growth”*.
15. B1.2 of the AUP details the range of regulatory and non-regulatory methods to implement the objectives and policies in the RPS, including:
  - a. Auckland Plan;
  - b. The LTP; and
  - c. The RLTP.

#### Auckland Plan

16. PC 61 is inconsistent with relevant provisions of the Auckland Plan, such as Our Development Strategy - Auckland’s Infrastructure, Coordinating investment and planning to enable growth:<sup>2</sup>

Ensuring that infrastructure networks have sufficient capacity to service growth is critical. The sequencing of future urban and development areas influences the timing of investment in the strategic networks needed to service these areas. Further investment in local infrastructure will be needed as these areas grow. This will require alignment between the expansion of strategic water and transport networks, and investment in local infrastructure, particularly to service development areas and future urban areas.

17. The Auckland Plan 2050: Development Strategy sets out the indicative sequencing and timing of future urban land for development readiness. This recognises that sound resource management practice requires advanced planning and sequencing to ensure co-ordination between infrastructure providers and land release. The land subject to PC 61 is sequenced for development from 2022, however the Development Strategy appropriately recognises that the timing of land release is indicative and subject to future funding decisions. The ability of the council to fund new infrastructure has been significantly impacted by Covid-19. At present most of the infrastructure (in particular transport infrastructure) required is not funded or financed even from 2022. It is therefore critical that a comprehensive infrastructure funding and financing solution is found before the PC 61 land is rezoned.

#### LTP

18. PC 61 is inconsistent with Council’s LTP. The LTP budgets for Council expenditure, including infrastructure investment, for the next 10 years through to 2028. The infrastructure required to service the development proposed by PC 61 is not budgeted for in the LTP.

#### RLTP

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<sup>2</sup> Auckland Plan, Our Development Strategy - Auckland’s Infrastructure, Coordinating investment and planning to enable growth, at page 238.

19. The RLTP is a 10-year investment programme for transport in Auckland, developed by Auckland Transport (**AT**) together with Waka Kotahi New Zealand Transport Agency (**NZTA**) and KiwiRail to respond to growth and challenges facing Auckland over the next decade. The infrastructure required to service the development proposed by PC 61 is not included in the RLTP.

#### **Effects of failure to integrate infrastructure and land use**

20. The effects of the failure of PC 61 (and the Drury Plan Changes) to integrate with infrastructure provision are a strategic and whole of Auckland issue. Unless the infrastructure funding shortfall is resolved, supporting PC61 would require infrastructure funding be removed / re-allocated from other parts of Auckland.
21. Auckland is highly constrained in its ability to finance and fund infrastructure across the region to support growth. With limited funding ability, scarce funding must be utilised in the most efficient way to enable region wide growth. Strategically, there is a need to open up land in a co-ordinated and joined up fashion when capacity is needed across Auckland, and where infrastructure delivery and funding is integrated.
22. At this point in time, PC 61, and the Drury Plan Changes, are not consistent with the coordinated and integrated approach to infrastructure provisions to support urban growth set out in the Auckland Plan, LTP and RLTP. As such, they will have major funding implications for infrastructure providers, will affect their ability to co-ordinate delivery and are likely to have major implications for the ability to service other areas. This in turn will undermine the ability to deliver infrastructure to support development capacity in other growth areas of Auckland.

#### **Further specific reasons**

23. Without derogating from the generality of the above, further specific reasons for this submission (and alternative relief) are set out in the **Schedule** to this submission.

#### **RELIEF SOUGHT**

24. Auckland Council seeks the following relief:
- a. Auckland Council is engaged in discussions with LPL and the other Drury Plan Change developers in an effort to find a solution to its concerns. However, at this point in time, the fundamental issues raised in this submission remain unresolved. Accordingly, as matters stand, the primary relief sought by Auckland Council is to decline PC 61 in its entirety until there is a fully funded and appropriately staged solution for the integration of land use, infrastructure and development for the Precinct and Sub Region; or
  - b. In the alternative to the primary relief of declining PC 61, amend PC 61 and retain provisions as set out in the **Schedule** to this submission; and
  - c. Such further, other, or consequential relief, including in relation to PC 61's objectives, policies, rules, methods, and maps, that reflects or responds to the reasons for this submission.

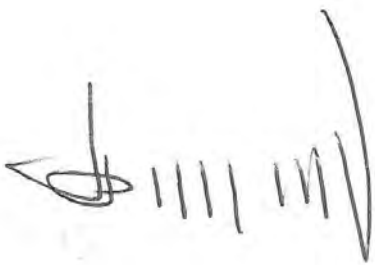
23.1

**Conclusion**

25. Auckland Council wishes to be heard in support of its submission.
26. If others make a similar submission Auckland Council would be prepared to consider presenting a joint case with them at any hearing.

**DATED** 1<sup>st</sup> March 2021

On behalf of Auckland Council:

A handwritten signature in black ink, appearing to read 'John Duguid', with a large, sweeping flourish at the end.

Signatures of persons authorised to sign on behalf of submitter

**John Duguid**

General Manager Plans and Places

Auckland Council

**SCHEDULE – FURTHER SPECIFIC REASONS FOR THE SUBMISSION AND ALTERNATIVE RELIEF**

Infrastructure funding and timing

Row	Specific Reasons for the Submission	Relief Sought
1.	<p>PC 61 is reliant on major infrastructure projects to ensure the area can be developed. However, there is no clear confirmation of how the infrastructure (in particular transport infrastructure) will be financed and funded.</p> <p>There is a substantive amount of unfunded infrastructure required to service the anticipated development in the Drury Future Urban Zone Land. A lack of council funding for infrastructure means that it is unlikely that the infrastructure (except for Government NZUP funded projects) required to support the development will be available when required. In the short term there is not adequate infrastructure to support the development and in the medium term the necessary infrastructure to support the development is not funded through the LTP or RLTP. Council is reviewing the Long-Term Plan which includes the 10-year budget. It is too early to predict any change to infrastructure funding.</p> <p>Sections of the existing transport network are heavily congested and cannot convey more traffic until upgraded, without causing high travel time delay, costs and safety risks.</p> <p>The location of some key transport infrastructure is still to be determined and is subject to notice of requirement and consent processes that are still to be completed or have</p>	<p>Ensure that the council's concerns about infrastructure: funding deficit, timing and location uncertainty are resolved by the following or other means:</p> <ol style="list-style-type: none"> <li>a. Evidence is presented at the hearing that a mechanism has been identified with the agreement of the council that unfunded infrastructure (as of February 2020) will be funded.</li> <li>b. Evidence is presented at the hearing that parts of the plan change area are not constrained by infrastructure funding, timing or location uncertainty and can proceed without significant adverse effects.</li> <li>c. Infrastructure development threshold or staging rules can be devised that are enforceable and effective, and supported by robust objective and policy provisions. This could for example include: <ul style="list-style-type: none"> <li>• Threshold rules are not used for infrastructure works to be supplied by third party, e.g. Auckland Transport or NZTA, if these agencies do not have funds allocated for the works.</li> <li>• Threshold rules are not used for infrastructure works which are scheduled beyond the lifetime of the plan (2026).</li> <li>• Threshold rules are not used for works to be funded privately but there is no funding agreement in place.</li> <li>• Threshold rules are not used for works which would require a funding contribution from multiple landowners or</li> </ul> </li> </ol>

	<p>not been lodged. This affects the ability to determine appropriate land uses and zoning.</p> <p>The proposed infrastructure threshold and staging rules are not adequate to address the issue.</p> <p>There is no co-ordinated plan to stage development and infrastructure.</p>	<p>developers and there is no agreement to apportion costs and benefits in place.</p> <ul style="list-style-type: none"> <li>• Threshold rules do not use gross floor area as a metric (the council may not be able to track this with current data systems).</li> <li>• Threshold rules are not used in circumstances where the extent and location of works have not been determined yet.</li> <li>• Use of prohibited activity status for infringement could be considered.</li> </ul> <p>d. Notices of requirement have been lodged for all of the relevant infrastructure by the time of the hearing and proposed lapse dates are consistent with early development.</p>
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23.2

Stormwater, water quality, streams, natural hazards and biodiversity

Row	Specific Reasons for the Submission	Relief Sought
2.	<p>Policy IX3(9) specifies methods to achieve water quality outcomes and does not acknowledge the full suite of measures that need to be applied to achieve water quality outcomes as identified in the AUP and Stormwater Management Plan.</p> <p>The Stormwater Management Plan identifies the use of water sensitive design and a treatment train to achieve water quality outcomes. To ensure this approach is followed a policy which directs that is sought.</p>	<p>Amend Policy IX3(9) to read:  <u>Manage the effects of stormwater on water quality in streams through riparian margin planting, and at source hydrological mitigation.</u>  <u>Require subdivision and development to be consistent with any approved network discharge consent and supporting stormwater management plan including the application of water sensitive design and treatment train to achieve water quality and hydrology mitigation.</u></p>
3.	<p>These AUP rules E36.4.1 - Rules A23 to A42 regulate activities in floodplains and overlaid flow paths. While these features are not as extensive in the proposed precinct as some other parts of Drury, they do exist in the precinct and these rules therefore remain relevant and should be retained. To the extent that there are no floodplains and overlaid flows paths on a particular site or development within a precinct then the rules will not apply there and it is not necessary to delete them to that effect.</p>	<p>Delete the phrase “• E36.4.1 - Rules A23 to A42 inclusive do not apply” where it occurs under the heading IXXX.4 Activity tables.</p>
4.	<p>Precinct plan 2 shows what is referred to as ‘Stormwater Control Areas’. These areas appear to align with the stormwater ‘parks’ in the stormwater management plan which are key to the overall stormwater management approach. The council supports the approach but believes use of the term control is confusing given that the AUP SMAF 1 control is also shown on Precinct Plan 2. In addition, the locations should be shown as ‘indicative’ as it is possible that the exact location and number of areas may change during development.</p>	<p>Amend the last line of the key in Precinct Plan 2 to read:  <u>Indicative Stormwater Control Management Areas.</u></p>

23.3

23.4

23.5

5.	<p>Removal of weeds to improve biodiversity is supported. However, it is important to ensure that this is done in a way that ensures stream bank erosion does not occur between the times of weed clearance and reestablishment of vegetation.</p>	<p>Amend IXXX.6 to provide a standard that requires management of effects of weed removal including potential stream bank erosion for the following rules:</p> <ul style="list-style-type: none"> <li>• Rule (A11) in Table IXXX.4.1 Residential – Terrace House and Apartment Building Zone.</li> <li>• Rule (A7) in Table IXXX.4.2 Residential - Mixed Housing Urban Zone.</li> <li>• Rule (A17) in Table IXXX.4.4 Open Space – Informal Recreation Zone.</li> </ul>	23.6
6.	<p>The rules in the in the underlying zones and Chapter E of the AUP are appropriate for management of effects. Precinct rules should only depart from the underlying AUP provisions if the natural or human environment of the precinct has exceptional features that warrant a different regulatory approach. That case has not been made out in PC 61 for these rules.</p> <p>Removal of native vegetation seems contrary to the outcomes promoted by the precinct.</p> <p>In addition:</p> <ul style="list-style-type: none"> <li>• Some of the proposed rules may be inconsistent with the Resource Management (National Environmental Standards for Freshwater) Regulations 2020.</li> <li>• Some of the rules appear to be regional rules but this is not clear and needs to be clarified in accordance with AUP drafting standards if the rules are retained.</li> </ul>	<p>Delete rules (A12) and (A13) in Table IXXX.4.1 Residential – Terrace House and Apartment Building Zone.</p> <p>Delete rules (A8), and (A9) in Table IXXX.4.2 Residential - Mixed Housing Urban Zone.</p> <p>Delete rules (A18) and (A19) in Table IXXX.4.4 Open Space – Informal Recreation Zone</p> <p>If any are retained, then make amendments to address the additional matters raised in the bullet points opposite.</p>	23.7

	<ul style="list-style-type: none"> <li>Any AUP rules that are not intended to apply need to be clearly identified in the header to the activity table.</li> <li>It is not necessary to reference rules from Table E15.4.1 Activity table - Auckland-wide vegetation and biodiversity management rules, which do not apply in this zone.</li> </ul>	
7.	<p>The general principle behind the proposed rule IXXX.6.6 High Contaminant Yielding Materials is supported. However, the rule as proposed is unlikely to successfully limit the generation of contaminants from building materials as an exemption 5m<sup>2</sup> per site is proposed in the standard which could have significant cumulative effects. This amount is unjustified and unquantified in the impact it would have. It is also inconsistent with the Stormwater Management Plan management methods. The precinct needs to give effect to the Stormwater Management Plan in order for the council as network utility operator to adopt it for inclusion under its network discharge consent.</p> <p>One of the main reasons for this standard is to assist in reducing further buildup of harmful contaminants in the nearby estuarine coastal marine ecosystems. This should be reflected in the statement of purpose.</p> <p>To assist in interpretation, the rule should state what the contaminants of concern are. The requested relief adopts the approach used in the Stormwater Management Plan.</p>	<p>Amend IXXX.6.6 High Contaminant Yielding Materials to:</p> <ul style="list-style-type: none"> <li>clarify the statement of purpose with respect to maintaining coastal marine ecosystems,</li> <li>delete the 5m<sup>2</sup> per site exemption,</li> <li>provide greater clarity on what is considered high contaminant generating materials.</li> </ul> <p>The following amendments or words to similar effect are requested:</p> <p><b>IXXX.6.6 High Contaminant Yielding Materials</b></p> <p>Purpose:</p> <ul style="list-style-type: none"> <li>maintain water quality and the health of coastal marine ecosystems by limiting the release of contaminants from building materials to streams.</li> </ul> <p>(1) <u>The total area of high contaminant roofing, spouting, cladding or external architectural features on a site must not exceed 5m<sup>2</sup> use the following high contaminant generating building materials which are exposed:</u></p> <ul style="list-style-type: none"> <li><u>surface(s) or surface coating of metallic zinc of any alloy containing greater than 10% zinc.</u></li> <li><u>surface(s) or surface coating of metallic copper or any alloy containing greater than 10% copper.</u></li> <li><u>treated timber cladding surface(s) or any roof material with a copper containing or zinc-containing algaeicide.</u></li> </ul>



8.	<p>The construction of the stormwater management structures is put forward as a RD activity. The matters of discretion should include the efficacy of the design and that it is designed for ease of operations and maintenance as these are aspects of the functionality of the stormwater area that are best addressed at design and construction stage.</p>	<p>Add additional Matters of Discretion in IXXX.7.1(2) to address</p> <ul style="list-style-type: none"> <li>• efficacy of device and</li> <li>• operation and maintenance requirements.</li> </ul>	23.9
9.	<p>This amendment to proposed rule IXXX.7(8)(b) clarifies that it is the stormwater management plan approved by the network utility operator that is to be referred to.</p>	<p>Amend rule IXXX.7(8)(b) to read: The <u>SMP stormwater management plan approved by the network utility operator</u> for the Precinct.</p>	23.10

Open Space

<b>Row</b>	<b>Specific Reasons for the Submission</b>	<b>Relief Sought</b>
10.	<p>The following key points must be taken into consideration when proposing zoning of open space or identifying it on precinct plans:</p> <ol style="list-style-type: none"> <li>1. Apart from esplanade reserve or land vested for stormwater management purposes through regulatory processes, all open space acquisitions (even those at no capital cost) require approval by the governing body of Auckland Council.</li> <li>2. All proposed open space acquisitions must be consistent with Auckland Council open space policies.</li> <li>3. Even if consistent with Auckland Council open space policy it cannot be assumed that political approval to acquire land for open space purposes will be obtained.</li> <li>4. Locking in detailed open space locations, types and sizes and/or zoning land for open space purposes is undesirable before political approval to acquire the land is obtained for a number of reasons, including: <ul style="list-style-type: none"> <li>• setting unsupportable expectations of land acquisition by the council amongst landowners/developers</li> <li>• forming an unsupportable basis for development configurations that compromise the maximisation of financial returns on development</li> </ul> </li> </ol>	<p>Delete the proposed Open Space – Informal Recreation Zone from the zone maps.</p> <p>Insert indicative open space within one of the precinct plans and amend the title and key of the precinct plan to that effect.</p>

23.11

	<ul style="list-style-type: none"> <li>necessitating further plan changes to accommodate the further detailed refinement of land use that are common as detailed subdivision and development occur.</li> </ul> <p>The standard process is for the council to negotiate with landowners for park acquisition during subdivision and development, then complete gazettal of reserves. The council then rezones these with the relevant open space zone by way of updating plan changes, for example PC 60 – Open Space and Other Rezoning Matters.</p> <p>In summary it is not appropriate to zone land for open space in advance of agreement by the council and all the existing underlying landowners to land acquisition.</p> <p>An initial analysis indicates that only one of the six proposed open spaces may meet the acquisition criteria in council's Open Space Provision Policy 2016. Therefore, more detailed evaluation is required before an open space zoning commitment is made.</p> <p>However, inclusion of these proposed open spaces as "indicative open space" on the precinct plan could be appropriate as starting point for future evaluation.</p>	
11.	<p>The rules in the in the underlying open space zones are appropriate for management of effects. The AUP open space rules were developed through the input of many internal and external stakeholders and specialists, and the public. Precinct rules should only depart from the underlying AUP provisions if the natural or human environment of the precinct has exceptional features that warrant a different regulatory approach. That case has not</p>	<p>Without prejudice to the position that Open Space – Informal Recreation Zone should be deleted from PC 61, delete the rules in Table IXXX.4.4 Open Space – Informal Recreation Zone, unless another submission point from the council seeks their retention.</p>

	been made out in PC 61 for the majority of the proposed open space rules.	
12.	The provision for Mana Whenua cultural identity markers is supported.	Without prejudice to the position that Open Space – Informal Recreation Zone should be deleted from PC 61, retain rule (A7) in Table IXX.4.4 Open Space – Informal Recreation Zone.

23.13

Rules\_general

Row	Specific Reasons for the Submission	Relief Sought	
13.	This sentence in IXXX.4 is inconsistent with Rule C1.6 of the AUP and particularly that part that specifies that overlays take precedence.	Delete the sentence "In the case of any uncertainty, the precinct provisions apply instead of the zone, overlay or Auckland -wide provisions." in IXXX.4.	23.14
14.	This clause is necessary to provide legal clarity in rule interpretation.	Insert a clause in the first paragraph of each activity table to clearly identify which section of the Act the proposed rules are pursuant to, in accordance with standard AUP drafting practice. Refer to other precincts for examples.	23.15
15.	The various categories of consent activity status, standards and matters of discretion/assessment criteria should be reviewed to ensure that they are the most appropriate to give effect to matters raised in this submission.	Ensure that the consent categories in IX4.1 Activity table, standards in section IXXX.6, matters of discretion in IX.8.1, and assessment criteria in IX.8.2, are the most appropriate to give effect to matters raised in this submission.	23.16
16.	The activities referenced in IXXX.5 Notification rule (1), which requires non-notification of certain activities, may have significant adverse effects and it is more appropriate to rely on the standard notification provisions in the Resource Management Act 1991 (RMA).	Amend the IXXX.5 Notification rule (1) which requires non-notification, to instead apply the normal tests for notification under the relevant sections of the RMA.	23.17

Land use

Row	Specific Reasons for the Submission	Relief Sought
17.	<p>PC 61 proposes additional residential density and yield that exceeds the likely projected yield used to develop the transport network proposed for the Drury – Opāheke Structure Plan August 2019. That additional yield is proposed to be provided for mainly further west and further from high frequency public transport than was anticipated in the structure plan.</p> <p>The council does not oppose additional yield of itself but seeks that it only be located close to proposed high frequency public transport networks. This to ensure consistency with AUP RPS policy on quality compact intensification, and to reduce the likelihood that additional car trips would need to be accommodated by unplanned investment in the road network.</p> <p>The Jesmond Road Frequent Transport Network (FTN) route will run along an upgraded Jesmond Road. Notices of Requirement have been lodged for it and related projects.<sup>3</sup> It is planned (but as yet not fully funded) public infrastructure identified in the Auckland Regional Land Transport Plan 2018-28 and in the Drury – Opāheke Structure Plan August 2019. This FTN network will be the principal public transport network near to the PC61 area and servicing all of Drury West located north of SH22 (Karaka Road).</p> <p>It is important that proposed high density land uses are located within a walkable distance of this route. Refer AUP B2.2.2 (5), B2.3.2(2), B2.4.2 (2)(3) and (4), B2.8.2(1),</p>	<p>Ensure that any residential yield that is additional to that estimated for the Drury – Opāheke Structure Plan August 2019 and Integrated Transport Assessment, is located within a consistent realistic walkable distance of the proposed Jesmond Road FTN route.</p> <p>Ensure that the Terrace Housing and Apartment Buildings Zone (THAB), the proposed centre zoning and medical facilities are all contained within a consistent and realistic walkable distance of the proposed Jesmond Road FTN route. In particular, the centre should be located as close as possible to the FTN route.</p> <p>If necessary, additional height could be considered close to (within 200m) of the FTN route, to offset any reduction in potential yield further west in the PC 61 area.</p>

23.18

<sup>3</sup> <https://www.aucklandcouncil.govt.nz/plans-projects-policies-reports-by-laws/our-plans-strategies/unitary-plan/auckland-unitary-plan-modifications/Pages/details.aspx?UnitaryPlanId=99>

	<p>B3.2.2(5). High density land uses proposed in PPC 61 that have significant trip generating potential include: THAB, centre zoning and associated medical facilities, and the proposed additional height for the centre.</p> <p>Walkable distances from FTN routes are not specified in any RMA statutory policy or guideline. However, the Regional Public Transport Plan 2018-2028 uses a flying walkable distance of 500m from FTN routes. This recognises that bus stops are dispersed along routes about every 400m and therefore total actual walking distance will on average be about 800m. This about a 10-minute walk. Note that Auckland Transport's Urban Street and Road Design Guide has a recommended maximum of 10 minutes. Because the precise location of bus stops cannot be predetermined, 500m may be an appropriate maximum distance to measure acceptable walkability to the proposed FTN route.</p> <p>Intensification at greater distances is less likely to generate public transport mode shift and is more likely to be car dependent. This may result in higher car trip generation that was not anticipated in the Drury – Opāheke Structure Plan August 2019 Integrated Transport Assessment, with consequent demand for more roading infrastructure than is planned.</p>	
18.	<p>The southwestern part of the plan change area from 99 Oira Road southwards proposes residential intensification in an area that is not currently serviceable by key transport infrastructure. In particular:</p> <ul style="list-style-type: none"> <li>It is not feasible to make road and pedestrian connections across the intervening Future Urban Zone to the proposed Jesmond Road arterial road,</li> </ul>	<p>Delete the south western part of plan change area from 99 Oira Road southwards, or ensure:</p> <ul style="list-style-type: none"> <li>that it is staged with development of the infrastructure listed in the bullet points opposite,</li> <li>that the zoned intensity does not result in excessive car dependency and car trip generation in the context of a</li> </ul>

23.19

	<p>FTN corridor and Jesmond and SH22 intersection upgrade.</p> <ul style="list-style-type: none"> <li>It is dependent on an unfunded upgrades to Oira Road and to the Oira Road to SH22 intersection.</li> <li>It is dependent on unfunded upgrade to SH22 for both road capacity and a new pedestrian connection and the timing of any upgrade is not known.</li> <li>It is partly premised on the assumed future construction of a Drury West RTN station, for which the location, funding and timing remain unresolved.</li> <li>If a station is built where suggested in <a href="https://www.supportinggrowth.govt.nz/have-your-say/south">https://www.supportinggrowth.govt.nz/have-your-say/south</a>, any pedestrian connection would be via the Jesmond Road intersection with SH22, which is an indirect route of about 1000m, and is also dependent on synchronous upgrade of SH22 to provide pedestrian access.</li> </ul>	<p>realistic assumption of mode shift to public transport in this location.</p> <ul style="list-style-type: none"> <li>that development does not occur before walkable pedestrian connections are available to the proposed Jesmond Road FTN.</li> </ul>	<p>23.19</p>
<p>19.</p>	<p>A large 2 ha neighbourhood centre is proposed. Most neighbourhood centres in Auckland are less than 1 ha. The size and additional height requested appear to be partly based on a proposed medical facility or hospital. However, it is unclear how certain this facility is and the scale of it.</p> <p>The actual demand for centre activities and medical and specialist facility activities needs be thoroughly reviewed to determine an appropriate scale and type of centre zoning. If the review indicates there is viable demand for 2 ha then Local Centre Zone may be a better option. Alternatively, if the demand for centre or medical activities is not realistic then, the scale of the centre should be reduced.</p>	<p>Review the size, type and location of the proposed centre zone to ensure that the most appropriate zoning and height options are applied.</p>	<p>23.20</p>



	<p>If some of the centre land is to be exclusively used for a hospital, then the Special Purpose – Healthcare Facility and Hospital Zone should be evaluated relative to centre zoning.</p> <p>Refer also to the council's other submission points on the location of the centre and the definition of Medical and Specialist Facility.</p>	
20.	<p>The rules in the in underlying THAB zone are appropriate for management of effects. Precinct rules should only depart from the underlying AUP provisions if the natural or human environment of the precinct has exceptional features that warrant a different regulatory approach. That case has not been made out in PC 61 for these rules.</p>	<p>Delete rules (A1), (A2, (A3), (A4), and (A5) in Table IXXX.4.1 Residential – Terrace House and Apartment Building Zone.</p> <p style="text-align: right;">23.21</p>
21.	<p>The rules in the underlying Residential - Mixed Housing Urban zone are appropriate for management of effects. Precinct rules should only depart from the underlying AUP provisions if the natural or human environment of the precinct has exceptional features that warrant a different regulatory approach. That case has not been made out in PC 61 for these rules.</p>	<p>Delete rules (A1), (A1A) in Table IXXX.4.2 Residential - Mixed Housing Urban Zone.</p> <p style="text-align: right;">23.22</p>
22.	<p>The rules in the underlying centre zone are appropriate for management of effects. Precinct rules should only depart from the underlying AUP provisions if the natural or human environment of the precinct has exceptional features that warrant a different regulatory approach. That case has not been made out in PC 61.</p>	<p>Delete rules (A1), (A4), (A5), (A6), (A7), (A8), (A9), (A10), (A11), (A12) and (A13) in Table IXXX.4.3 Business – Neighbourhood Centre Zone.</p> <p>Refer also to related submission points on the type of centre zone, location of centre zone and medical and specialist facility.</p> <p style="text-align: right;">23.23</p>
23.	<p>The proposed definitions include activities that can be undertaken in one or more of the existing centre zone activities, either separately or collectively, and it is not</p>	<p>Delete the proposed definition of Medical and Specialist Facility. If it is retained, then place it within the precinct rather than section J1 of the AUP.</p> <p style="text-align: right;">23.24</p>

	<p>obviously necessary to have a separate definition for these activities to occur as a group in place.</p> <p>Also, if a hospital is intended then the AUP definition of that should apply.</p> <p>If retained, the proposed definition may have unintended consequences if placed within section J1 of the AUP and would be best confined to the precinct.</p>	
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## FORM 5

Submission on a notified proposed for Private Plan Change 61 – Waipupuke  
under Clause 6 of Schedule 1 of the Resource Management Act 1991

1 March 2021

Auckland Council  
Plans and Places  
Private Bag 92300  
Auckland 1142

**Attention:** Planning Technician

Email: [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz)

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**Name of Submitter:**  
GYL Holdings Limited

**Address for Service:**

AR & Associates Ltd  
PO Box 65 576  
Mairangi Bay  
Auckland 0754

Attention: Mary Barton

Phone: 027 702 8650

By email: [Mary.Barton@arassociates.co.nz](mailto:Mary.Barton@arassociates.co.nz)

**Scope of the Submission:**

This is a submission on Proposed Plan Change 61 (Waipupuke). The specific provisions that this submission relate to are:

- The proposed Neighbourhood Centre Zone
- The proposed Terrace Housing and Apartment Building Zone

**Submission:**

1. CGL owns land located within the Drury-Opapeke Structure Plan (the Structure Plan), being 316 Jesmond Road, Karaka. Under the Structure Plan this land is identified as being suitable to be

zoned Mixed Housing Urban and also includes the identification of a small centre either on or in close proximity to the site.

2. CGL is *neutral* to the proposed rezoning sought in proposed Plan Change 61
3. CGL could not gain an advantage in trade competition through this submission.
4. CGL's particular interests regarding proposed Plan Change 61 relate to the following matters:

***Proposed Neighbourhood Centre Zone***

- a) The scale of the proposed Neighbourhood Centre Zone is not consistent with the zone description, which seeks to provide for smaller scale shopping areas, catering for the retail and commercial service needs of residents and passers-by. The nature of the commercial activity proposed in the proposed Plan Change, as described in the s32 report, appears to be more consistent with a Local Centre or Town Centre Zone description. This appears to be supported by the economic assessment submitted in support of the application.
- b) Providing for the increase in scale through the application of a precinct is not considered to be the most appropriate planning response and has the potential to create confusion for any future neighbourhood centres proposed land within the wider area subject to the Structure Plan.
- c) Should the proposed Plan Change be approved it should not preclude consideration of an appropriately scaled neighbourhood centre being established to support residential activity in other locations located within the Structure Plan area.

***Terrace Housing and Apartment Building Zone***

- d) The use of the Terrace Housing and Apartment Building Zone and Mixed Housing Urban Zone is considered appropriate given the proximity of the site to open space, commercial and the transport network.
- e) The National Policy Statement for Urban Development supports the use of the higher density THAB Zone in land subject to the Structure Plan.
- f) The THAB Zone enables greater intensification of residential activity and therefore the more efficient use of land. The use of this zone in areas outside the proposed Plan Change area should not be precluded or limited by the location of the proposed Neighbourhood Centre or zone extent as set out in the proposed Plan Change/ Masterplan.

**Decision Sought:**

5. That should proposed Plan Change 61 be approved at the scale proposed, that this not compromise the development potential of land outside the proposed Plan Change area. In particular that consideration is made to the scale of the proposed Neighbourhood Centre Zone and corresponding THAB zone and whether this would restrict or inhibit development on the property at 316 Jesmond Road.

24.1

6. I wish to be heard in support of my submission
7. If others make a similar submission, I will consider presenting a joining a case with them at a hearing
8. I could not gain an advantage in trade competition through this submission.

**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 61 (Private) - Rachel Bilbe  
**Date:** Monday, 1 March 2021 4:00:35 PM  
**Attachments:** [Counties Power Plan Change 61 submission Appendix 1.pdf](#)  
[Counties Power Plan Change 61 submission Report.pdf](#)

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The following customer has submitted a Unitary Plan online submission.

**Contact details**

Full name of submitter: Rachel Bilbe  
Organisation name: Counties Power  
Agent's full name: Qiuang Wang  
Email address: qwang@align.net.nz  
Contact phone number: 09 972 3624  
  
Postal address:  
PO Box 147105  
Ponsonby  
Auckland 1021

**Submission details**

**This is a submission to:**

Plan change number: Plan Change 61 (Private)  
Plan change name: PC 61 (Private): Waipupuke

**My submission relates to**

Rule or rules:  
Please refer to documents attached for details

Property address:

Map or maps:

Other provisions:  
Please refer to documents attached for details

Do you support or oppose the provisions you have specified? I or we support 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 refer to documents attached for details

I or we seek the following decision by council: Approve the plan change with the amendments I requested

Details of amendments: Please refer to documents attached for details

Submission date: 1 March 2021

Supporting documents  
Counties Power Plan Change 61 submission Appendix 1.pdf

Counties Power Plan Change 61 submission Report.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

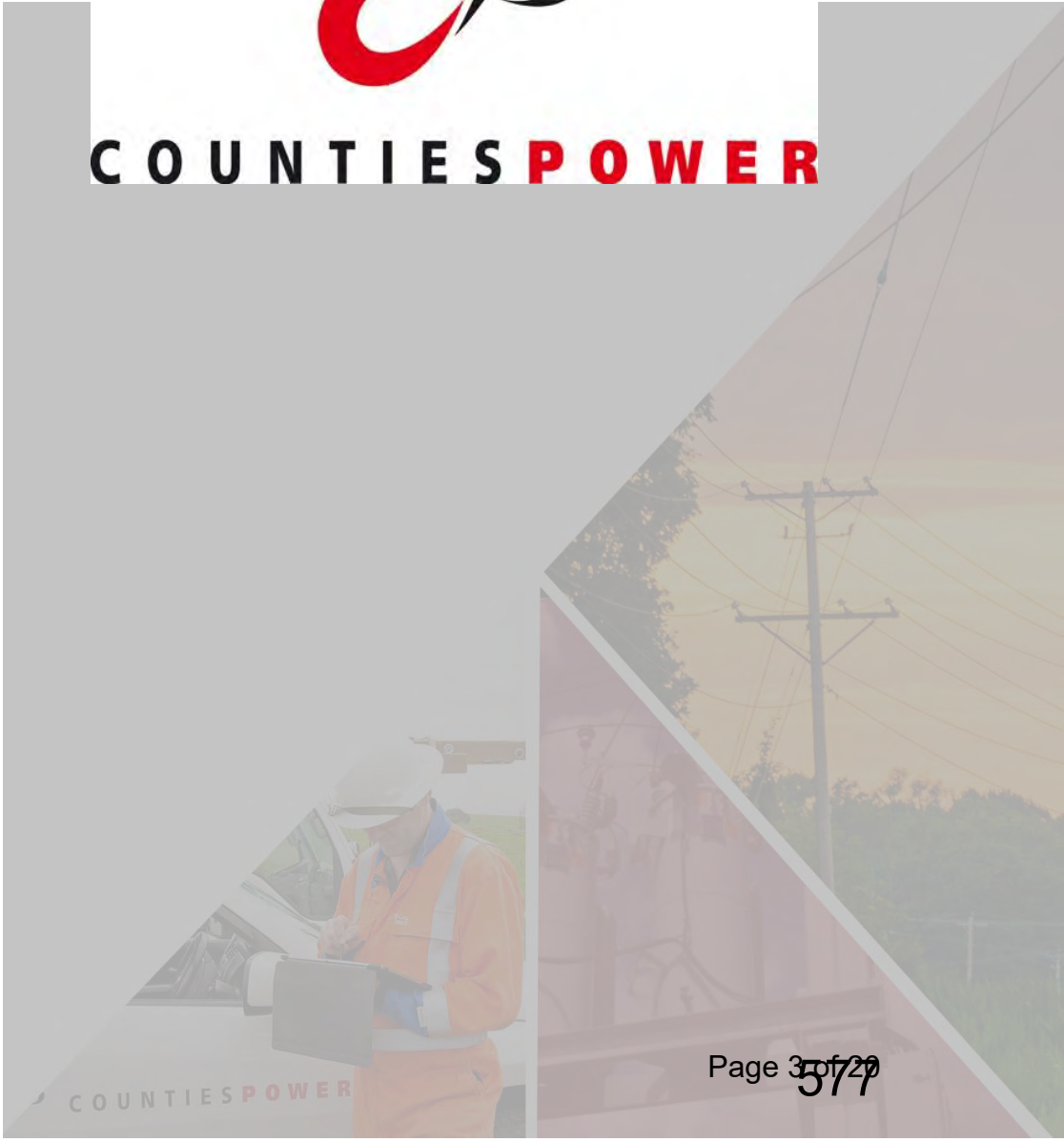
I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.



Auckland Unitary Plan  
PC 61 (Private): Waipupuke Precinct  
submission



**COUNTIES POWER**



## Quality Control Sheet

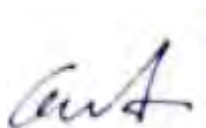
Submitter: Counties Power Limited  
 Asset: Counties Power Electricity Distribution Network  
 Plan: Auckland Unitary Plan - Proposed Plan  
 Change 61 (Private) Waipupuke Precinct  
 Document: Submission  
 Counties Power Contact: Rachel Bilbe, Land Access Coordinator  
 Consultant Contact: Qian Wang, Planning Consultant, Align  
 Limited  
 File Reference: COUNT042

Version:

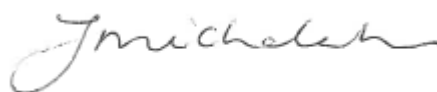
Issue 1.0	1 March 2021	For submission
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Distribution:

Rachel Bilbe	Counties Power	Email
AC Policy Team	Auckland Council	Online Submission



Produced by:  
Qian Wang



Review by:  
Jo Michalakis

Align Limited

Date: 1 March 2021

**Limitations:**

This report has been prepared for the client according to their instructions. The information in this report should not be used by anyone else, or for any other purposes. Some of the information presented in this report is based on information supplied by the client. Align Limited does not guarantee the accuracy of any such information. Any advice contained in this report is subject to this limitation.

## 1. Introduction

This document provides a submission on Plan Change 61 (Private) Waipupuke Precinct. The document contains a table with submission points both supporting and opposing policies, matters of discretion and assessment criteria to the following parts of the proposed plan change:

- Objective lxxx.2 (7));
- Objective lxxx.2 (8));
- Objective lxxx.2 (9));
- Policy lxxx.3 (8);
- Policy lxxx.3 (10);
- IXXX.5 Notification;
- Standard IXXX.6.3;
- Standard IXXX.6.4;
- Standard IXXX.6.4(2);
- Matters of discretion IXXX.7.1(4); and
- Assessment criteria IXXX.7.2 (4)

Overall, Counties Power supports the proposed plan change. While Counties Power will have the initial capacity to supply electricity to the Plan Change Area and is well positioned to support development from a funding or forward planning perspective, having either purchased or identified land for future zone substations; it will be the timing and availability of these new substations that will determine when Counties Power will be able to provide Plan Change 61 and other nearby plan change areas with a reliable long term supply. The timing of these substations will depend partially on Counties Power's ability to acquire suitable land and also on receiving support from the council in terms of consent for the construction of the substations and ensuring corridors are available for the sub-transmission (110kV) overhead line routes connecting the substations. As such it is crucial for the timing of development to be coordinated with infrastructure providers to provide the Waipupuke Precinct with appropriate supporting infrastructure in the long term.

Counties Power wishes to be heard in support of their submission.

If others make a similar submission, they will consider presenting a joint case with them at a hearing.

## 2. About Counties Power

Counties Power is an electricity operator under the Electricity Act, a network operator under the Telecommunications Act, and a network utility operator under the Resource Management Act (RMA). Counties Power is a requiring authority in respect of its electricity network (NZ Gazette 13 January 1994, p55).

Counties Power owns, manages, and operates an electricity distribution network in southern Auckland, Waikato, and Hauraki District areas with a

system length of 3,400km covering an area of approximately 2,250km<sup>2</sup>. The Auckland Council portion of their network covers 830km<sup>2</sup> and makes up 37% of the Counties Power network. In the Auckland Region, this includes urban centres such as Pukekohe, Waiuku and Southern Papakura; rural residential areas like Hunua; and rural areas with very low customer density. It also includes Drury. The company also provides telecommunications and smart metering services.

Counties Power is 100% consumer owned. All shares are held by the Trustees of the Counties Power Consumer Trust (Trust) on behalf of all local power consumers. The Trust has a total of five Trustees, of which two are required to be elected every two years. Counties Power is managed for the benefit of its consumers and their communities. The Trust oversees the performance of Counties Power through the appointment of a Board of Directors (Board). The Board and Management of Counties Power consult the Trust on the strategic direction, business plans, and asset management measures and targets. Information about the Trust can be obtained from [www.countiespowertrust.co.nz](http://www.countiespowertrust.co.nz).

By length, 72% of the Counties Power network is rural overhead, however the urban networks supplying Pukekohe, Waiuku, Tuakau, Pokeno, Drury and parts of Papakura comprise a split of overhead and underground assets. Generally, the eastern part of the network is newer, higher in network connection densities and subject to high levels of growth in the areas adjacent to motorway and state highway corridors. The western side of the network is older, more remote, lower density and subject to little growth. The Counties Power network is exposed to a range of environmental conditions, including weather – particularly the harsh coastal environment around the Awhitu peninsula, and vegetation – most notable in the areas around Hunua Ranges, but with effects across the entire network.

### 3. The Counties Electricity Network

Counties Power has two points of supply from Transpower's National Grid via GXP's at Glenbrook and Bombay. From there, power is distributed to consumers via nine zone substations and our extensive network of lines, cables, transformers, and other equipment. The Glenbrook GXP supplies the western substations at 33kV whilst Bombay GXP supplies the eastern 110kV and 33kV.

Counties Power's network is made up of both High Voltage (HV) and Low Voltage (LV) lines made up as follows:

HV network comprises:

- sub-transmission lines (33kV and 110kV) which carry electricity from the Grid Exit Point (GXP) to zone substations or between zone substations. Typically serving 500 to 12,000 customer connections.
- feeder lines (11kV and 22kV) which carry electricity from zone substations to transformers or in some cases direct to customers with a large demand

(e.g. some industrial customers). These typically serve 80 to 2,500 customer connections.

LV Network (400V) comprises lines from transformers to individual connection points, typically serving 1 to 20 customer connections.

More than 20 years ago, Counties Power decided to provide for future growth by converting the backbone of its network from 33kV (for sub-transmission) and 11kV (for feeders) to 110kV and 22kV, respectively. These voltages carry significant loads with a reasonably unobtrusive overhead line network and have provided the consumer-shareholders of Counties Power with a network that is cost effective to construct, flexible and resilient.

Approximately 8,500 customers (or 20% of Counties Powers total network load) are in the Hingaia, Drury, Papakura and Hunua areas with this number expected to rise as part of the proposed plan changes currently in motion.

The customers in these areas rely on power from the Counties Power zone substation at Opaheke, which is supplied from the Transpower GXP at Bombay. Electricity is conveyed between these two points by means of two sub-transmission lines operating at 110kV, referred to as the Bombay-Opaheke (west) and Bombay-Opaheke (east) lines.

There are 22kV overhead power lines traversing along Jesmond Road, Oira Road and Karaka These are shown in the attached Appendix 1.

#### 4. Low carbon development

The Government is targeting 100% renewable electricity generation. Non-renewable alternatives, such as the reticulation of natural gas, unnecessarily increases carbon dioxide emissions when alternative electricity solutions already exist. These solutions are locked in for the economic life of the equipment (e.g. gas boilers, home gas heaters). With this in mind, Counties Power requests that Auckland Council uses this opportunity to implement policies that will enable low carbon energy options within the development precinct that will reduce future carbon emissions for the Auckland and be cost effective for households and businesses.

- Enabling security of electricity supply (targeted to be 100% renewable) to provide for end-use electricity consumption activities where cost-effective.
- Reducing transport carbon dioxide emissions through encouraging the electrification of transport infrastructure, including rail. The development should consider the need for provision of charging stations for an increasing electric vehicle fleet, with numerous OECD countries now looking to stop the sale of petrol and diesel vehicles around 2035.

Ixxx Waipupuke Precinct

Objective/Policy	Provision	Position	Reason for position	Relief Sought
Ixxx Waipupuke Precinct				
Objective Ixxx.2 (7)	A connected network of public open spaces and riparian margins is established, that create a variety of open space types and locations, while providing for the health and well-being of the community.	Support in part	Counties Power supports the establishment of a connected network of public open space and riparian margin. However, electrical infrastructure must be taken into consideration when planning landscaping and planting in the vicinity of electricity infrastructure and should be carried out in consultation with Counties Power.  This is of particular importance where the existing overhead lines on the perimeter of Plan Change 61 which will supply the future development of the area are to be retained. Trees, branches and windblown tree debris falling onto lines are a major cause of power outages in Auckland. The Electricity Act 1992, New Zealand Electrical Code of Practice for Electrical Safe Distances, NZECP 34:2001 and the Electricity (Hazards from Trees) Regulations 2003 require that trees must be kept clear of network power lines. The	Counties Power seeks recognition of the rights that the Electricity Act 1992, New Zealand Electrical Code of Practice for Electrical Safe Distances, NZECP 34:2001 and the Electricity (Hazards from Trees) Regulations 2003 offer in order to protect the lines from encroachment from vegetation/trees to ensure their safe and reliable operation and ensure access for maintenance is not restricted.  Counties Power seeks consultation regarding the species of trees/shrubs proposed required by any standard in the vicinity of overhead lines on the perimeter of the PC 61 area and new underground cables within the development to ensure that due consideration is given to the

<p>Objective lxxx.2 (8)</p>	<p>A collector road network that connects Jesmond Road with Oira Road combined with internal roads that enhance movement through and within the site.</p>	<p>Support in part</p>	<p>presence of trees can also impede access for maintenance purposes.</p> <p>It is also relevant in terms of network reliability and the safe operation of new underground cables. Planting of trees and shrubs in close proximity to underground cables and other network equipment may jeopardise the safe operation of the distribution infrastructure and thereby the security of electricity supply.</p>	<p>potential hazards to the electricity network associated with the location and species of trees and areas of landscaping.</p> <p>If bridges are to be installed over streams in the Plan change area, Counties Power request prior consultation to establish whether provision needs to be made for ducts to be attached or incorporated into the structure for power reticulation.</p>
			<p>Counties Power generally supports the location of the roads. However, there should be sufficient, suitable space within the back berm of the road reserve to enable the installation of cables, service pillars and if necessary, distribution substations. The proposed road cross sections currently show space for utilities which is largely under concrete footprint. This is <b>unsuitable for Counties Power's</b> requirements. The reasons for not installing electricity infrastructure under concrete footprint are:</p>	<p>Include objective as drafted.</p> <p>However, Counties Power seeks alternative road corridor design to ensure appropriate electricity infrastructure can be provided to service the developments within the plan change area:</p> <p>These changes include:</p> <ul style="list-style-type: none"> <li>• 700mm grass covered strip at the back of the berm along both sides of the road</li> </ul>

		<ul style="list-style-type: none"> <li>• Cable faults are more difficult to detect;</li> <li>• There are safety concerns associated with breaking concrete above live cables;</li> <li>• Single property service upgrades will require the concrete to be broken; and</li> <li>• Localised reinstatement (either due to a cable fault or connection upgrade) will take away the intended look of concrete footpaths and reinstatement of concrete is more costly because of the minimum area required</li> </ul> <p>Counties Power requires a grass covered strip at the back of the berm for installation of cables and service pillars along the frontage of all properties requiring a connection to the electricity network. The grassed area must measure a minimum of 700mm wide. This area is required on both sides of all roads, regardless of the category of road.</p> <p>In addition, to adequately service the developments within the Plan Change area, a distribution substation may need to be installed within the berm if it cannot</p>	<ul style="list-style-type: none"> <li>• suitable provision required for distribution substations within the road reserve in agreement with Counties Power.</li> </ul>
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Objective lxxx.2 (9)	Subdivision and development (including infrastructure provision) is coordinated with the delivery of the transport, infrastructure and services required to provide for the development.	Support	<p>be established on private land within the development. However, the location of the footpath and cycleway in the back berm as shown in the road cross sections precludes the possibility of installing a distribution substation within the road reserve. This appears to go against Rule E26.2.3.1 (A17) of the AUP(OP), which permits the installation of Distribution Substations in Roads, unformed roads and the Strategic Transport Corridor Zone if the activity can comply with the Standards set out in Standard E26.2.5.1.</p>	
			<p>Counties Power provides electricity infrastructure, utilising road corridors in which to establish and extend the electricity network to enable and support development.</p> <p>Counties Power will have the initial capacity to supply the Plan Change Area. However, this is for short term only. To have the capacity to supply electricity to Plan Change 61 area and other nearby Plan Change areas in the long term, Counties Power will need to establish new substations in the area,</p>	Include objective as drafted.

			<p>together with associated sub-transmission (110kV) overhead line routes. The timing of these substations will depend partially on <b>Counties Power's ability to acquire</b> suitable land and also on receiving support from the council in terms of consent for the construction of the substations and ensuring corridors are available for the sub-transmission circuits between the substations.</p> <p>The timing of development should be coordinated with infrastructure providers in order to ensure the Waipupuke Precinct is serviced by appropriate supporting infrastructure and avoids disruption caused by delayed installation of infrastructure</p>	
<p>Policy Ixxx.3 (8)</p>	<p>Retain the protected streams identified on Precinct Plan 2 and enhance their 10m margins through the removal of harmful species and vegetation and replacement with native vegetation, positive</p>	<p>Support in part</p>	<p>Counties Power supports the protection of stream and enhancement of riparian margins. However, electrical infrastructure must be taken into consideration when planning landscaping and planting in the vicinity of electricity infrastructure and should be</p>	<p>Counties Power seeks recognition of the rights that the Electricity Act 1992, New Zealand Electrical Code of Practice for Electrical Safe Distances, NZECP 34:2001 and the Electricity (Hazards from Trees) Regulations 2003 offer in order to protect the lines from encroachment from</p>

	ecological outcomes and ongoing maintenance.		carried out in consultation with Counties Power.	<p>vegetation/trees to ensure their safe and reliable operation and ensure access for maintenance is not restricted.</p> <p>Counties Power seeks consultation regarding the species of trees/shrubs proposed required by any standard in the vicinity of overhead lines on the perimeter of the plan change area, and in close proximity to underground cables to ensure that due consideration is given to the potential hazards to the electricity network associated with the location and species of trees and areas of landscaping.</p>
Policy lxxx.3 (10)	Require subdivision and development to provide appropriate transport and other infrastructure capacity within the precinct and to provide connections to the adjoining road network in	Support	<p>Counties Power will have the initial capacity to supply electricity infrastructure to the Plan Change Area. However, this is for the short term only. Capacity to supply electricity to Plan Change 61 area in the long term will be reliant on, Counties Power's ability to establish new substations in the area together with associated sub-transmission (110kV) overhead line routes in a timely</p>	<p>Include policy as drafted.</p>

	accordance with Precinct Plan 3.		<p>manner. The timing of development should be coordinated with infrastructure providers in order to ensure the Waipupuke Precinct is serviced by appropriate supporting infrastructure and avoid disruption caused by delayed installation of infrastructure.</p> <p>Counties Power has no current plan to underground existing overhead lines located on the perimeter of the Plan Change 61 area. However, undergrounding of lines to accommodate road widening of the arterial road may be achieved by negotiation with Counties Power. Undergrounding of existing works will need to be coordinated with Counties Power in order to maintain supply to the existing customers who are currently served by these overhead lines.</p>	
IXXX.5 Notification 588	Any application for resource consent for a restricted discretionary activity listed in Tables	Oppose	Development and subdivision should be coordinated with the provision of infrastructure. Electricity infrastructure could potentially be affected by	Counties Power requests the notification rule to be amended as follows: 2 5 6

	<p>XXX.4.1 to 4.4 will be considered without public or limited notification or the need to obtain written approval from affected parties unless the Council decides that special circumstances exist under sections 95A(9) or 95B(10) of the Resource Management Act 1991.</p>		<p>development and subdivision as well as any changes to the location and design of the road network and landscaping within the riparian area. Therefore, restricted discretionary activities such as (but not limited) to infringements to standard XXX.6.3 should not be precluded from notification.</p>	<p>“(1) Any application for resource consent for an activity listed in Tables XXX.4.1 to 4.4 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 purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule C1.13(4).”</p>
Rules/Standards	Provision	Position	Reason for position	Relief Sought
<p>Standard XXX.6.3</p>	<p>The Collector Roads identified on Precinct Plan 3 shall be developed in the locations identified on Precinct Plan 3 and shall be designed and constructed in accordance with the cross</p>	<p>Support in part</p>	<p>Counties Power generally supports the layout of the proposed roads. However, Counties Power is not supportive of the road design as shown in the road cross-sections  The road cross sections indicate space for utilities which is largely under concrete footpath. This is unsuitable for Counties Power's requirements. The reasons for not</p>	<p>Counties Power seeks alternative road design to ensure appropriate electricity infrastructure can be provided to service the developments within the plan change area.  These changes include:</p> <ul style="list-style-type: none"> <li>• 700mm grass covered strip at the back of the berm along both side of the road</li> </ul>

	<p>section below at a minimum.</p>	<p>installing electricity infrastructure under concrete footpath are:</p> <ul style="list-style-type: none"> <li>• Cable faults are more difficult to detect;</li> <li>• There are safety concerns associated with breaking concrete above live cables;</li> <li>• Single property service upgrades will require the concrete to be broken; and</li> <li>• Localised reinstatement (either due to a cable fault or connection upgrade) will take away the intended look of concrete footpaths and reinstatement of concrete is more costly because of the minimum area required.</li> </ul> <p>Counties Power requires a grass covered strip at the back of the berm for installation of cables and service pillars along the frontage of all properties requiring a connection to the electricity network. The grassed area must measure a minimum of 700mm wide. This area is required on both sides of all roads, regardless of the category of road.</p> <p>In addition, to adequately service the developments within the Plan Change area, a distribution substation may need</p>	<ul style="list-style-type: none"> <li>• suitable provision required for distribution substations within the road reserve in agreement with Counties Power.</li> </ul>
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<p>Standard IXXX.6.4(2)</p>	<p>Riparian margins of the protected streams identified on Precinct Plan 2 shall be planted to a minimum width of 10m measured from the top of the stream bank. A riparian planting plan must be prepared to demonstrate compliance with this standard and must:</p> <ol style="list-style-type: none"> <li>a. Include a plan identifying the location, species and planting bag size and density of plants;</li> <li>b. Use native vegetation;</li> </ol>	<p>Support in part</p>	<p>to be installed within the berm if it cannot be established on private land within the development. However, the location of the footpath and cycleway in the back berm as shown in the road cross sections precludes the possibility of installing a distribution substation within the road reserve. This appears to go against Rule E26.2.3.1 (A17) of the AUP(OP), which permit the installation of Distribution Substations in Roads, unformed roads and the Strategic Transport Corridor Zone if the activity can comply with the Standards set out in Standard E26.2.5.1.</p>	
			<p>Counties Power supports the protection of stream and enhancement of riparian margin. However, electrical infrastructure must be taken into consideration when planning landscaping and planting in the vicinity of electricity infrastructure and should be carried out in consultation with Counties Power.</p>	<p>Counties Power seeks recognition of the rights that the Electricity Act 1992, New Zealand Electrical Code of Practice for Electrical Safe Distances, NZECP 34:2001 and the Electricity (Hazards from Trees) Regulations 2003 offer in order to protect the lines from encroachment from vegetation/trees to ensure their safe and reliable operation and ensure access for maintenance is not restricted.</p>

	<p>c. Be consistent with local biodiversity;  d. Include weed and pest removal methodologies;  e. Include a maintenance plan.</p>			<p>Counties Power seeks consultation regarding the species of trees/shrubs proposed required by any standard in the vicinity of overhead lines or underground cables to ensure that due consideration is given to the height and spread of the tree and any potential hazards to the electricity network associated with the location and species of the tree.</p>
<p>Matters of discretion  XXX.7.1(4)</p>	<p>Construction of a Collector Road that does not comply with Standard XXX.6.3  a. Alternative locations for the Collector road  b. Alternative cross sections for the Collector roads</p>	<p>Support in part</p>	<p>Consideration of any existing or proposed electricity infrastructure is needed when assessing an application for the construction of a collector road that is not compliant with the permitted activity standards.   Counties Power is of the opinion that the matters of discretion should clearly outline what matters are being assessed when considering alternative road location and cross sections. For example, the effects of alternative road layout and design on the provision of infrastructure and servicing, in particular, utilities within the road reserve.</p>	<p>Counties Power seeks that the matters of discretion are amended to consider these factors.</p>
<p>Assessment criteria  XXX.7.2 (4)</p>	<p>Construction of a Collector Road that does not comply with Standard XXX.6.3</p>	<p>Support</p>	<p>Consideration of any existing or proposed electricity infrastructure is needed when assessing an application for the construction of a collector road that does</p>	<p>Include standard as drafted.</p>



	<p>a. The extent to which the alternative location achieves a safe and efficient road network within the Precinct.</p> <p>b. The extent to which the road network connects with external roads in a safe and efficient manner.</p> <p>c. The design of intersections with the external road network.</p> <p>d. The extent to which the capacity of the collector road sufficiently provides for vehicles, roads, rain garden, on street parking, pedestrians, cyclists, trees and vegetation and infrastructure.</p> <p>e. The extent to which the proposed roads satisfy suitable safety audit requirements.</p>		not comply with the permitted activity standards.
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**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 61 (Private) - Hao Li  
**Date:** Monday, 1 March 2021 3:31:40 PM

---

The following customer has submitted a Unitary Plan online submission.

#### **Contact details**

Full name of submitter: Hao Li  
Organisation name:  
Agent's full name:  
Email address: li\_hao99@hotmail.com  
Contact phone number:  
Postal address:

#### **Submission details**

##### **This is a submission to:**

Plan change number: Plan Change 61 (Private)  
Plan change name: PC 61 (Private): Waipupuke

##### **My submission relates to**

Rule or rules:  
Property address: 261 Oira Rd  
Map or maps:  
Other provisions:

Do you support or oppose the provisions you have specified? I or we support the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

In general we support the idea of a plan change, however we wish that Auckland Council in conjunction with the applicant and surrounding property owners lead any changes for the entire Future Urban surrounding the PC61 area so that the downstream infrastructure is properly identified and implemented. This will ensure future development for the properties not included in this PC61 are not hindered.

I or we seek the following decision by council: Decline the plan change, but if approved, make the amendments I requested

Details of amendments: For example, changes to the trunk wastewater network to allow for future connection. The current design of wastewater will cause issues due to being in private property.

Submission date: 1 March 2021

#### **Attend a hearing**

26.1

Do you wish to be heard in support of your submission? No

**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.

**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 61 (Private) - Susan Andrews  
**Date:** Monday, 1 March 2021 6:00:34 PM  
**Attachments:** [HNZPT Submission PPC61 - Waipupuke Combined 01\\_03\\_21.pdf](#)

---

The following customer has submitted a Unitary Plan online submission.

**Contact details**

Full name of submitter: Susan Andrews  
Organisation name: Heritage New Zealand Pouhere Taonga  
Agent's full name:  
Email address: sandrews@heritage.org.nz  
Contact phone number: 09 307 9920  
Postal address:

**Submission details**

**This is a submission to:**

Plan change number: Plan Change 61 (Private)  
Plan change name: PC 61 (Private): Waipupuke

**My submission relates to**

Rule or rules:  
Please see submission attached.

Property address: Please see submission attached.

Map or maps: Please see submission attached.

Other provisions:  
Please see submission attached.

Do you support or oppose the provisions you have specified? I or we support 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 submission attached.

I or we seek the following decision by council: Approve the plan change with the amendments I requested

Details of amendments: Please see submission attached.

Submission date: 1 March 2021

Supporting documents  
HNZPT Submission PPC61 - Waipupuke Combined 01\_03\_21.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.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.



1<sup>st</sup> March 2020

Attention: Planning Technician  
Auckland Council  
Level 24  
135 Albert Street  
Private Bag 92300  
Auckland 1143

Dear Sir or Madam

## **SUBMISSION OF HERITAGE NEW ZEALAND POUHERE TAONGA**

### **PC 61 (PRIVATE): WAIPUPEKE**

**To:** Auckland Council

**Name of submitter:** Heritage New Zealand Pouhere Taonga

#### **1. This is a submission on the following proposed private change to the Auckland Unitary Plan (Operative in Part) (the proposal):**

PC 61 (Private): To rezone 56 hectares of Future Urban Zoned land in Drury West in the area generally bounded by Jesmond Road and Future Urban Zoned land to the east, Oira Road to the west, Future Urban Zoned land to the north and Karaka Road/State Highway 22 to the south. The proposed zoning includes 2.02 hectares of Business: Neighbourhood Centre zone, 27.52 hectares of Residential: Terrace Housing and Apartment Buildings zone, 21.2 hectares of Residential: Mixed Housing Urban zone and 4.79 hectares for the development of an open space network.

The proposal also introduces a new precinct to the Auckland Unitary Plan (Operative in Part) to manage the future layout of main roads in the precinct, enable the development of a Medical and Specialist Facility in the Neighbourhood Centre Zone, add additional amenity-related standards, enable building height, introduce more flexible activity rules for the underlying zones and add standards relating to the management of stormwater, streams and riparian margins.

#### **2. Heritage New Zealand could not gain an advantage in trade competition through this submission.**

- Heritage New Zealand is an autonomous Crown Entity with statutory responsibilities under the Heritage New Zealand Pouhere Taonga Act 2014 for the identification, protection, preservation and conservation of New Zealand's historical and cultural heritage.

#### **3. The specific provisions of the proposal that Heritage New Zealand's submission relates to are:**

- The plan change with respect to historic heritage.

#### 4. Heritage New Zealand's submission is:

- Heritage New Zealand generally supports the proposed plan change in respect of the proposed scheduling of 140 Jesmond Road and the incorporation of cultural heritage elements throughout the landscape but seeks amendments as to the details concerning the archaeological identification and recording of the homestead and its curtilage, the scheduled site extents, zoning, and broader interpretation of the layers of histories associated with the area.
- Amendment is also sought to ensure the archaeological identification of the property at 329 Karaka Road, and that further archaeological assessment of the waterways are provided for within the plan change area.

#### 5. The reasons for Heritage New Zealand's position are as follows:

##### 5.1 140 Jesmond Road

- |       |  |      |
|-------|--|------|
| 5.1.1 | Heritage New Zealand supports the proposed retention of the c.1893 villa at 140 Jesmond Road in-situ and proposed scheduling as 'John Fitzgerald Homestead', a Category B Historic Heritage Place in Schedule 14.1 of the Auckland Unitary Plan (Operative in Part) (AUP(OP)), including the proposed extent of place aligning with the boundaries of the 'home paddock', the proposed inclusion of the interiors, assessed heritage values, proposed exclusions and nominated primary feature.  | 27.1 |
| 5.1.2 | We note however that the proposed Schedule 14.1 entry as set out in the plan change, has not brought through the recommendation made in Section 9.2 of the '140 Jesmond Road Drury, Auckland, Historic Heritage Evaluation', completed by Plan.Heritage, dated October 2020, at page 44, that the 'Additional Controls for Archaeological Sites or Features' should also be applied to the place, given its pre 1900 construction date and status as an archaeological site.   | 27.2 |
| 5.1.3 | The adaptive reuse of the villa is also supported, toward an appropriate publicly accessible use, as is the use of the adjoining pocket park and the refurbished villa for the reinstatement of Te Whare Nohoanga in recognition of the past use of the place by Māori, 'as a place of learning/wānanga'. This will present an opportunity to illustrate and interpret the continuum of histories associated with the wider place but should seek to ensure the villa maintains a 'readability' of its own including its identified immediate setting, in the same way as 'the incorporation of iwi identity' as part of the wider landscape should also do, in line with the conservation principles of the ICOMOS New Zealand Charter 2010 (see Appendix A). | 27.3 |
| 5.1.4 | Heritage New Zealand however does not support the indicative inclusion of several features including community gardens, an orchard, and fitness & play elements within the site surrounds of the house (the 'home paddock') and proposed scheduled extent of place. These features should more appropriately locate adjacent to but outside of the 'home paddock' house surrounds, to avoid creating a 'false sense of history' and enable the more authentic historic surrounds to be maintained.   | 27.4 |
| 5.1.5 | The proposed configuration of zone boundaries in relation to the homestead and associated extent of place are not supported, and present a confusing scenario, with the extent partially falling within intensive Residential – Terrace Housing & Apartment Building   | 27.5 |



- (THAB) zone; partially within the road reserve; and partially within the Eastern Pocket Park and Open Space – Informal Recreation zone. | 27.5
- 5.1.6 Heritage New Zealand does not support the placement of THAB zoning within the homestead extent with this presenting a development expectation incongruous with the retention and preservation of the homestead and its extent, potentially incentivising demolition, or relocation of the villa (achievable via Discretionary Activity consent), to enable the potential for high intensity residential development to be realised. | 27.6
- 5.1.7 Further, the extents of proposed THAB zone encroaching on the homestead setting has the potential of over dominating the scale and setting of the homestead, diminishing its presence, and affecting the general amenity (sun access, views, etc.) of the place amongst an intensive 3 storey/16-metre-high apartment and terrace housing network of development.
- 5.1.8 Provision should be made to ensure an appropriate setback and transition of density from THAB zone development to the villa site and proposed accompanying/encompassing area of open space. This will assist in retaining the integrity of the homestead and its setting. | 27.7
- 5.1.9 Placement of the entire extent of place within Open Space – Informal Recreation zone, with road frontage along the eastern boundary of the extent of place but not within it (addressing the front façade of the villa), would present a more appropriate and meaningful solution regarding the preservation and protection of the historic heritage values attributed to the homestead and its surrounds as sought by the plan change. | 27.8
- 5.1.10 At other places within the request materials, it appears this is the actual intent, with the statement at page 37 of the AEE *‘Lomai Properties Limited is supportive of protecting the farmhouse at 140 Jesmond Road and has developed a public open space around it’* and mention again at page 152 *‘it is proposed to develop a public open space around this heritage asset’*.
- 5.1.11 Additionally while the Plan Change Request states at page 95: *‘Given the significance of farmhouse at 140 Jesmond Road from heritage perspective, the building has been protected from potential inappropriate subdivision, use and development as it will be refurbished and restored to its former glory as part of a future application to accommodate an appropriate activity in the form as a communal facility in the form of a childcare centre or café’*, there are no provisions proposed to provide surety that such an outcome will be delivered.
- 5.1.12 Whilst recognising the nature of change to the context and setting of the homestead that is proposed and anticipated by the plan change, Heritage New Zealand seek that in the finalisation of roading and lot configurations consideration is given to reflecting existing site and subdivision boundaries which contribute to the meaning of place, and that the pattern of development appropriately addresses the villa, including the provision of sightlines to the dwelling from within the development. | 27.9
- 5.2 329 Karaka Road
- 5.2.1 Heritage New Zealand agree with the recommendations at page 8 and 14 of the ‘Clause 23 Response – Historic Heritage Evaluation’, from John Brown to Vijay Lala dated 06.11.20, that existing vegetation (particularly any identifiable as having early historic association with the site) is retained, and that onsite interpretation of both the cultural and historical background of the site and the former farmstead/homestead located on the site, in

accordance with ICOMOS principles, be incorporated into the park as a publicly accessible place.

- 5.2.2 This could include demarcation of the former footprint of the homestead extent within the surface of the park, and or the retention of elements of the homestead to assist with interpretation.

### 5.3 Archaeology

- 5.3.1 We note that no evidence of archaeology was found during the site inspection completed as part of the Clough & Associates Ltd, 'Waipupuke, Drury, Auckland: Preliminary Archaeological Assessment', dated July 2020 and that the Cultural Values Assessments provided by mana whenua likewise characterise the area as not settled with the presence of associated Maori archaeological remains not likely be expected.

- 5.3.2 However, the archaeological assessment does not make specific mention of the lengths of Ngakaroa Stream and Oira Stream tributaries that fall within the site. Heritage New Zealand considers additional archaeological site survey should be completed to determine the likelihood for these areas to contain archaeological remains, and that this informs proposed riparian margin restoration planting and stormwater park design and management as appropriate, to ensure any potential archaeological remains are avoided in the first instance.

27.10

- 5.3.3 The homesteads and associated curtilages at 140 Jesmond Road and 329 Karaka Road were however subsequently confirmed as pre 1900 archaeological sites following further evaluation by Plan.Heritage and therefore subject to the archaeological requirements of the Heritage New Zealand Pouhere Taonga Act (2014) in respect of the requirements to obtain archaeological authorities.

- 5.3.4 Any site works within the established archaeological site extent associated with the villa at 140 Jesmond Road will require an archaeological authority to be obtained, with this extent potentially differing from/larger than the proposed Schedule 14.1 Historic Heritage Place Extent of Place. Similarly, in relation to 329 Karaka Road, the proposed demolition of the homestead and any works within the associated archaeological site extent will require that an archaeological authority is obtained from HNZPT.

- 5.3.5 Whilst the plan request materials recommend recording of 140 Jesmond Road and 329 Karaka Road as archaeological sites on the New Zealand Archaeological Association (NZAA) database ArchSite, (and their addition to the Auckland Council Cultural Heritage Index (CHI)), this has yet to be undertaken and should be completed. Archaeological extents for both locations should be established and included as part of each record.

27.11

- 5.3.6 The archaeological assessment completed by Clough & Associates Ltd, dated July 2020 in support of the request should be updated with the information provided in the Plan.Heritage Historic Heritage Evaluations for the two villas reflecting the recommendation that the homesteads be recorded as archaeological sites, and their site numbers included once these are known.

- 5.3.7 It should be noted that contrary to the recommendations made in the historic heritage evaluation documents, and the subsequent historic heritage clause 23 response pertaining to the two homestead sites, the AUP(OP) Accidental Discovery Rule, will not apply in these areas of the precinct now they have been identified as archaeological sites and fall within

an archaeological site extent associated with activity that occurred prior to 1900. Any activities affecting these archaeological sites, including within their associated site extents (as above) will require that archaeological authorities are obtained. Accordingly, any discoveries would not be of an 'accidental' nature. The Accidental Discovery Protocol provisions of the Auckland Unitary Plan would apply only in instances where professional archaeological survey indicates the presence of archaeological sites as low.

#### 5.4 Interpretation

5.4.1 The plan change area has overlays of historical association relating to Maori activity, and to early European rural settlement and activity from the late-19th to the mid-20th centuries.

5.4.2 In addition to provisions recognising mana whenua values and enabling interpretation of these values throughout the proposed precinct, Heritage New Zealand seeks the addition of provisions to require interpretation of late 19<sup>th</sup> century historic European settlement and farming on the subject land and the wider Karaka area and beyond, in accordance with recommendations made in the in the historic heritage assessments prepared in support of the plan change request, and in accordance with conservation principles as outlined in the ICOMOS New Zealand Charter 2010 (attached as Appendix A, see specifically 'Principle 5. Respect for surviving evidence and knowledge').

27.12

#### 5.5 Cultural Heritage

5.5.1 Heritage New Zealand supports iwi/hapu in the exercising of kaitiakitanga and support the provisions proposed in the precinct plan to provide interpretation and recognise Māori cultural heritage values that have been identified.

27.13

#### 5.6 Conclusion

5.6.1 Heritage New Zealand considers the matters raised above and decisions sought align with and deliver on the following directives and key documents:

5.1.1 Auckland Plan, Outcome 5, Focus Area 4: 'Protect Auckland's significant cultural heritage from further loss';

5.1.2 Parks and Open Spaces Strategic Operation Plan, Focus Areas:

- 'Protecting and conserving heritage';

5.1.3 Drury Opāheke Structure Plan:

- Vision – 'Cultural and heritage values are respected';
- Key Outcome 2. Quality Built Environment – 2e – 'Drury Opāheke is a place that protects its historic heritage and character';
- Appendix 3 – Potential Matters to be Addressed in Plan Changes – Cultural and Heritage Values: 'How more general historic heritage themes can be retained and represented in ongoing development'.

### 6. Heritage New Zealand seeks the following decision from the local authority:

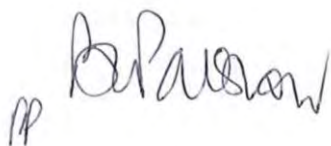
- That the proposed plan change is approved in so far as:
  - The homestead located at 140 Jesmond Road is added to Schedule 14.1 of the AUP(OP) as a Category B Historic Heritage Place, and in accordance with extent of place, primary

27.1

- feature and exclusions as proposed, but with an amendment to the proposed schedule entry to ensure that 'Additional Controls for Archaeological Sites or Features' are also be applied to the place, given its pre 1900 construction date and status as an archaeological site; and 27.2
- The provisions proposed which recognise cultural heritage values identified by mana whenua. 27.13
  - That the proposed plan change is amended:
    - To locate the entire proposed 'John Fitzgerald Homestead' Historic Heritage Place Extent of Place within Open Space – Informal Recreation zone with proposed Eastern Pocket Park features located outside the extent of place, and with road frontage along the eastern boundary of the extent of place but not within it; 27.5
    - To include provisions requiring the refurbishment and restoration of the homestead to provide for an appropriate publicly accessible adaptive reuse such as a childcare/kohanga reo/community/communal facility or café in accordance with principles of the ICOMOS New Zealand Charter 2010; 27.3
    - To ensure an appropriate setback and transition in density from THAB zone to the villa site and proposed accompanying/encompassing area of open space; 27.7
    - To enable retention of existing vegetation within the site at 329 Karaka Road (particularly any identifiable as having early historic associations with the homestead), and the incorporation of onsite interpretation of both the cultural and historical background of the plan change area within the proposed reserve at 329 Karaka Road and in association with 140 Jesmond Road, in accordance with principles of the ICOMOS New Zealand Charter 2010; and 27.14
    - To ensure additional archaeological site survey is completed to inform proposed riparian margin restoration planting and stormwater park design and management as appropriate, to ensure any potential archaeological remains are avoided in the first instance. 27.10

## 7. Heritage New Zealand does wish to be heard in support of our submission.

Yours sincerely



Sherry Reynolds  
Director Northern Region

Address for Service:  
Susan Andrews  
PO Box 105 291, Auckland  
09 307 9920  
[sandrews@heritage.org.nz](mailto:sandrews@heritage.org.nz)

**APPENDIX A – ICOMOS New Zealand Charter 2010**

# ICOMOS New Zealand Charter

## for the Conservation of Places of Cultural Heritage Value

Revised 2010

### Preamble

New Zealand retains a unique assemblage of **places of cultural heritage value** relating to its indigenous and more recent peoples. These areas, **cultural landscapes** and features, buildings and **structures**, gardens, archaeological sites, traditional sites, monuments, and sacred **places** are treasures of distinctive value that have accrued meanings over time. New Zealand shares a general responsibility with the rest of humanity to safeguard its cultural heritage **places** for present and future generations. More specifically, the people of New Zealand have particular ways of perceiving, relating to, and conserving their cultural heritage **places**.

Following the spirit of the International Charter for the Conservation and Restoration of Monuments and Sites (the Venice Charter - 1964), this charter sets out principles to guide the **conservation of places of cultural heritage value** in New Zealand. It is a statement of professional principles for members of ICOMOS New Zealand.

This charter is also intended to guide all those involved in the various aspects of **conservation** work, including owners, guardians, managers, developers, planners, architects, engineers, craftspeople and those in the construction trades, heritage practitioners and advisors, and local and central government authorities. It offers guidance for communities, organisations, and individuals involved with the **conservation** and management of cultural heritage **places**.

This charter should be made an integral part of statutory or regulatory heritage management policies or plans, and should provide support for decision makers in statutory or regulatory processes.

Each article of this charter must be read in the light of all the others. Words in bold in the text are defined in the definitions section of this charter.

This revised charter was adopted by the New Zealand National Committee of the International Council on Monuments and Sites at its meeting on 4 September 2010.

### Purpose of conservation

#### 1. The purpose of conservation

The purpose of **conservation** is to care for **places of cultural heritage value**.

In general, such **places**:

- (i) have lasting values and can be appreciated in their own right;
- (ii) inform us about the past and the cultures of those who came before us;
- (iii) provide tangible evidence of the continuity between past, present, and future;
- (iv) underpin and reinforce community identity and relationships to ancestors and the land;  
and
- (v) provide a measure against which the achievements of the present can be compared.

It is the purpose of **conservation** to retain and reveal such values, and to support the ongoing meanings and functions of **places of cultural heritage value**, in the interests of present and future generations.

## Conservation principles

### 2. Understanding cultural heritage value

**Conservation** of a **place** should be based on an understanding and appreciation of all aspects of its **cultural heritage value**, both **tangible** and **intangible**. All available forms of knowledge and evidence provide the means of understanding a **place** and its **cultural heritage value** and **cultural heritage significance**. **Cultural heritage value** should be understood through consultation with **connected people**, systematic documentary and oral research, physical investigation and **recording** of the **place**, and other relevant methods.

All relevant **cultural heritage values** should be recognised, respected, and, where appropriate, revealed, including values which differ, conflict, or compete.

The policy for managing all aspects of a **place**, including its **conservation** and its **use**, and the implementation of the policy, must be based on an understanding of its **cultural heritage value**.

### 3. Indigenous cultural heritage

The indigenous cultural heritage of **tangata whenua** relates to **whanau**, **hapu**, and **iwi** groups. It shapes identity and enhances well-being, and it has particular cultural meanings and values for the present, and associations with those who have gone before. Indigenous cultural heritage brings with it responsibilities of guardianship and the practical application and passing on of associated knowledge, traditional skills, and practices.

The Treaty of Waitangi is the founding document of our nation. Article 2 of the Treaty recognises and guarantees the protection of **ino rangatiratanga**, and so empowers **kaitiakitanga** as customary trusteeship to be exercised by **tangata whenua**. This customary trusteeship is exercised over their **taonga**, such as sacred and traditional **places**, built heritage, traditional practices, and other cultural heritage resources. This obligation extends beyond current legal ownership wherever such cultural heritage exists.

Particular **matauranga**, or knowledge of cultural heritage meaning, value, and practice, is associated with **places**. **Matauranga** is sustained and transmitted through oral, written, and physical forms determined by **tangata whenua**. The **conservation** of such **places** is therefore conditional on decisions made in associated **tangata whenua** communities, and should proceed only in this context. In particular, protocols of access, authority, ritual, and practice are determined at a local level and should be respected.

### 4. Planning for conservation

**Conservation** should be subject to prior documented assessment and planning.

All **conservation** work should be based on a **conservation plan** which identifies the **cultural heritage value** and **cultural heritage significance** of the **place**, the **conservation** policies, and the extent of the recommended works.

The **conservation plan** should give the highest priority to the **authenticity** and **integrity** of the **place**.

Other guiding documents such as, but not limited to, management plans, cyclical **maintenance** plans, specifications for **conservation** work, interpretation plans, risk mitigation plans, or emergency plans should be guided by a **conservation plan**.

## 5. Respect for surviving evidence and knowledge

**Conservation** maintains and reveals the **authenticity** and **integrity** of a **place**, and involves the least possible loss of **fabric** or evidence of **cultural heritage value**. Respect for all forms of knowledge and existing evidence, of both **tangible** and **intangible values**, is essential to the **authenticity** and **integrity** of the **place**.

**Conservation** recognises the evidence of time and the contributions of all periods. The **conservation** of a **place** should identify and respect all aspects of its **cultural heritage value** without unwarranted emphasis on any one value at the expense of others.

The removal or obscuring of any physical evidence of any period or activity should be minimised, and should be explicitly justified where it does occur. The **fabric** of a particular period or activity may be obscured or removed if assessment shows that its removal would not diminish the **cultural heritage value** of the **place**.

In **conservation**, evidence of the functions and intangible meanings of **places** of **cultural heritage value** should be respected.

## 6. Minimum intervention

Work undertaken at a **place** of **cultural heritage value** should involve the least degree of **intervention** consistent with **conservation** and the principles of this charter.

**Intervention** should be the minimum necessary to ensure the retention of **tangible** and **intangible values** and the continuation of **uses** integral to those values. The removal of **fabric** or the alteration of features and spaces that have **cultural heritage value** should be avoided.

## 7. Physical investigation

Physical investigation of a **place** provides primary evidence that cannot be gained from any other source. Physical investigation should be carried out according to currently accepted professional standards, and should be documented through systematic **recording**.

Invasive investigation of **fabric** of any period should be carried out only where knowledge may be significantly extended, or where it is necessary to establish the existence of **fabric** of **cultural heritage value**, or where it is necessary for **conservation** work, or where such **fabric** is about to be damaged or destroyed or made inaccessible. The extent of invasive investigation should minimise the disturbance of significant **fabric**.

## 8. Use

The **conservation** of a **place** of **cultural heritage value** is usually facilitated by the **place** serving a useful purpose.

Where the **use** of a **place** is integral to its **cultural heritage value**, that **use** should be retained.

Where a change of **use** is proposed, the new **use** should be compatible with the **cultural heritage value** of the **place**, and should have little or no adverse effect on the **cultural heritage value**.



## 9. Setting

Where the **setting** of a **place** is integral to its **cultural heritage value**, that **setting** should be conserved with the **place** itself. If the **setting** no longer contributes to the **cultural heritage value** of the **place**, and if **reconstruction** of the **setting** can be justified, any **reconstruction** of the **setting** should be based on an understanding of all aspects of the **cultural heritage value** of the **place**.

## 10. Relocation

The on-going association of a **structure** or feature of **cultural heritage value** with its location, site, curtilage, and **setting** is essential to its **authenticity** and **integrity**. Therefore, a **structure** or feature of **cultural heritage value** should remain on its original site.

Relocation of a **structure** or feature of **cultural heritage value**, where its removal is required in order to clear its site for a different purpose or construction, or where its removal is required to enable its **use** on a different site, is not a desirable outcome and is not a **conservation** process.

In exceptional circumstances, a **structure** of **cultural heritage value** may be relocated if its current site is in imminent danger, and if all other means of retaining the **structure** in its current location have been exhausted. In this event, the new location should provide a **setting** compatible with the **cultural heritage value** of the **structure**.

## 11. Documentation and archiving

The **cultural heritage value** and **cultural heritage significance** of a **place**, and all aspects of its **conservation**, should be fully documented to ensure that this information is available to present and future generations.

**Documentation** includes information about all changes to the **place** and any decisions made during the **conservation** process.

**Documentation** should be carried out to archival standards to maximise the longevity of the record, and should be placed in an appropriate archival repository.

**Documentation** should be made available to **connected people** and other interested parties. Where reasons for confidentiality exist, such as security, privacy, or cultural appropriateness, some information may not always be publicly accessible.

## 12. Recording

Evidence provided by the **fabric** of a **place** should be identified and understood through systematic research, **recording**, and analysis.

**Recording** is an essential part of the physical investigation of a **place**. It informs and guides the **conservation** process and its planning. Systematic **recording** should occur prior to, during, and following any **intervention**. It should include the **recording** of new evidence revealed, and any **fabric** obscured or removed.

**Recording** of the changes to a **place** should continue throughout its life.

### 13. Fixtures, fittings, and contents

Fixtures, fittings, and **contents** that are integral to the **cultural heritage value** of a **place** should be retained and conserved with the **place**. Such fixtures, fittings, and **contents** may include carving, painting, weaving, stained glass, wallpaper, surface decoration, works of art, equipment and machinery, furniture, and personal belongings.

**Conservation** of any such material should involve specialist **conservation** expertise appropriate to the material. Where it is necessary to remove any such material, it should be recorded, retained, and protected, until such time as it can be reinstated.

## Conservation processes and practice

### 14. Conservation plans

A **conservation plan**, based on the principles of this charter, should:

- (i) be based on a comprehensive understanding of the **cultural heritage value** of the **place** and assessment of its **cultural heritage significance**;
- (ii) include an assessment of the **fabric** of the **place**, and its condition;
- (iii) give the highest priority to the **authenticity** and **integrity** of the **place**;
- (iv) include the entirety of the **place**, including the **setting**;
- (v) be prepared by objective professionals in appropriate disciplines;
- (vi) consider the needs, abilities, and resources of **connected people**;
- (vii) not be influenced by prior expectations of change or development;
- (viii) specify **conservation** policies to guide decision making and to guide any work to be undertaken;
- (ix) make recommendations for the **conservation** of the **place**; and
- (x) be regularly revised and kept up to date.

### 15. Conservation projects

**Conservation** projects should include the following:

- (i) consultation with interested parties and **connected people**, continuing throughout the project;
- (ii) opportunities for interested parties and **connected people** to contribute to and participate in the project;
- (iii) research into documentary and oral history, using all relevant sources and repositories of knowledge;
- (iv) physical investigation of the **place** as appropriate;
- (v) use of all appropriate methods of **recording**, such as written, drawn, and photographic;
- (vi) the preparation of a **conservation plan** which meets the principles of this charter;
- (vii) guidance on appropriate **use** of the **place**;
- (viii) the implementation of any planned **conservation** work; (ix) the **documentation** of the **conservation** work as it proceeds; and
- (x) where appropriate, the deposit of all records in an archival repository.

A **conservation** project must not be commenced until any required statutory authorisation has been granted.

## 16. Professional, trade, and craft skills

All aspects of **conservation** work should be planned, directed, supervised, and undertaken by people with appropriate **conservation** training and experience directly relevant to the project.

All **conservation** disciplines, arts, crafts, trades, and traditional skills and practices that are relevant to the project should be applied and promoted.

## 17. Degrees of intervention for conservation purposes

Following research, **recording**, assessment, and planning, **intervention** for **conservation** purposes may include, in increasing degrees of **intervention**:

- (i) **preservation**, through **stabilisation, maintenance**, or **repair**;
- (ii) **restoration**, through **reassembly, reinstatement**, or removal;
- (iii) **reconstruction**; and (iv) **adaptation**.

In many **conservation** projects a range of processes may be utilised. Where appropriate, **conservation** processes may be applied to individual parts or components of a **place** of **cultural heritage value**.

The extent of any **intervention** for **conservation** purposes should be guided by the **cultural heritage value** of a **place** and the policies for its management as identified in a **conservation plan**. Any **intervention** which would reduce or compromise **cultural heritage value** is undesirable and should not occur.

Preference should be given to the least degree of **intervention**, consistent with this charter.

Re-creation, meaning the conjectural **reconstruction** of a **structure** or **place**; replication, meaning to make a copy of an existing or former **structure** or **place**; or the construction of generalised representations of typical features or **structures**, are not **conservation** processes and are outside the scope of this charter.

## 18. Preservation

**Preservation** of a **place** involves as little **intervention** as possible, to ensure its long-term survival and the continuation of its **cultural heritage value**.

**Preservation** processes should not obscure or remove the patina of age, particularly where it contributes to the **authenticity** and **integrity** of the **place**, or where it contributes to the structural stability of materials.

### i. Stabilisation

Processes of decay should be slowed by providing treatment or support.

### ii. Maintenance

A **place** of **cultural heritage value** should be maintained regularly. **Maintenance** should be carried out according to a plan or work programme.

### iii. Repair

**Repair** of a **place** of **cultural heritage value** should utilise matching or similar materials. Where it is necessary to employ new materials, they should be distinguishable by experts, and should be documented.

Traditional methods and materials should be given preference in **conservation** work.

**Repair** of a technically higher standard than that achieved with the existing materials or construction practices may be justified only where the stability or life expectancy of the site or material is increased, where the new material is compatible with the old, and where the **cultural heritage value** is not diminished.

## 19. Restoration

The process of **restoration** typically involves **reassembly** and **reinstatement**, and may involve the removal of accretions that detract from the **cultural heritage value** of a **place**.

**Restoration** is based on respect for existing **fabric**, and on the identification and analysis of all available evidence, so that the **cultural heritage value** of a **place** is recovered or revealed. **Restoration** should be carried out only if the **cultural heritage value** of the **place** is recovered or revealed by the process.

**Restoration** does not involve conjecture.

### i. Reassembly and reinstatement

**Reassembly** uses existing material and, through the process of **reinstatement**, returns it to its former position. **Reassembly** is more likely to involve work on part of a **place** rather than the whole **place**.

### ii. Removal

Occasionally, existing **fabric** may need to be permanently removed from a **place**. This may be for reasons of advanced decay, or loss of structural **integrity**, or because particular **fabric** has been identified in a **conservation plan** as detracting from the **cultural heritage value** of the **place**.

The **fabric** removed should be systematically **recorded** before and during its removal. In some cases it may be appropriate to store, on a long-term basis, material of evidential value that has been removed.

## 20. Reconstruction

**Reconstruction** is distinguished from **restoration** by the introduction of new material to replace material that has been lost.

**Reconstruction** is appropriate if it is essential to the function, **integrity**, **intangible value**, or understanding of a **place**, if sufficient physical and documentary evidence exists to minimise conjecture, and if surviving **cultural heritage value** is preserved.

Reconstructed elements should not usually constitute the majority of a **place** or **structure**.

## 21. Adaptation

The **conservation** of a **place** of **cultural heritage value** is usually facilitated by the **place** serving a useful purpose. Proposals for **adaptation** of a **place** may arise from maintaining its continuing **use**, or from a proposed change of **use**.

Alterations and additions may be acceptable where they are necessary for a **compatible use** of the **place**. Any change should be the minimum necessary, should be substantially reversible, and should have little or no adverse effect on the **cultural heritage value** of the **place**.

Any alterations or additions should be compatible with the original form and **fabric** of the **place**, and should avoid inappropriate or incompatible contrasts of form, scale, mass, colour, and material.

**Adaptation** should not dominate or substantially obscure the original form and **fabric**, and should not adversely affect the **setting** of a **place** of **cultural heritage value**. New work should complement the original form and **fabric**.

## 22. Non-intervention

In some circumstances, assessment of the **cultural heritage value** of a **place** may show that it is not desirable to undertake any **conservation intervention** at that time. This approach may be appropriate where undisturbed constancy of **intangible values**, such as the spiritual associations of a sacred **place**, may be more important than its physical attributes.

## 23. Interpretation

Interpretation actively enhances public understanding of all aspects of **places** of **cultural heritage value** and their **conservation**. Relevant cultural protocols are integral to that understanding, and should be identified and observed.

Where appropriate, interpretation should assist the understanding of **tangible** and **intangible values** of a **place** which may not be readily perceived, such as the sequence of construction and change, and the meanings and associations of the **place** for **connected people**.

Any interpretation should respect the **cultural heritage value** of a **place**. Interpretation methods should be appropriate to the **place**. Physical **interventions** for interpretation purposes should not detract from the experience of the **place**, and should not have an adverse effect on its **tangible** or **intangible values**.

## 24. Risk mitigation

**Places** of **cultural heritage value** may be vulnerable to natural disasters such as flood, storm, or earthquake; or to humanly induced threats and risks such as those arising from earthworks, subdivision and development, buildings works, or wilful damage or neglect. In order to safeguard **cultural heritage value**, planning for risk mitigation and emergency management is necessary.

Potential risks to any **place** of **cultural heritage value** should be assessed. Where appropriate, a risk mitigation plan, an emergency plan, and/or a protection plan should be prepared, and implemented as far as possible, with reference to a conservation plan.

## Definitions

For the purposes of this charter:

**Adaptation** means the process(es) of modifying a **place** for a **compatible use** while retaining its **cultural heritage value**. **Adaptation** processes include alteration and addition.

**Authenticity** means the credibility or truthfulness of the surviving evidence and knowledge of the **cultural heritage value** of a **place**. Relevant evidence includes form and design, substance and **fabric**, technology and craftsmanship, location and surroundings, context and **setting**, **use** and function, traditions, spiritual essence, and sense of place, and includes **tangible** and **intangible values**. Assessment of **authenticity** is based on identification and analysis of relevant evidence and knowledge, and respect for its cultural context.

**Compatible use** means a **use** which is consistent with the **cultural heritage value** of a **place**, and which has little or no adverse impact on its **authenticity** and **integrity**.

**Connected people** means any groups, organisations, or individuals having a sense of association with or responsibility for a **place of cultural heritage value**.

**Conservation** means all the processes of understanding and caring for a **place** so as to safeguard its **cultural heritage value**. **Conservation** is based on respect for the existing **fabric**, associations, meanings, and **use** of the **place**. It requires a cautious approach of doing as much work as necessary but as little as possible, and retaining **authenticity** and **integrity**, to ensure that the **place** and its values are passed on to future generations.

**Conservation plan** means an objective report which documents the history, **fabric**, and **cultural heritage value** of a **place**, assesses its **cultural heritage significance**, describes the condition of the **place**, outlines **conservation** policies for managing the **place**, and makes recommendations for the **conservation** of the **place**.

**Contents** means moveable objects, collections, chattels, documents, works of art, and ephemera that are not fixed or fitted to a **place**, and which have been assessed as being integral to its **cultural heritage value**.

**Cultural heritage significance** means the **cultural heritage value** of a **place** relative to other similar or comparable **places**, recognising the particular cultural context of the **place**.

**Cultural heritage value/s** means possessing aesthetic, archaeological, architectural, commemorative, functional, historical, landscape, monumental, scientific, social, spiritual, symbolic, technological, traditional, or other **tangible** or **intangible values**, associated with human activity.

**Cultural landscapes** means an area possessing **cultural heritage value** arising from the relationships between people and the environment. **Cultural landscapes** may have been designed, such as gardens, or may have evolved from human settlement and land use over time, resulting in a diversity of distinctive landscapes in different areas. Associative **cultural landscapes**, such as sacred mountains, may lack **tangible** cultural elements but may have strong **intangible** cultural or spiritual associations.

**Documentation** means collecting, **recording**, keeping, and managing information about a **place** and its **cultural heritage value**, including information about its history, **fabric**, and meaning; information about decisions taken; and information about physical changes and **interventions** made to the **place**.

**Fabric** means all the physical material of a **place**, including subsurface material, **structures**, and interior and exterior surfaces including the patina of age; and including fixtures and fittings, and gardens and plantings.

**Hapu** means a section of a large tribe of the **tangata whenua**.

**Intangible value** means the abstract **cultural heritage value** of the meanings or associations of a **place**, including commemorative, historical, social, spiritual, symbolic, or traditional values.

**Integrity** means the wholeness or intactness of a **place**, including its meaning and sense of **place**, and all the **tangible** and **intangible** attributes and elements necessary to express its **cultural heritage value**.

**Intervention** means any activity that causes disturbance of or alteration to a **place** or its **fabric**. **Intervention** includes archaeological excavation, invasive investigation of built **structures**, and any **intervention** for **conservation** purposes.

**Iwi** means a tribe of the **tangata whenua**.

**Kaitiakitanga** means the duty of customary trusteeship, stewardship, guardianship, and protection of land, resources, or **taonga**.

**Maintenance** means regular and on-going protective care of a **place** to prevent deterioration and to retain its **cultural heritage value**.

**Matauranga** means traditional or cultural knowledge of the **tangata whenua**.

**Non-intervention** means to choose not to undertake any activity that causes disturbance of or alteration to a **place** or its **fabric**.

**Place** means any land having **cultural heritage value** in New Zealand, including areas; **cultural landscapes**; buildings, **structures**, and monuments; groups of buildings, **structures**, or monuments; gardens and plantings; archaeological sites and features; traditional sites; sacred **places**; townscapes and streetscapes; and settlements. **Place** may also include land covered by water, and any body of water. **Place** includes the **setting** of any such **place**.

**Preservation** means to maintain a **place** with as little change as possible.

**Reassembly** means to put existing but disarticulated parts of a **structure** back together.

**Reconstruction** means to build again as closely as possible to a documented earlier form, using new materials.

**Recording** means the process of capturing information and creating an archival record of the **fabric** and **setting** of a **place**, including its configuration, condition, **use**, and change over time.

**Reinstatement** means to put material components of a **place**, including the products of **reassembly**, back in position.

**Repair** means to make good decayed or damaged **fabric** using identical, closely similar, or otherwise appropriate material.

**Restoration** means to return a **place** to a known earlier form, by **reassembly** and **reinstatement**, and/or by removal of elements that detract from its **cultural heritage value**.

**Setting** means the area around and/or adjacent to a **place** of **cultural heritage value** that is integral to its function, meaning, and relationships. **Setting** includes the **structures**, outbuildings, features, gardens, curtilage, airspace, and accessways forming the spatial context of the **place** or used in association with the **place**. **Setting** also includes **cultural landscapes**, townscapes, and streetscapes; perspectives, views, and viewshfts to and from a **place**; and relationships with other **places** which contribute to the **cultural heritage value** of the **place**. **Setting** may extend beyond the area defined by legal title, and may include a buffer zone necessary for the long-term protection of the **cultural heritage value** of the **place**.

**Stabilisation** means the arrest or slowing of the processes of decay.

**Structure** means any building, standing remains, equipment, device, or other facility made by people and which is fixed to the land.

**Tangata whenua** means generally the original indigenous inhabitants of the land; and means specifically the people exercising **kaitiakitanga** over particular land, resources, or **taonga**.

**Tangible value** means the physically observable **cultural heritage value** of a **place**, including archaeological, architectural, landscape, monumental, scientific, or technological values.

**Taonga** means anything highly prized for its cultural, economic, historical, spiritual, or traditional value, including land and natural and cultural resources.

**Tino rangatiratanga** means the exercise of full chieftainship, authority, and responsibility.

**Use** means the functions of a **place**, and the activities and practices that may occur at the **place**. The functions, activities, and practices may in themselves be of **cultural heritage value**.

**Whanau** means an extended family which is part of a **hapu** or **iwi**.

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This revision incorporates changes in conservation philosophy and best practice since 1993 and is the only version of the ICOMOS New Zealand Charter approved by ICOMOS New Zealand (Inc.) for use.

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**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 61 (Private) - Tingran Doreen  
**Date:** Monday, 1 March 2021 7:45:31 PM

---

The following customer has submitted a Unitary Plan online submission.

#### Contact details

Full name of submitter: Tingran Doreen

Organisation name:

Agent's full name:

Email address: tingran.duan@gmail.com

Contact phone number: 0210628283

Postal address:  
 15 Britton Avenue  
 Mt Roskill  
 Auckland 1041

#### Submission details

##### This is a submission to:

Plan change number: Plan Change 61 (Private)

Plan change name: PC 61 (Private): Waipupuke

##### My submission relates to

Rule or rules:  
 Drury Structure Plan and Unitary Plan

Property address: 224 Jesmond Road

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:

The proposal does not account for the wider public services and infrastructure. Including roading and wastewater. Plan change should account for the outer area and wider context. Therefore the council could consider thinking about the whole picture and create a masterplan for the entire area. This includes the proposed Karaka Road and Jesmond Road train station and other outer facilities. The plan change should result in a change of the entire area.... including roading networks and better connectivity.

I or we seek the following decision by council: Decline the plan change, but if approved, make the amendments I requested

28.1

Details of amendments: Better connectivity to cater for the wider area. Including roading, use of facilities/train-stations, underground services. To include other areas of Jesmond road in the plan change.

Submission date: 1 March 2021

**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.

**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 61 (Private) - Mark Lewis Grey  
**Date:** Monday, 1 March 2021 8:30:30 PM

---

The following customer has submitted a Unitary Plan online submission.

#### **Contact details**

Full name of submitter: Mark Lewis Grey

Organisation name:

Agent's full name:

Email address: mark.grey@xtra.co.nz

Contact phone number:

Postal address:  
288 Jesmond Road  
RD 2  
Drury  
Drury 2578

#### **Submission details**

##### **This is a submission to:**

Plan change number: Plan Change 61 (Private)

Plan change name: PC 61 (Private): Waipupuke

##### **My submission relates to**

Rule or rules:

Property address: 288 Jesmond Road, Drury

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? No

The reason for my or our views are:

We live at the above mentioned address and have worked hard to build a native garden with the trees now well established. This road is considered a secondary road and therefore does not need to be widened or allow for more vehicles and speed.

I or we seek the following decision by council: Decline the plan change

Submission date: 1 March 2021

#### **Attend a hearing**

Do you wish to be heard in support of your submission? No

#### **Declaration**

29.1

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.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 61 (Private) - Mark Lewis Grey  
**Date:** Monday, 1 March 2021 8:30:31 PM

---

The following customer has submitted a Unitary Plan online submission.

#### **Contact details**

Full name of submitter: Mark Lewis Grey

Organisation name:

Agent's full name:

Email address: mark@markgreycarriers.co.nz

Contact phone number:

Postal address:  
288 Jesmond Road  
RD 2  
Drury  
Drury 2578

#### **Submission details**

##### **This is a submission to:**

Plan change number: Plan Change 61 (Private)

Plan change name: PC 61 (Private): Waipupuke

##### **My submission relates to**

Rule or rules:

Property address: 5 Bremner Road, Drury

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? No

The reason for my or our views are:

We run a small business from this address and require all the space on the property to allow for the continued off street parking

I or we seek the following decision by council: Decline the plan change, but if approved, make the amendments I requested

Details of amendments: leave existing property as it is

Submission date: 1 March 2021

#### **Attend a hearing**

Do you wish to be heard in support of your submission? No

29.2

**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.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

23 April 2021

Plans and Places

Auckland Council

Private Bag 92300

Auckland 1142

Attn: Planning Technician

Email: [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz)

**Re: Further submission by Auckland Transport on Proposed Private Plan Change 61 – Waipupuke**

Please find attached Auckland Transport's further submission to the submissions lodged on Proposed Private Plan Change 61 from Lomai Properties Limited.

If you have any queries in relation to this further submission, please contact Kevin Wong-Toi on 09 448 7271 or email [Kevin.Wong-Toi@at.govt.nz](mailto:Kevin.Wong-Toi@at.govt.nz), or on 09 447 4200.

Yours sincerely



Kevin Wong-Toi

**Principal Planner, Strategic Land Use and Spatial Management**

cc:

Tattico Limited

Attention: Vijay Lala

Via email: [vijay.lala@tattico.co.nz](mailto:vijay.lala@tattico.co.nz)

Encl: Auckland Transport's Further Submission on Proposed Private Plan Change 61 – Waipupuke

**Form 6: Further Submission by Auckland Transport on Proposed Private Plan Change 61 – Waipupuke under Clause 6 of Schedule 1, Resource Management Act 1991**

**To:** Auckland Council  
Private Bag 92300  
Auckland 1142

**Further submission on:** Submissions to Proposed Private Plan Change 61 (PPC 61) – Waipupuke. This Plan Change is to rezone approximately 56 hectares of land in Drury West from Future Urban zone to 2.02 hectares of Business: Neighbourhood Centre zone; 27.52 hectares of Residential: Terrace Housing and Apartment Buildings zone; 21.2 hectares of Residential: Mixed Housing Urban zone; and the development of a 4.79-hectare open space network.

**From:** Auckland Transport  
Private Bag 92250  
Auckland 1142

**1. Introduction**

- 1.1 Auckland Transport 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. Auckland Transport's grounds for specifying this are that it is a Council-Controlled Organisation of Auckland Council ('the Council') and Road Controlling Authority for the Auckland region.
- 1.2 Auckland Transport's legislated purpose is "to contribute to an effective, efficient and safe Auckland land transport system in the public interest."

**2. Scope of further submission**

- 2.1 The specific parts of the submissions supported, opposed or where Auckland Transport has a neutral position providing any transport implications arising from accepting a submission are addressed, and the reasons for Auckland Transport's position, are set out in **Attachment 1**.
- 2.2 The decisions which Auckland Transport seeks from the Council in terms of allowing or disallowing submissions are also set out in **Attachment 1**.



**3. Appearance at the hearing**

- 3.1 Auckland Transport wishes to be heard in support of this further submission.
- 3.2 If others make a similar further submission, Auckland Transport will consider presenting a joint case with them at the hearing.



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Signed for and on behalf of Auckland Transport

Christina Robertson

Group Manager: Strategic Land Use and Spatial Management

23 April 2021

Address for service of further submitter:

Contact person: Kevin Wong-Toi  
Principal Planner, Strategic Land Use and Spatial Management

Address for service: Auckland Transport  
Private Bag 92250  
Auckland 1142

Email: [Kevin.Wong-Toi@at.govt.nz](mailto:Kevin.Wong-Toi@at.govt.nz)

**Attachment 1**

<b>Submitter</b>	<b>Submission point</b>	<b>Summary of submission</b>	<b>Support or oppose</b>	<b>Reason for AT further submission</b>	<b>Decision sought</b>
Anthony Joyce	1.1	The submitter is a local resident and supports growing new communities and infrastructure in the area without any amendments to the proposed plan change.	Oppose	The submitter supports approving proposed Private Plan Change 61 (PPC 61) without any amendments. Auckland Transport has identified issues and concerns with parts of the proposed precinct provisions that require amendments to address the transport effects or immediate network requirements.	Decline the submitter's relief sought.
Song Wanping	2.1	The submitter is a local resident who opposes Terrace Housing and Apartment Buildings Zone and wants to allow only single-storey houses.	Oppose in part	The relief sought by the submitter has not been included and considered in the applicant's Integrated Transport Assessment.  Any associated transport effects should be appropriately assessed and mitigated including the effects of different land use types and intensity. For example, a lower level of density as suggested by the submitter will reduce the cumulative transport effects in terms of trips	Decline the submitter's relief, unless any amendments to the proposed zoning and/or development yield are assessed and addressed as part of an appropriately scaled transport assessment and land use/economic assessment prior to any requested changes to the provisions being made.  PPC 61 should make appropriate provision for the type and intensity of

Watercare Services Limited	5.1	Amend Objective 9 as follows: Subdivision and development (including infrastructure provision) is coordinated with, <u>and does not precede</u> , the delivery of the transport, infrastructure and <u>water and wastewater</u> services required to provide for the development.	Support	Watercare's submission seeks to ensure that the existing and planned water and wastewater network requirements associated with PPC 61 are appropriately considered and managed. This includes relief sought to reflect the need for subdivision and development to be coordinated with and not precede water and wastewater services. The amendments sought are consistent with Auckland Transport's position on the provision of infrastructure.	development that can be integrated with and will support the future planned transport investments in the area including the Drury West rail station.
Andrew Daken	6.1	The submitter is a local resident and has concerns about the additional watercourse resulting from the development, and particularly opposes the runoff through their property.	Oppose in part	The submitter is requesting that piped stormwater and wastewater infrastructure requirements avoid their land holding, and to instead locate this infrastructure within the road reserves of Jesmond	Accept the submitter's relief to the extent that it recognises the need to have infrastructure with coordinated subdivision and for development, and for subdivision and development not to precede the delivery of infrastructure.
				The submitter is requesting that piped stormwater and wastewater infrastructure requirements avoid their land holding, and to instead locate this infrastructure within the road reserves of Jesmond	That any potential impacts on the proposed transport networks relating to the provision of stormwater and wastewater infrastructure will be determined subject to further engagement between Auckland

Malcolm Douglas Scott	7.1	The submitter is a local resident and particularly opposes the direction of stormwater runoff down their shared driveway at 175 Jesmond Road.	Oppose in part	<p>Road and future collector roads. The alignment and management of any proposed reticulated piped stormwater and wastewater networks will be undertaken by Auckland Council (Healthy Waters) and Watercare respectively.</p> <p>Auckland Transport would need to work with these agencies to determine any impacts on the transport network including the need to accommodate this infrastructure within the road network.</p>	Transport, Auckland Council (Healthy Waters) and Watercare.
				<p>The submitter is requesting that piped stormwater infrastructure requirements avoid their land holding, and to instead locate this infrastructure within the road reserve of the future upgraded network. The alignment and management of any proposed reticulated piped stormwater networks will be undertaken by</p>	<p>That any potential impacts on the proposed transport networks relating to the provision of stormwater infrastructure will be determined subject to further engagement between Auckland Transport and Auckland Council (Healthy Waters).</p>

Soco Homes Limited	9.1	<p>The submitter has concerns about considering the wider context of the Drury-Opāheke Structure Plan area including transport grid links and servicing infrastructure connections.</p> <p>Additional information and clarification are also sought particularly around the impacts of the proposed transport and infrastructure networks on the surrounding area.</p>	Support in part	<p>Auckland Council (Healthy Waters).</p> <p>Auckland Transport would need to work with Healthy Waters to determine any impacts on the transport network including the need to accommodate this infrastructure within the road network.</p> <p>The submitter opposes PPC 61 and seeks to amend the plan change in accordance with the Drury-Opāheke Structure Plan. Auckland Transport supports any such amendments to the extent that they enable improved transport land use integration outcomes, including wider transport network planning outcomes.</p>	
Katherine Grace de Courcy and Robert Russell Maunganui Smith	10.1	<p>Opposes the ad hoc development proposal without the construction of the required infrastructure to service Jesmond Road, which could be several years away.</p>	Support in part	<p>Auckland Transport recognises the need to stage and co-ordinate infrastructure requirements with proposed land use development including the required transport upgrades for Jesmond</p>	<p>Accept the submitter's relief to the extent that any amendments support transport land use integration outcomes and improved transport network planning of the wider area, including implementation planning.</p>
				<p>Auckland Transport recognises the need to stage and co-ordinate infrastructure requirements with proposed land use development including the required transport upgrades for Jesmond</p>	<p>Accept the submitter's relief to the extent that if the required transport network infrastructure and services are not planned, staged and provided with a level of certainty, PPC 61 should be declined.</p>

Linqi Wang	11.4	Address the funding and delivery of the required infrastructure and services to support the development prior to the approval of the proposed plan change.	Support	Road as identified by the submitter. The submitter seeks to decline PPC 61 unless concerns around transport infrastructure funding and delivery of the roading upgrade can be addressed. The submitter's relief sought is consistent with relief sought in Auckland Transport's primary submission on PPC61.	Accept the submitter's relief.
	11.5	A review of infrastructure capacity is required given the higher densities proposed in PPC 61 relative to that envisaged in the structure plan.	Support in part	The submitter recognises that PPC 61 and other Drury private plan changes are seeking to enable levels of intensification that are greater than that anticipated under the Drury-Opāheke Structure Plan. This in turn may result in insufficient infrastructure capacity when considering the rezoning of surrounding Future Urban Zoned land. Auckland Transport notes the potential need for a more holistic approach to the planning and assessment of infrastructure	Accept the submitter's relief to that extent that PPC 61 should assess the transport network requirements to support enabled growth and development. This includes assessing the effects of enabled development potential on the infrastructure capacity requirements of the wider area (in the context of the Drury-Opāheke Structure Plan).

Wing Family Trust	12.2	<p>Stormwater discharge to be designed and implemented within the plan change area to avoid changes to the flood level changes on the Submitter's site.</p> <p>Agreement of Healthy Waters to this approach should be provided to ensure that the design is adopted as part of the Stormwater Management Plan / Network Discharge Consent process.</p>	Oppose in part	<p>requirements associated with the wider Drury area, including wider transport network planning outcomes.</p> <p>The submitter is requesting that piped stormwater and wastewater infrastructure requirements avoid their land holding, and to instead locate this infrastructure within the road reserves of Jesmond Road and future collector roads. The alignment and management of any proposed reticulated piped stormwater and wastewater networks will be undertaken by Auckland Council (Healthy Waters) and Watercare respectively.</p> <p>Auckland Transport would need to work with these agencies to determine any impacts on the transport network including the need to accommodate this infrastructure within the road network.</p>	<p>That any potential impacts on the proposed transport networks relating to the provision of stormwater and wastewater infrastructure will be determined subject to further engagement between Auckland Transport, Auckland Council (Healthy Waters) and Watercare.</p>
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<p>Harnett Orchard Ltd and L and C Griffen</p>	<p>13.2</p>	<p>Public wastewater connections are aligned as illustrated in Figure 5 in the submission or other such alignment to the Submitter's satisfaction.</p>	<p>Oppose in part</p>	<p>The submitter supports the proposed alignment of the wastewater infrastructure servicing as identified in the PPC 61 technical documents. Auckland Transport's primary submission sought to amend the PPC 61 east-west collector network to align with the proposed collector network shown in the Drury-Opāheke Structure Plan. This proposed realignment partially corresponds with the alignment of the proposed wastewater infrastructure. The alignment and management of any proposed reticulated piped wastewater networks will be undertaken by Watercare.</p> <p>Auckland Transport would need to work with Watercare to determine any impacts on the transport network including the need to accommodate this infrastructure within the road network.</p>	<p>That any potential impacts on the proposed transport networks relating to the provision of wastewater infrastructure will be determined subject to further engagement between Auckland Transport and Watercare.</p>
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Shin Yin Property Investment Family Trust	14.1	The submitter is a local resident and wants the stormwater management and flood risk solutions to align with the Drury-Opāheke Structure Plan, and public wastewater connections to be installed on public land with locations to be determined by Auckland Council.	Oppose in part	<p>The submitter is requesting that piped stormwater and wastewater infrastructure requirements avoid their land holding, and to instead locate this infrastructure within the road reserves of Jesmond Road and future collector roads. The alignment and management of any proposed reticulated piped stormwater and wastewater networks will be undertaken by Auckland Council (Healthy Waters) and Watercare respectively.</p> <p>Auckland Transport would need to work with these agencies to determine any impacts on the transport network including the need to accommodate this infrastructure within the road network.</p>	That any potential impacts on the proposed transport networks relating to the provision of stormwater and wastewater infrastructure will be determined subject to further engagement between Auckland Transport, Auckland Council (Healthy Waters) and Watercare.
Te Henga Family Trust	15.1	Address the funding and delivery of the required infrastructure and services to support to the development prior to the approval of the proposed plan change.	Oppose in part	The submitter seeks to decline PPC 61 for a number of reasons including the uncertainty around the provision of infrastructure and notes that the costs of this	Auckland Transport supports proper consideration of infrastructure requirements being in place ahead of the development. As part of these considerations,

		<p>The submission comments that the costs of infrastructure should not be borne by the developer.</p>		<p>infrastructure should not be borne by the developer.</p> <p>Auckland Transport made a submission on PPC 61 which recognised the requirement for developer mitigation of transport effects and in this regard does not support the position put forward by the submitter.</p>	<p>Auckland Transport also recognises the need for developer mitigation of transport effects through proposed amendments to the precinct provisions.</p>
<p>Ministry of Education</p>	<p>16.1–16.6</p>	<p>Supports retaining inclusions of various objectives and policies.</p>	<p>Oppose in part</p>	<p>Auckland Transport's primary submission identified amendments to these provisions and therefore does not support the submitter's request based on the wording and approach of the provisions as set out in the notified proposed precinct provisions, for example, proposed amendments to the collector road standards and cross-section.</p>	<p>Decline the relief sought to the extent that it is inconsistent with relief sought in Auckland Transport's primary submission.</p>
	<p>16.8</p>	<p>Delete the following Permitted Activity Standard under XXX.6.8 Arterial Road Intersections as follows: (2) <del>This standard shall not</del></p>	<p>Oppose</p>	<p>The submitter is seeking to amend the arterial road intersection standard by deleting the reference to listed upgrades which would need to be in place</p>	<p>Decline the submission point unless Auckland Transport's points around the staging and managing interim effects are appropriately addressed.</p>

		<p>apply if the following transport upgrades are provided prior to the 2,000 residential dwelling number being reached within Waipupuke Precinct:</p> <ul style="list-style-type: none"> <li>a. <del>Oira Road widening and SH22 intersection upgrade.</del></li> <li>b. <del>Jesmond Road widening and SH22 intersection upgrade.</del></li> <li>c. <del>SH22 improvements</del></li> <li>d. <del>Jesmond Road Extension</del></li> <li>e. <del>Drury West rail station construction</del></li> <li>f. <del>Rail network upgrade</del></li> <li>g. <del>Bremner Road works</del></li> <li>h. <del>Pukekohe Expressway</del></li> </ul>		<p>before the 2,000-dwelling threshold is reached. This is on the basis the upgrades listed are unlikely to individually have a material effect on the State Highway 22 / Jesmond Road intersection meaning that there will still be a need for an intersection analysis with an extra 2,000 dwellings using the intersection before more dwellings are consented.</p> <p>In this regard, Auckland Transport's submission indicated the need to identify and mitigate interim effects of the enabled plan change development through appropriate staging provisions.</p>	
<p>Ministry of Housing and Urban Development</p>	<p>17.1</p>	<p>Increase the extent of the Terrace Housing and Apartment Buildings Zone to include all of Stage 2 currently proposed for the land zoned as Mixed House Urban.</p> <p>The submitter seeks to enable intensive residential</p>	<p>Support in part</p>	<p>Appropriately scaled and located intensification that enables integration with and use of public transport infrastructure and services is supported by Auckland Transport.</p> <p>Auckland Transport also</p>	<p>Support the submitter's relief to the extent that this may support public transport investment, however, this requires any amendments to the proposed zoning and/or development yield are assessed and addressed</p>

	development within walking distance of the future Drury West rail station to support its use.		seeks to ensure that the wider Drury West area is supported by appropriate access to transport infrastructure and services.  Any alternative or extension of zoning needs to be supported by appropriate transport assessment and mitigation as necessary.	as part of an appropriately scaled assessment and land use / economic assessment prior to any provision for such being made in PPC 61.  PPC 61 should make appropriate provision for the transport infrastructure and services required to serve the wider Drury West area.
17.2	The road layouts and connections with the neighbouring land at the corner of Jesmond Road and State Highway 22 / Karaka Road should be increased to provide for better walking access through the land to the location of the planned rail station.	Support in part	The submitter's relief broadly aligns with Auckland Transport's primary submission to PPC 61 seeking the early provision of active mode movements and access to bus services and the proposed future Drury West rail station to support the development.	Auckland Transport supports the intent of this submission point to provide for efficient, effective and safe active mode connections to and from public transport facilities as reflected in Auckland Transport's primary submission to PPC 61.
17.3	Increase the height variation control to 27m across all of the Terrace Housing and Apartment Buildings Zone to the south of the collector road for the medical centre.	Oppose in part	Auckland Transport made a submission on PPC 61 requesting it to be declined unless a number of matters could be addressed and resolved, including infrastructure provision and funding.	Decline the submitter's relief unless any amendments to the proposed zoning and/or development yield are assessed and addressed as part of an appropriately scaled transport assessment and land use

Elly S Pan	18.1	<p>Address the effects of the infrastructure upgrades on the surrounding properties, which have no clear funding mechanism.</p> <p>The downstream effects of the development needs consideration and consultation with the affected landowners as there are no means to ensure that infrastructure is in place before the levels of demand degrade service performance.</p>	Support in part	<p>Auckland Transport also seeks to ensure that the wider Drury West area is supported by appropriate access to transport infrastructure and services.</p> <p>Further, any alternative or extension of zoning needs to be supported by appropriate transport assessment and mitigation as necessary.</p>	<p>economic assessment prior to any provision for such being made in PPC 61.</p> <p>PPC 61 should make appropriate provision for the transport infrastructure and services required to serve the wider Drury West area.</p>
Waka Kotahi (NZ Transport Agency)	19.2	Support in part	<p>The submitter seeks to decline PPC 61 unless concerns around transport infrastructure funding and delivery of the roading upgrade can be addressed.</p> <p>The submitter's relief sought is consistent with relief sought in Auckland Transport's primary submission to PPC61.</p>	<p>Auckland Transport made a submission on PPC 61 requesting it to be declined unless a number of matters could be addressed and resolved, including the staging and timing of</p>	<p>Accept the submitter's relief in that it seeks proper consideration of infrastructure requirements.</p>
	Support in part	<p>Auckland Transport made a submission on PPC 61 requesting it to be declined unless a number of matters could be addressed and resolved, including the staging and timing of</p>	<p>Accept the submitter's relief to the extent that it seeks to improve the clarity of the development staging and any associated triggers.</p>		

		<p>22 / Karaka Road and associated walking and cycling facilities, as well as the Drury West rail station.</p>		<p>transport infrastructure and services to support the proposed development.</p> <p>Auckland Transport seeks to ensure that there is certainty and co-ordination around the staging and timing of transport infrastructure and services with the proposed development build-out.</p>	
19.3		<p>Retain reference to setback along State Highway 22.</p>	<p>Support in part</p>	<p>Auckland Transport notes that the submitter is seeking to retain reference to the State Highway 22 setback along the State Highway 22 frontage and that this is broadly in line with a Notice of Requirement recently submitted to Auckland Council. Auckland Transport's submission recognises the importance of providing for frontage upgrades to support the anticipated levels of enabled urban development.</p>	<p>Amend PPC 61 by including the future road widening setbacks requirements along State Highway 22 and Jesmond Road shown on Attachment B Masterplan document (Connectivity drawing) on Precinct Plan 3 Transport of the proposed precinct provisions.</p>
19.4		<p>Amend the Connectivity Plan within Attachment B – Master Plan to remove the reference to a connection between the</p>	<p>Support in part</p>	<p>It is noted that Precinct Plan 3 Transport of the proposed precinct provisions does not</p>	<p>Accept the submitter's relief to the extent that future transport connections are to be shown consistently in</p>

		<p>Collector Road and State Highway 22 / Karaka Road, as it contradicts the provisions contained within the Precinct Plan.</p>		<p>indicate a north-south collector connection through to State Highway 22 / Karaka Road.</p> <p>Auckland Transport supports the intent of the submission point and the need to present consistent information as part of PPC 61. Although a through road connection may be problematic for the operation of State Highway 22 / Karaka Road, Auckland Transport supports walking and cycling connections noting that such connections will support access to the planned Drury West rail station.</p>	<p>the PPC 61 documentation and precinct plan provisions including walking and cycling connections to State Highway 22 / Karaka Road.</p>
19.9	<p>Add a new non-complying activity reference in all Zones as follows:</p> <p><u>(AXX) Any activity not in accordance with Standard XXX.6.8 Arterial Road Intersections</u></p>	<p>Support</p>	<p>The submitter is seeking to amend the arterial road intersection standard by including an additional non-complying activity status reference in the precinct provisions. Auckland Transport agrees with the intent of this submission point to ensure the required road intersection upgrades are</p>	<p>Support the relief sought to the extent that the proposed amendment ensures that the required intersection upgrades are in place prior to development.</p>	

	19.18	<p>Amend Standard XXX.6.8 Arterial Road Intersections to reflect the appropriate triggers as identified in the notified Integrated Transport Assessment and as follows:</p> <p>1) <u>No subdivision or development shall occur prior to the following infrastructure being provided (unless an alternative solution has been agreed with Waka Kotahi):</u></p> <p>a. <u>The intersection of Oira Road and State Highway 22 being upgraded to a two-lane roundabout;</u></p> <p>b. <u>The intersection of Jesmond Road and State Highway 22 being upgraded with a two-lane roundabout with approach lanes, or traffic signals (including approach lanes) where</u></p>	Support in part	<p>in place prior to development occurring on site, noting that there may be other interim transport effects that need to be addressed.</p> <p>The submitter is seeking to amend the arterial road intersection standard by including explicit reference to the general form of the intersection upgrades. Oira Road and Jesmond Road are managed by Auckland Transport and the interim / final form of the State Highway 22 / Jesmond Road intersection upgrades in particular has not been finalised. In this regard any further development of the intersection upgrades will also need to involve Auckland Transport.</p> <p>Auckland Transport agrees with the intent to ensure the required road intersection upgrades are in place prior to development occurring on site, noting that there may be other interim transport</p>	<p>Support the relief sought to the extent that the proposed amendment ensures that the required intersection upgrades are in place prior to development subject to amending the submitter's proposed wording to also reference Auckland Transport as a Road Controlling Authority of Oira Road and Jesmond Road.</p>
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Kāinga Ora – Homes and Communities	20.1	<p><u>the posted speed limit supports their implementation to provide a safety and capacity solution.</u></p> <p>Kāinga Ora seeks the retention of the proposed zoning and the layout in the spatial extent of the Proposed Precinct.</p>	Oppose in part	<p>effects that need to be addressed.</p> <p>Auckland Transport made a submission on PPC 61 requesting it to be declined unless a number of matters could be addressed and resolved, including infrastructure provision and funding.</p> <p>Auckland Transport seeks amendments to the transport related aspects of the proposed precinct plan layout.</p>	Decline the submitter's relief to the extent that it does not support any further amendments being made to the proposed precinct plan layout.
	20.2	<p>Kāinga Ora seeks the retention of the provisions and precinct plan of the Proposed Precinct with the exemptions of points as noted in its submission.</p>	Oppose in part	<p>Auckland Transport made a submission on PPC 61 requesting it to be declined unless a number of matters could be addressed and resolved, including infrastructure provision and funding.</p> <p>Auckland Transport seeks amendments to the transport related aspects of the proposed precinct plan provisions.</p>	Decline the submitter's relief to the extent that it does not support any further amendments being made to the proposed precinct plan provisions.

20.3	<p>Amend the proposed plan change to include the rezoning of the following properties to Residential - Terrace Housing and Apartment Buildings, in accordance with the Drury-Opapeke Structure Plan:</p> <ul style="list-style-type: none"> <li>• 16 Jesmond Road, Drury;</li> <li>• 64 Jesmond Road, Drury;</li> <li>• 54 Jesmond Road, Drury; and</li> <li>• 84 Jesmond Road, Drury.</li> </ul>	Oppose	<p>Auckland Transport made a submission on PPC 61 requesting it to be declined unless a number of matters could be addressed and resolved, including infrastructure provision and funding.</p> <p>Further, any alternative zoning or amendment to the transport network needs to be supported by appropriate transport assessment and mitigation as necessary.</p>	<p>Decline the submitter's relief to approve PPC 61, unless Auckland Transport's submission points are appropriately addressed and resolved.</p> <p>Auckland Transport requests that any amendments to the proposed zoning and/or development yield are appropriately assessed and addressed as part of an appropriately scaled transport assessment and land use / economic assessment prior to any requested changes being made to PPC 61.</p>
20.4	<p>The land at 85 Jesmond Road is owned by Kāinga Ora, which is opposite the spatial extent of the proposed precinct's interface with Jesmond Road. Additional traffic generation and consequential effects on the existing transport will therefore have an effect on future development in the wider area.</p> <p>Kāinga Ora seeks clarification and/or amendments to the</p>	Support in part	<p>The submitter recognises that PPC 61 and the development of the surrounding land holdings will generate transport and traffic effects where the mitigation of these wider effects needs to be shared equitably between different parties as and when land is developed.</p> <p>When considering the future rezoning of the</p>	<p>Accept the submitter's relief to the extent that the responsibility for the mitigation of wider transport effects will be borne by various parties at the time of development, recognising that any interim or incremental mitigation applied to one area should not preclude the full / ultimate outcome being achieved by other adjacent</p>

	<p>proposed Waipupuke precinct provisions to ensure that any localised traffic effects that may require certain upgrades to the road network, are sufficiently acknowledged within respective Precincts and equitably distributed to ensure that individual developers are not burdened with sole responsibility for necessary network upgrades.</p>		<p>surrounding Future Urban Zoned land, Auckland Transport notes the potential need for a more holistic approach to the planning, assessment and mitigation of infrastructure requirements associated with the wider Drury area, including the delivery of contiguous road frontage upgrades and planning of network connections across areas of different land ownership.</p>	<p>or nearby development parties.</p>
20.5	<p>The provisions of the notified Waipupuke Precinct enable development of up to 2,000 dwellings to occur without any upgrade to the State Highway 22 / Oira Road intersection. Kāinga Ora seeks amendment to IXX.6.8 Arterial Road Intersection to ensure that all necessary upgrades to the existing road network are accounted for, and clearly related to any necessary thresholds and/or timeframes.</p>	<p>Support in part</p>	<p>Auckland Transport agrees with the intent of the submitter to ensure the required road intersection upgrades are clearly related to any thresholds and/or timeframes, noting that there may be other interim transport effects that need to be addressed</p>	<p>Support the relief sought to the extent that the proposed amendment ensures the required intersection upgrades are in place prior to development or any other interim mitigation measures are provided for through appropriate triggers / thresholds.</p>
20.6	<p>There are excessive notification rules, and in some instances, they may exclude participation in future resource</p>	<p>Oppose in part</p>	<p>Auckland Transport's primary submission included a point that the normal tests for notification</p>	<p>Decline the relief sought to the extent that it does not align with Auckland Transport's submission.</p>

		<p>consent applications likely to affect residential amenity values where there are intensive activities or alternative road layouts proposed.</p> <p>Limited notification is sought to not apply to alternative collector roads, community centres and halls, clubrooms and recreation facilities.</p>		<p>to apply. Any further consideration to amend the notification requirements will need to be appropriately justified.</p>	
<p>Karaka and Drury Limited</p>	<p>21.1</p>	<p>Approve the plan change as notified as changes may impact on the quality of planning outcomes that the submitter seeks to achieve for Drury West, or the timing of when those outcomes can be delivered.</p>	<p>Oppose</p>	<p>The submitter supports approving PPC 61 without any amendments. Auckland Transport has identified issues and concerns with parts of the proposed precinct provisions that require amendments to address the transport effects or immediate network requirements.</p>	<p>Decline the submitter's relief.</p>
<p>Auckland Council</p>	<p>23.1</p>	<p>Decline the plan change in its entirety until there is a fully funded and appropriately staged solution for the integration of land use, infrastructure and development for the Precinct and Sub Region.</p>	<p>Support</p>	<p>Submitter's relief is consistent with Auckland Transport's position. A fully funded and appropriately staged solution for the integration of land use, infrastructure and development for the Precinct and Sub Region is needed.</p>	<p>Accept the submitter's relief.</p>

	23.2	<p>Ensure that the council's concerns about bulk infrastructure: funding deficit, timing and location uncertainty are resolved by the following or other means:</p> <ol style="list-style-type: none"> <li>a. Evidence is presented at the hearing that a mechanism has been identified with the agreement of the council that unfunded infrastructure (as of October 2020) will be funded.</li> <li>b. Evidence is presented at the hearing that parts of the plan change area are not constrained by infrastructure funding, timing or location uncertainty and can proceed without significant adverse effects.</li> <li>c. Infrastructure development threshold or staging rules can be devised that are enforceable and effective, and supported</li> </ol>	Support in part	<p>Submitter's relief is generally consistent with the relief sought in Auckland Transport's primary submission to PPC 61 noting the need for practicable infrastructure development thresholds and / or staging rules.</p>	<p>Accept the submitter's relief to the extent that it is consistent with Auckland Transport's submission and ensure that there are appropriate mechanisms in place to provide certainty around having the required transport mitigation in place before development occurs.</p>
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			<p>by robust objective and policy provisions. This could for example include:</p> <ul style="list-style-type: none"> <li>• Threshold rules are not used for infrastructure works to be supplied by third party, e.g. Auckland Transport or NZTA, if these agencies do not have funds allocated for the works.</li> <li>• Threshold rules are not used for infrastructure works which are scheduled beyond the lifetime of the plan (2026).</li> <li>• Threshold rules are not used for works to be funded privately but there is no funding agreement in place.</li> <li>• Threshold rules are not used for works which would require a funding contribution from multiple landowners or</li> </ul>
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		<p>developers and there is no agreement to apportion costs and benefits in place.</p> <ul style="list-style-type: none"> <li>• Threshold rules do not use gross floor area as a metric (the council may not be able to track this with current data systems).</li> <li>• Use of prohibited activity status for infringement could be considered.</li> </ul> <p>d. Notices of requirement have been lodged for the relevant infrastructure by the time of the hearing.</p>	Support	<p>The submitter's relief broadly aligns with Auckland Transport's primary submission seeking provisions that require the consideration of operating costs with associated stormwater treatment devices.</p>		<p>Accept the submitter's relief to the extent that it is consistent with Auckland Transport's submission.</p>
23.9		<p>The construction of stormwater management structures is considered a Restricted Discretionary Activity and should include additional Matters of discretion in XXX.7.1(2) to address:</p> <ul style="list-style-type: none"> <li>• efficacy of device; and</li> </ul>				

		<ul style="list-style-type: none"> <li>operation and maintenance requirements.</li> </ul> <p>Ensure that any residential yield that is additional to that estimated for the Drury-Opāheke Structure Plan and the Integrated Transport Assessment is located within a consistent realistic walkable distance of the proposed Jesmond Road Frequent Transport Network (FTN) route.</p> <p>In particular, the Terrace Housing and Apartment Buildings and Neighbourhood Centre should be located as close as possible to the FTN route.</p>	Support in part	<p>Auckland Transport supports the principle of locating higher density development in closer proximity to public transport routes.</p> <p>The proposed future FTN route in Jesmond Road will provide a high frequency bus service to support access to the plan change area and both the future Drury rail stations. Therefore, walkable access to this route will support good transport land use integration outcomes.</p>	Accept the submitter's relief to the extent that it supports improved transport and land use integration outcomes.
23.18	23.19	<p>Delete the south western part of the plan change area from 99 Oira Road southwards, or ensure:</p> <ul style="list-style-type: none"> <li>that it is staged with development of the infrastructure listed in the bullet points opposite;</li> </ul>	Support in part	<p>Auckland Transport seeks to ensure that any changes to zoning or plan change boundaries are supported by appropriate transport assessment and co-ordinated / staged with any necessary mitigation.</p>	Accept the submitter's relief to the extent that mitigation methods include the potential deferral of development or a review of land development staging to ensure co-ordination and alignment with the required transport network mitigation.



<p>Counties Power</p>	<p>25.2</p>	<ul style="list-style-type: none"> <li>that the zoned intensity does not result in excessive car dependency and car trip generation in the context of a realistic assumption of mode shift to public transport in this location; and</li> <li>that development does not occur before walkable pedestrian connections are available to the proposed Jesmond Road FTN.</li> </ul>	<p>Oppose</p>	<p>As stated in Auckland Transport's primary submission to PPC 61, Auckland Transport seeks a consistency of approach across private plan change precinct provisions in the use of cross sections which outline the standards to be applied to future road construction. Such an approach should balance the need for flexibility to respond to changing design standards</p>	<p>Decline the submitter's request and that the IXXX.6.3 Collector Roads cross-section be deleted and replaced with provisions relating to the minimum road reserve widths, with key design elements and functional requirements of new roads and existing roads which need to be upgraded to urban standards.</p>
		<p>Support in part Objective IXXX.2 (8) of the proposed Waipupuke Precinct. However, Counties Power seeks alternative road corridor design to ensure appropriate electricity infrastructure can be provided to service the developments within the plan change area. These changes include:</p> <ul style="list-style-type: none"> <li>700mm grass covered strip at the back of the berm along both sides of the road;</li> </ul>			

		<ul style="list-style-type: none"> <li>• Suitable provision required for distribution substations within the road reserve in agreement with Counties Power.</li> </ul>		<p>over time and the need for certainty.</p>	
25.7	<p>Counties Power seeks alternative road design to ensure appropriate electricity infrastructure can be provided to service the developments within the plan change area. These changes include:</p> <ul style="list-style-type: none"> <li>• 700mm grass covered strip at the back of the berm along both sides of the road;</li> <li>• suitable provision required for distribution substations within the road reserve in agreement with Counties Power.</li> </ul>	<p>Oppose</p>			
25.9		<p>Counties Power seeks that the Matters of discretion IXXX.7 (4) for Construction of a Collector Road that does not comply with Standard IXXX.6.3 are amended to consider the following factors:</p>	<p>Oppose</p>		

		<ul style="list-style-type: none"> <li>Consideration of any existing or proposed electricity infrastructure is needed when assessing an application for the construction of a collector road that is not compliant with the permitted activity standards.</li> </ul> <p>Countries Power is of the opinion that the matters of discretion should clearly outline what matters are being assessed when considering alternative road location and cross sections. For example, the effects of alternative road layout and design on the provision of infrastructure and servicing, in particular, utilities within the road reserve.</p>			
Hao Li	26.1	Supports the idea of a plan change, but requests that Auckland Council lead the process and include properties surrounding the plan change area.	Support in part	The submitter's relief seeking a Council-led wider plan of the surrounding area would support a more holistic approach to the planning.	Auckland Transport supports an integrated area and network-based approach to the planning of infrastructure, however requests for any
	25.10	Retain Assessment criteria IXXX.7.2 (4) in the proposed Waipuke Precinct as notified.	Oppose		

Tingran Doreen	28.1	<p>The impacts of new infrastructure on downstream infrastructure needs to be properly identified so to not hinder the future development of properties outside the plan change area.</p>		<p>funding and provision of infrastructure. The potential development of the wider area has, however, not been included and considered in the applicant's Integrated Transport Assessment. Any associated transport effects should be appropriately assessed and mitigated.</p>	<p>amendments to the proposed zoning and/or development yield should be assessed and addressed as part of an appropriately scaled transport assessment prior to any provision being made in PPC 61. Impacts on the transport network and demand for transport services must be addressed and mitigated through plan provisions and/or other appropriate means.</p>
	28.1	<p>Amend the plan change to include the wider area, particularly to the east of Jesmond Road.</p> <p>An Auckland Council masterplan and better integration of the plan change with the surrounding infrastructure is sought. This includes the future rail station, underground services, and roads.</p>	Support in part	<p>The submitter's relief seeking a Council-led wider plan of the surrounding area would support a more holistic approach to the planning, funding and provision of infrastructure. The potential development of the wider area has, however, not been included and considered in the applicant's Integrated Transport Assessment. Any associated transport effects should be</p>	<p>Auckland Transport supports an integrated area and network-based approach to the planning of infrastructure, however requests for any amendments to the proposed zoning and/or development yield should be assessed and addressed as part of an appropriately scaled transport assessment prior to any provision being made in PPC 61. Impacts on the transport network and demand for transport services must be</p>

				appropriately assessed and mitigated.	addressed and mitigated through plan provisions and/or other appropriate means.
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**FORM 6**

**Further submission in support of, or in opposition to, submission on a notified proposal for  
Private Plan Change 51 (Drury West) under Clause 8, Schedule 1  
Resource Management Act 1991**

23 April 2021

Auckland Council  
Plans and Places  
Private Bag 92300  
Auckland 1142  
Attn: John Duguid

Email: [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz)

**Name of further submitter: Waka Kotahi NZ Transport Agency (Waka Kotahi)**

This is a further submission on submissions on Private Plan Change 61 Waipupuke (**Plan Change**) to the Auckland Unitary Plan (operative in Part).

Waka Kotahi is a person who has an interest in the proposal that is greater than the interest of the general public. Waka Kotahi made a submission on the Plan Change dated 1<sup>st</sup> March 2021.

The specific parts of the submissions supported or opposed and the reasons for that support or opposition are set out in attachment 1. The decisions which Waka Kotahi seeks from the Council in terms of allowing or disallowing submissions are also set out in attachment 1.

Waka Kotahi wishes to be heard in support of its further submission. If others make a similar submission, Waka Kotahi will consider presenting a joint case with them at a hearing.

Signature of person authorised to sign on behalf of further submitter:



**Evan Keating**  
Acting Team Lead – Environmental Planning  
Waka Kotahi NZ Transport Agency

Address for Service of person making submission:  
Waka Kotahi NZ Transport Agency  
Contact Person: Brendan Clarke  
Email: [Brendan.Clarke@nzta.govt.nz](mailto:Brendan.Clarke@nzta.govt.nz)

Table 1: Waka Kotahi NZ Transport Agency Further Submission Proposed Plan Change 61 (Private): Waipupuke

Point #	Name	Email or Post Address	Submission Point	Support/ Oppose	Reason	Relief Sought
5.1	Watercare Services Limited	<a href="mailto:ilze.gotelli@water.co.nz">ilze.gotelli@water.co.nz</a>	Amend Policy 10 as follows: (10) Require subdivision and development to provide appropriate transport and other infrastructure capacity, including water and wastewater infrastructure, within the precinct and to provide connections to the adjoining road network in accordance with Precinct Plan 3. PC61 to be amended to address the issues outlined in its submission.  Decline the plan change unless proper consideration is given to the wider context of the Drury Structure Plan area, including transport grid links and servicing infrastructure connections.  Additional information and clarification is needed, particularly around the impacts of the proposed transport and infrastructure networks on the surrounding area.	Support	To enable fully integrated planning, subdivision and development should not precede the infrastructure deemed necessary to support it.	Accept submission point.
9.1	Soco Homes Limited	<a href="mailto:cozy@topland.co.nz">cozy@topland.co.nz</a>		Support in Part	Whilst Waka Kotahi is generally supportive of the Plan Change, we do consider that further consideration and assessment of transport effects beyond the site boundary (for example, provision for walking and cycling, and links to public transport infrastructure) is provided with the Plan Change	Accept submission point insofar as it relates to connectivity beyond the site boundary.
11.6	Linqi Wang	<a href="mailto:Paraplysis.nz@gmail.com">Paraplysis.nz@gmail.com</a>	A review of infrastructure capacity is required given the higher densities proposed in PC61 relative to that envisaged in the structure plan.	Support	The Plan Change does propose a higher number of dwellings (when the upper range provided is considered) than what was envisioned by the Structure Plan, which has formed the basis of modelling for transport infrastructure in the wider area. Any additional yield should be accompanied by an updated ITA which assesses the impact of this increase on the wider network.	Accept submission point and provide additional assessment as to wider transport network effects.
16.8	Ministry of Education	<a href="mailto:Jess.rose@beca.com">Jess.rose@beca.com</a>	Amendment is sought on the following provision in the Waipupuke Precinct: Permitted Activity Standard	Support	Given that the Plan Change proposes to enable a level of development over and	Accept submission point.

		<p>above what was anticipated in the Structure Plan, it is important that any level of development above 2000 dwellings is assessed in terms of its traffic effects on the surrounding transport network.</p>		
<p>17.1</p>	<p>Ministry of Housing and Urban Development</p>	<p>XXXX.6.8 Arterial Road Intersections (change is shown as strikethrough).  (2) This standard shall not apply if the following transport upgrades are provided prior to the 2,000 residential dwelling number being reached within Waipupuke Precinct:  a. Oira Road widening and SH22 intersection upgrade.  b. Jesmond Road widening and SH22 intersection upgrade.  c. SH22 improvements  d. Jesmond Road Extension  e. Drury West rail station construction  f. Rail network upgrade  g. Bremner Road works  h. Pukekohe Expressway</p>	<p>Increase the extent of the THAB so that it also includes also all of the stage 2 (Superlot Overlay - Masterplan prepared by Buchan) area currently proposed for MHU.</p>	<p>Oppose in Part</p>
			<p>Whilst Waka Kotahi is supportive of higher density residential development, further information is sought as to the effects of any proposed higher densities.</p> <p>Any change/increase in density should be properly assessed and subject to normal statutory consideration, including notification and further information requests, and should be accompanied by an amended traffic assessment. It is noted that the Plan Change already proposes a level of development over and above what was anticipated in the Structure Plan (which has in turn influenced infrastructure planning in the wider area), and any additional increase may constrain the ability of planned strategic infrastructure to accommodate future development within the wider Future Urban catchment.</p>	<p>Ensure that any decision on this submission point is made with consideration to the wider transport network, including the Rapid Transport network. Any material changes to the Plan Change in response to this submission point should be subject to appropriate assessment, including potential effects on the transport network.</p>



17.2	Ministry of Housing and Urban Development	<a href="mailto:Ernst.zollner@hud.govt.nz">Ernst.zollner@hud.govt.nz</a>	The road layouts and connections with the neighbouring land at the corner of Jesmond Road and SH22 should be designed to provide better pedestrian access and connectivity to the location of the planned rail station.	Support	It is important that the Plan Change considers connectivity with land and transport infrastructure beyond the site boundary.	Accept submission point.
20.3	Kainga Ora – Homes and Communities	<a href="mailto:michael@campbellbrown.co.nz">michael@campbellbrown.co.nz</a> <a href="mailto:developmentplanning@hnzc.co.nz">developmentplanning@hnzc.co.nz</a>	Kāinga Ora submit that it is appropriate for the land indicated in Attachment 1 of its submission to be included as part of PC61, and to be zoned Residential – Terrace Housing and Apartment Buildings ('THAB') in accordance with the Drury-Opaheke Structure Plan. For the avoidance of doubt, that land comprises the following: 16 Jesmond Road, Drury; 64 Jesmond Road, Drury; 54 Jesmond Road, Drury; and 84 Jesmond Road, Drury.	Oppose in part	There has been no assessment of the potential traffic effects associated with any expansion of the Plan Change boundaries. Any new land proposed to be rezoned should be properly assessed and subject to normal statutory consideration, including notification and further information requests	Ensure that any decision on this submission point is made with consideration to the wider transport network, including the Rapid Transport network. Any material changes to the Plan Change in response to this submission point should be subject to appropriate assessment, including potential traffic effects.
20.5	Kainga Ora – Homes and Communities	<a href="mailto:michael@campbellbrown.co.nz">michael@campbellbrown.co.nz</a> <a href="mailto:developmentplanning@hnzc.co.nz">developmentplanning@hnzc.co.nz</a>	It would appear that the provisions of the proposed Waipupuke Precinct as-notified enables development of up to 2,000 dwellings to occur without any upgrade to the Oira Road intersection with SH22. The supporting Commute report however states that this intersection needs to be upgraded prior to any development within Waipupuke. Therefore, Kāinga Ora seeks amendment to IXXX.6.8 to ensure that all necessary upgrades to the existing road network are accounted for, and clearly related to any necessary thresholds and/or timeframes.	Support	Clarification should be provided as to what the anticipated triggers are for assessment for development and/or infrastructure upgrades	Accept submission point.
22.3 (22.4)	Auckland Transport	<a href="mailto:Kevin.wong-toi@at.govt.nz">Kevin.wong-toi@at.govt.nz</a>	Amend PPC 61 to incorporate provisions and / or mechanisms which address the following in relation to the upgrade of Oira Road, State Highway 22 / Karaka Road and Jesmond Road: <ul style="list-style-type: none"> <li>• Vesting and formation of frontage, drainage and carriageway upgrades</li> <li>• Timing of upgrade requirements</li> <li>• Funding and delivery of the above work.</li> </ul>	Support	Forming the site frontages ensures that walking and cycling in particular can be provided for beyond the site boundary, helping to contribute to mode shift.	Accept submission point.
22.5 (22.6)	Auckland Transport	<a href="mailto:Kevin.wong-toi@at.govt.nz">Kevin.wong-toi@at.govt.nz</a>	Amend PPC 61 to incorporate amended and/or additional objectives and policies to address the	Support	Objectives and policies should consider opportunities for mode shift for new developments	Accept submission point

			<p>application of transport and land use integration principles including:</p> <ul style="list-style-type: none"> <li>• efficiently servicing key origins/destinations by high quality public transport from the outset of development;</li> <li>• minimising walk distances to public transport nodes and stops;</li> <li>• mitigating barriers to safely accessing public transport;</li> <li>• locating a variety of land uses within a defined catchment to reduce travel distances / enable local trips by active modes; and</li> <li>• encouraging travel demand management initiatives</li> </ul> <p>Amend PPC 61 to include appropriate activity rules, standards, matters of discretion and assessment criteria in relation to staging requirements.</p>			
22.6 (22.7)	Auckland Transport	<a href="mailto:Kevin.wong-toi@at.govt.nz">Kevin.wong-toi@at.govt.nz</a>		Support	<p>It is considered that staging is an appropriate way to manage the effects associated with the Plan Change. In particular, staging the development to ensure the northern-most areas are developed first, allows time for the development of walking and cycling connections along State Highway 22, and potentially links to Drury West Station, to be developed.</p>	Accept submission point
22.7 (22.8)	Auckland Transport	<a href="mailto:Kevin.wong-toi@at.govt.nz">Kevin.wong-toi@at.govt.nz</a>	<p>Amend PPC 61 to incorporate provisions that address cross boundary transport network mitigation requirements and determining the responsibility for the delivery to ensure interim adverse effects on the transport network are mitigated.</p>	Support	<p>It is important that the Plan Change considers connectivity beyond the site boundary, so that adjoining developments and the surrounding network can be efficiently and appropriately connected in the future</p>	Accept submission point.
22.8 (22.9)	Auckland Transport	<a href="mailto:Kevin.wong-toi@at.govt.nz">Kevin.wong-toi@at.govt.nz</a>	<p>Decline PPC 61 or alternatively amend the plan change to incorporate provisions addressing the staging and timing of transport infrastructure and services with the proposed development build-out and the interim effects of development proceeding ahead of the ultimate planned network, including:</p> <ul style="list-style-type: none"> <li>• The requirement for transport infrastructure and services to be delivered prior to the construction of anticipated stages of development enabled by the plan change. The appropriate application of development staging rules and standards including the activity status</li> </ul>	Support	<p>It is important that the Plan Change considers connectivity beyond the site boundary, so that adjoining developments and the surrounding network can be efficiently and appropriately connected in the future</p>	Accept submission point.

			when breaching triggers for transport infrastructure requirements. <ul style="list-style-type: none"> <li>● Recognising the associated processes necessary to bring about delivery of transport infrastructure and services as the basis for defining the timeframes for transport infrastructure and services in relation to the staging of the enabled land use development.</li> <li>● The transport infrastructure requirements to include: <ul style="list-style-type: none"> <li>- Early active mode access to the proposed new rail station and / or bus services;</li> <li>- Introduction of public transport services to the Precinct Plan area</li> <li>- Any interim improvements to State Highway 22;</li> <li>- Upgrade of the State Highway 22 / Oira road intersection to a roundabout - Internal collector and local connections identified within precinct plan</li> <li>- Any other transport improvements identified as being required to support proposed development</li> </ul> </li> </ul>			
22.12	Auckland Transport	<a href="mailto:Kevin.wong-toi@at.govt.nz">Kevin.wong-toi@at.govt.nz</a>	Amend PPC 61 to include an additional objective in the precinct provisions addressing the safe and efficient operation of the key strategic routes supporting the plan change area. Amend PPC 61 east-west collector network to align with the proposed collector network shown in the Drury - Opaheke Structure Plan 2019.	Support	Waka Kotahi supports the inclusion of an Objective relating to key strategic transport routes.	Accept submission point.
22.16 (22.17)	Auckland Transport	<a href="mailto:Kevin.wong-toi@at.govt.nz">Kevin.wong-toi@at.govt.nz</a>		Support	It is important that internal collector roads connect in an efficient manner to the surrounding transport network, and the east-west collector shown should align with the Drury-Opaheke Structure Plan and proposed collector roads to the east of Jesmond Road	Accept submission point.
22.20 (22.21)	Auckland Transport	<a href="mailto:Kevin.wong-toi@at.govt.nz">Kevin.wong-toi@at.govt.nz</a>	Amend the PPC61 precinct provisions to incorporate policies, standards and assessment criteria as appropriate to provide for efficient and effective active mode movements reflecting the following transport outcomes: <ul style="list-style-type: none"> <li>● Walking and pedestrian connections to / from public transport routes (including Jesmond Road Frequent Transit Network and Oira Road), stops and future rail stations</li> </ul>	Support	Waka Kotahi supports the provision of policies, standards and assessment criteria which promote and support mode shift and active modes.	Accept submission point

		<ul style="list-style-type: none"> <li>Walking and pedestrian connections to / from local facilities and destinations including schools.</li> <li>Safe walking and cycling facilities provided for as part of the proposed road/street network including local roads and access ways and provisions for rear access along roads with cycle facilities.</li> <li>To include pedestrian and cycleway linkages as shown in the PPC 61 masterplan documents on IXXX9.3 Waipupuke Precinct Plan 3: Transport and any additional items as noted above.</li> </ul>		<ul style="list-style-type: none"> <li>Walking and pedestrian connections to / from local facilities and destinations including schools.</li> <li>Safe walking and cycling facilities provided for as part of the proposed road/street network including local roads and access ways and provisions for rear access along roads with cycle facilities.</li> <li>To include pedestrian and cycleway linkages as shown in the PPC 61 masterplan documents on IXXX9.3 Waipupuke Precinct Plan 3: Transport and any additional items as noted above.</li> </ul>	
23.18	Auckland Council	<p><a href="mailto:Christopher.tu.rbott@aucklandcouncil.govt.nz">Christopher.tu.rbott@aucklandcouncil.govt.nz</a></p> <p>Ensure that any residential yield that is additional to that estimated for the Drury – Opāheke Structure Plan August 2019 and Integrated Transport Assessment, is located within a consistent realistic walkable distance of the proposed Jesmond Road FTN route.</p> <p>Ensure that the Terrace Housing and Apartment Buildings Zone (THAB), the proposed centre zoning and medical facilities are all contained within a consistent and realistic walkable distance of the proposed Jesmond Road FTN route. In particular, the centre should be located as close as possible to the FTN route.</p> <p>If necessary, additional height could be considered close to (within 200m) of the FTN route, to offset any reduction in potential yield further west in the PC 61 area.</p>	Support	Higher density residential areas should be located close to FTN or RTN networks, as should any commercial zones. It is noted that the residential yield proposed by this Plan Change has the potential to be higher than what was anticipated by the Drury-Opāheke Structure Plan. Notwithstanding other relief sought in our submission or further submission, additional yield and the proposed centre should be located within a walkable catchment of the Jesmond Road FTN to ensure public transport can be accessed.	Accept submission point insofar as commercial centres and higher density residential areas in the northern half of the Plan Change area are located within a walkable catchment of the proposed Jesmond Road FTN.
23.19	Auckland Council	<p><a href="mailto:Christopher.tu.rbott@aucklandcouncil.govt.nz">Christopher.tu.rbott@aucklandcouncil.govt.nz</a></p> <p>Delete the south western part of plan change area from 99 Oira Road southwards, or ensure:</p> <ul style="list-style-type: none"> <li>that it is staged with development of the infrastructure listed in the bullet points opposite,</li> <li>that the zoned intensity does not result in excessive car dependency and car trip generation in the context of a realistic assumption of mode shift to public transport in this location.</li> <li>that development does not occur before walkable pedestrian connections are available to the proposed Jesmond Road FTN.</li> </ul>	Support in part	Waka Kotahi does not support the removal of the southwestern part of the Plan Change area, however supports the use of staging to ensure that development in this area proceeds when surrounding infrastructure, including walking and cycling and connectivity across State Highway 22 has been provided.	Accept submission point insofar as it relates to staging and infrastructure provision.
23.20	Auckland Council	<p><a href="mailto:Christopher.tu.rbott@aucklandcouncil.govt.nz">Christopher.tu.rbott@aucklandcouncil.govt.nz</a></p> <p>Review the size, type and location of the proposed centre zone to ensure that the most appropriate zoning and height options are applied.</p>	Support in part/	The proposed neighbourhood centre is significantly larger in area than other neighbourhood centres throughout	Accept submission point insofar as it relates to reducing the size of the

		<a href="http://ndcouncil.govt.nz">ndcouncil.govt.nz</a>		Oppose in part	Auckland. Whilst the centre could be decreased in scale, any change of the site to a Local Centre would require further assessment in the form of an ITA.	Neighbourhood Centre. Oppose the re-classification of the centre as a Local Centre.
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# Further Submission on Plan Change 61 – Waipupuke Precinct, Drury West – Auckland Unitary Plan by Kāinga Ora – Homes and Communities

## Clause 8 of Schedule 1 to the Resource Management Act 1991

**TO: Planning Technician**

Auckland Council

Level 24, 135 Albert Street

Private Bag 92300

Auckland 1142

**Further submission sent via email:** [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz)

1. **Kāinga Ora – Homes and Communities (“Kāinga Ora”)** makes this further submission on Plan Change 61 – Waipupuke Precinct, Drury (“PC61”) in support of/in opposition to original submissions to PC61.
2. Kāinga Ora makes this further submission in respect of submissions by third parties to the Proposed Plan Change provisions to the extent that they directly affect the relief sought in its own submission, which seeks specific amendments to PC61 to, amongst a number of matters stated in its original submission, enable Kāinga Ora to provide for high quality housing to the people in the greatest need.
3. Kāinga Ora submits the following in reference to the Summary of Decisions Requested (“SDR”) by Auckland Council:
  - (a) The reasons set out in Kāinga Ora ’s original submission on PC61.
  - (b) In the case of the Original Submissions that are opposed:
    - (i) The Original Submissions do not promote the sustainable management of natural and physical resources and are otherwise inconsistent with

the purpose and principles of the Resource Management Act 1991 (“**RMA**”);

- (ii) The relief sought in the Original Submissions is not the most appropriate in terms of section 32 of the RMA;
- (iii) Rejecting the relief sought in the Original Submissions opposed would more fully serve the statutory purpose than would implementing that relief; and
- (iv) The Original Submissions are inconsistent with the policy intent of Kāinga Ora ’s submission.

(c) In the case of Original Submissions that are supported:

- (i) The Original Submissions promote the sustainable management of natural and physical resources and are consistent with the purpose and principles of the RMA and with section 32 of the RMA;
- (ii) The reasons set out in the Original Submissions to the extent that they are consistent with Kāinga Ora ’s submission; and
- (iii) Allowing the relief sought in the Original Submissions supported would more fully serve the statutory purpose than would disallowing that relief.

(d) Such additional reasons (if any) in respect of each of the Original Submissions supported or opposed as are set out in the **attached** Schedule.

4. The specific relief in respect of each Original Submission that is supported or opposed is set out in the **attached** Schedule derived from Auckland Council’s ‘Summary of Decisions Requested’. Of particular relevance to Kāinga Ora’s further submission:

- (a) Kāinga Ora opposes the inclusion of objectives, policies and specific controls in relation to noise-sensitive activities being required to fully manage reverse sensitivity effects on themselves, within close proximity to State Highways, Rail Network, Arterial Roads and other high-noise generating infrastructure. Kāinga Ora considers that the requested changes result in an unnecessary and overly restrictive burden for landowners, without a corresponding burden on infrastructure providers to manage effects to adjacent land uses generated by the operation of infrastructure.

- (b) Kāinga Ora opposes submissions that seek to provide for zonings of a lesser-intensity than those sought in its original submission and/or proposed under PC61 as-notified. As noted in Kāinga Ora's original submission, the location of PC61 in proximity to planned transport routes and the Drury West Train Station in particular, provides a sound basis for intensive residential zones in accordance with the National Policy Statement on Urban Development 2020.
5. Kāinga Ora wishes to be heard in support of its further submission.
6. If others make a similar submission, Kāinga Ora will consider presenting a joint case with them at a hearing.

**DATED** 23 April 2021

**Kāinga Ora – Homes and Communities**



**Brendon Liggett**

**ADDRESS FOR SERVICE:**

Kāinga Ora – Homes and Communities  
PO Box 74598  
Greenlane, Auckland  
Attention: Dr Claire Kirman  
Email: [Claire.Kirman@kaingaora.govt.nz](mailto:Claire.Kirman@kaingaora.govt.nz)

**Copies to:**

Kāinga Ora – Homes and Communities  
PO Box 74598  
Greenlane, Auckland  
Attention: Gurv Singh  
Email: [developmentplanning@hnzc.co.nz](mailto:developmentplanning@hnzc.co.nz)



**Plan Change 61 - Waipupuke**

**Summary of Decisions Requested**

<b>Sub #</b>	<b>Sub Point</b>	<b>Submitter Name</b>	<b>Address for Service</b>	<b>Theme</b>	<b>Summary</b>	<b>Kāinga Ora position</b>	<b>Kāinga Ora Reasons - Support / Oppose Submission</b>
2	2.1	Song Wanping	robertsunnz@gmail.com	Decline the plan change, but if approved make the amendment	Oppose Terraced Housing and Apartment Building zone. Only allow single houses and single storey houses.	Oppose	Kāinga Ora opposes the submission, for the reasons outlined in its original submission.
3	3.1	Balkar Singh	balk11@xtra.co.nz	Decline the plan change	Decline the plan change in its entirety. Support the retention of the Future Urban zone on 303 Oira Road, Drury.	Oppose	Kāinga Ora opposes the submission, for the reasons outlined in its original submission.
5	5.1	Watercare Services Limited	ilze.gotelli@water.co.nz	Neither supports nor opposes the plan change	(a) Amend Objective 9 as follows: (9) Subdivision and development (including infrastructure provision) is coordinated with, <u>and does not precede</u> , the delivery of the transport, infrastructure and <u>water and wastewater</u> services required to provide for the development.	Oppose in part	Kāinga Ora opposes the submission, for the reasons outlined in its original submission. Kāinga Ora believes that the development of infrastructure can reasonably occur alongside subdivision and development and one does not need to explicitly precede the other.
5	5.2	Watercare Services Limited	ilze.gotelli@water.co.nz	Neither supports nor opposes the plan change	Amend Policy 10 as follows: (10) Require subdivision and development to provide appropriate transport and other infrastructure capacity, <u>including water and wastewater infrastructure</u> , within the precinct and to provide connections to the adjoining road network in accordance with Precinct Plan 3.	Support in part	Kāinga Ora supports the submission to the extent it is consistent with its original submission.
5	5.3	Watercare Services Limited	ilze.gotelli@water.co.nz	Neither supports nor opposes the plan change	Insert a new Policy 11 as follows: (11) <u>Manage subdivision and development to avoid, remedy or mitigate adverse effects on infrastructure, including reverse sensitivity effects or those which may compromise the operation or capacity of existing or authorised infrastructure.</u>	Oppose in part	Kāinga Ora opposes the submission, for the reasons outlined in its primary submission in relation to reverse sensitivity effects.
8	8.1	Prem Lal	premlal62@yahoo.com	Support the plan change with amendments	The area surrounding Oira Road remains zoned Future Urban. Rate discount is requested if rezoned to urban.	Oppose	Kāinga Ora opposes the submission for the reasons outlined in its original submission.
9	9.1	Soco Homes Limited	cozy@topland.co.nz	Decline the plan change, but if approved make the amendment	PC61 to be amended to address the issues outlined in its submission.  Decline the plan change unless proper consideration is given to the wider context of the Drury Structure Plan area, including transport grid links and servicing infrastructure connections.  Additional information and clarification is needed, particularly around the impacts of the proposed transport and infrastructure networks on the surrounding area.	Oppose in part	Kāinga Ora opposes the submission to the extent it is inconsistent with its original submission.

**Plan Change 61 - Waipupuke**

**Summary of Decisions Requested**

<b>Sub #</b>	<b>Sub Point</b>	<b>Submitter Name</b>	<b>Address for Service</b>	<b>Theme</b>	<b>Summary</b>	<b>Kāinga Ora position</b>	<b>Kāinga Ora Reasons - Support / Oppose Submission</b>
10	10.1	Katherine Grace de Courcy and Robert Russell Maunganui Smith	kdecourcy@orcon.net.nz	Decline the plan change	Decline the plan change in its entirety. The infrastructure required to service the development such as an upgrade to Jesmond Road is not in place, and may be several years away.	Oppose	Kāinga Ora opposes the submission for the reasons outlined in its original submission.
11	11.1	Linqi Wang	paralypsis.nz@gmail.com	Decline the plan change, but if approved make the amendment	The proposed PC61 zoning should be amended to be consistent with the Drury-Opaheke Structure Plan: - Less THAB and more MHU - More uniform THAB zone - THAB zone surrounded by MHU zone before transitioning to MHS	Oppose in part	Kāinga Ora opposes the submission to the extent it is inconsistent with its original submission.
11	11.2	Linqi Wang	paralypsis.nz@gmail.com	Decline the plan change, but if approved make the amendment	Remove the 2 ha proposed zoning for Business: Neighbourhood Centre and instead zone it MHU	Oppose in part	Kāinga Ora opposes the submission to the extent it is inconsistent with its original submission.
11	11.3	Linqi Wang	paralypsis.nz@gmail.com	Decline the plan change, but if approved make the amendment	If the Neighbourhood Centre is retained, the proposed additional height controls of 18m and 27m in the precinct should be removed.	Oppose in part	Kāinga Ora opposes the submission to the extent it is inconsistent with its original submission.
11	11.4	Linqi Wang	paralypsis.nz@gmail.com	Decline the plan change, but if approved make the amendment	Transport infrastructure funding and delivery of the roading upgrades should be addressed prior to approval of PC61.	Oppose in part	Kāinga Ora opposes the submission to the extent it is inconsistent with its original submission.
11	11.5	Linqi Wang	paralypsis.nz@gmail.com	Decline the plan change, but if approved make the amendment	A review of infrastructure capacity is required given the higher densities proposed in PC61 relative to that envisaged in the structure plan.	Oppose in part	Kāinga Ora opposes the submission to the extent it is inconsistent with its original submission.
11	11.6	Linqi Wang	paralypsis.nz@gmail.com	Decline the plan change, but if approved make the amendment	Council should undertake a public plan change for land in Drury West Stage 1 of the Future Urban Land Supply Strategy. If this does not occur, PC61 should be expanded to include all Future Urban zoned land in Drury West Stage 1 of the Future Urban Land Supply Strategy.	Oppose in part	Kāinga Ora opposes the submission to the extent it is inconsistent with its original submission. As noted in its original submission, Kāinga Ora supports the notion that fragmented urban land release is an undesirable planning outcome which may deliver inconsistent urban development outcomes.
12	12.1	Wing Family Trust	cath@eclipseplanning.co.nz	Decline the plan change, but if approved make the amendment	It is requested that stormwater discharge is designed and implemented within the PC61 area so that there are no site changes to flood levels received on the Submitters site. Technical assessments supporting this design should be provided as part of the PC61 process and included in the SMP submitted for the NDC approval. Agreement	Oppose	Kāinga Ora opposes the submission for the reasons outlined in its original submission. Kāinga Ora also note that the relief sought is a both a separate (and parallel) process as well as a detailed design and future resource consent matter.

**Plan Change 61 - Waipupuke**

**Summary of Decisions Requested**

<b>Sub #</b>	<b>Sub Point</b>	<b>Submitter Name</b>	<b>Address for Service</b>	<b>Theme</b>	<b>Summary</b>	<b>Kāinga Ora position</b>	<b>Kāinga Ora Reasons - Support / Oppose Submission</b>
					of Healthy Waters to this approach should be provided to ensure that the design is adopted as part of the SMP/NDC process.  Also requested is any consequential text or zone changes to grant the relief sought.		
12	12.2	Wing Family Trust	cath@eclipseplanning.co.nz	Decline the plan change, but if approved make the amendment	Public wastewater connections are aligned as illustrated in Figure 8 in the submission or other such alignment to the Submitters satisfaction.  Also requested is any consequential text or zone changes to grant the relief sought.	Oppose in part	Kāinga Ora opposes the submission to the extent it is inconsistent with its original submission.
13	13.1	Harnett Orchard Limited and L and C Griffen	cath@eclipseplanning.co.nz	Decline the plan change, but if approved make the amendment	Stormwater discharge is designed and implemented within the PC61 area so that there are no site changes to flood levels received on 64 and 84 Jesmond Road. Technical assessments supporting this design should be provided as part of the PC61 process and included in the SMP submitted for the NDC approval. Agreement of Healthy Waters to this approach should be provided to ensure that the design is adopted as part of the SMP/NDC process.  Also requested is any consequential text or zone changes to grant the relief sought.	Oppose	Kāinga Ora opposes the submission for the reasons outlined in its original submission. Kāinga Ora also note that the relief sought is a both a separate (and parallel) process as well as a detailed design and future resource consent matter.
13	13.2	Harnett Orchard Limited and L and C Griffen	cath@eclipseplanning.co.nz	Decline the plan change, but if approved make the amendment	Public wastewater connections are aligned as illustrated in Figure 5 in the submission or other such alignment to the Submitters satisfaction.  Also requested is any consequential text or zone changes to grant the relief sought.	Oppose in part	Kāinga Ora opposes the submission to the extent it is inconsistent with its original submission.
14	14.1	Shan Yin Property Investment Family Trust	eric@merric.co.nz	Decline the plan change	Decline the plan change in its entirety. Should be a Council lead plan change. The solutions to manage stormwater and flood risk should align with the Drury-Opaheke structure plan. Public wastewater connections should be installed on public land with locations to be determined by council.	Oppose in part	Kāinga Ora opposes the submission to the extent it is inconsistent with its original submission.
15	15.1	The Te Henga Family Trust	rhpickmere@gmail.com	Decline the plan change	Decline the plan change in its entirety. Should be a Council led plan change for consistency and clarity in outcome for the Drury/Opaheke area. Infrastructure and services required for the development	Oppose in part	Kāinga Ora opposes the submission to the extent it is inconsistent with its original submission.

**Plan Change 61 - Waipupuke**

**Summary of Decisions Requested**

<b>Sub #</b>	<b>Sub Point</b>	<b>Submitter Name</b>	<b>Address for Service</b>	<b>Theme</b>	<b>Summary</b>	<b>Kāinga Ora position</b>	<b>Kāinga Ora Reasons - Support / Oppose Submission</b>
					should be appropriately funded and delivered prior to approval of plan change.		
16	16.1	Ministry of Education	jess.rose@beca.com	Support the plan change with amendments	The following provision in the proposed Waipupuke Precinct is supported: Objective IXXX.2 (6)	Support in part	Kāinga Ora supports the submission to the extent it is consistent with its original submission.
16	16.2	Ministry of Education	jess.rose@beca.com	Support the plan change with amendments	The following provision in the proposed Waipupuke Precinct is supported: Objective IXXX.2 (8)	Support in part	Kāinga Ora supports the submission to the extent it is consistent with its original submission.
16	16.3	Ministry of Education	jess.rose@beca.com	Support the plan change with amendments	The following provision in the proposed Waipupuke Precinct is supported: Objective IXXX.2 (9)	Support in part	Kāinga Ora supports the submission to the extent it is consistent with its original submission.
16	16.4	Ministry of Education	jess.rose@beca.com	Support the plan change with amendments	The following provision in the proposed Waipupuke Precinct is supported: Policy IXXX.3 (6)	Support in part	Kāinga Ora supports the submission to the extent it is consistent with its original submission.
16	16.5	Ministry of Education	jess.rose@beca.com	Support the plan change with amendments	The following provision in the proposed Waipupuke Precinct is supported: Policy IXXX.3 (10)	Support in part	Kāinga Ora supports the submission to the extent it is consistent with its original submission.
16	16.6	Ministry of Education	jess.rose@beca.com	Support the plan change with amendments	The following provision in the proposed Waipupuke Precinct is supported: Permitted Activity Standard: IXXX.6.3 Collector Roads	Support in part	Kāinga Ora supports the submission to the extent it is consistent with its original submission.
16	16.7	Ministry of Education	jess.rose@beca.com	Support the plan change with amendments	The following provision in the proposed Waipupuke Precinct is supported: Permitted Activity Standard IXXX.6.5 Arterial Road Access.	Support in part	Kāinga Ora supports the submission to the extent it is consistent with its original submission.

Plan Change 61 - Waipupuke

Summary of Decisions Requested

Sub #	Sub Point	Submitter Name	Address for Service	Theme	Summary	Kāinga Ora position	Kāinga Ora Reasons - Support / Oppose Submission
16	16.8	Ministry of Education	jess.rose@beca.com	Support the plan change with amendments	<p>Amendment is sought on the following provision in the Waipupuke Precinct: Permitted Activity Standard IXXX.6.8 Arterial Road Intersections (change is shown as <del>strikethrough</del>).</p> <p>(2) <del>This standard shall not apply if the following transport upgrades are provided prior to the 2,000 residential dwelling number being reached within Waipupuke Precinct:</del></p> <p><del>a. Oira Road widening and SH22 intersection upgrade.</del></p> <p><del>b. Jesmond Road widening and SH22 intersection upgrade.</del></p> <p><del>c. SH22 improvements</del></p> <p><del>d. Jesmond Road Extension</del></p> <p><del>e. Drury West rail station construction</del></p> <p><del>f. Rail network upgrade</del></p> <p><del>g. Bremner Road works</del></p> <p><del>h. Pukekohe Expressway</del></p>	Support in part	Kāinga Ora supports the submission to the extent it is consistent with its original submission.
17	17.1	Ministry of Housing and Urban Development (HUD)	Ernst.Zollner@hud.govt.nz	Support the plan change with amendments	Increase the extent of the THAB so that it also includes also all of the stage 2 (Superlot Overlay - Masterplan prepared by Buchan) area currently proposed for MHU.	Support in part	Kāinga Ora supports the submission to the extent it is consistent with its original submission.
17	17.2	Ministry of Housing and Urban Development (HUD)	Ernst.Zollner@hud.govt.nz	Support the plan change with amendments	The road layouts and connections with the neighbouring land at the corner of Jesmond Road and SH22 should be designed to provide better pedestrian access and connectivity to the location of the planned rail station.	Support in part	Kāinga Ora supports the submission to the extent it is consistent with its original submission.
17	17.3	Ministry of Housing and Urban Development (HUD)	Ernst.Zollner@hud.govt.nz	Support the plan change with amendments	Increase the height variation control to 27m across all of the THAB zone to the south of the collector road for the medical centre.	Support in part	Kāinga Ora supports the submission to the extent it is consistent with its original submission.

**Plan Change 61 - Waipupuke**

**Summary of Decisions Requested**

<b>Sub #</b>	<b>Sub Point</b>	<b>Submitter Name</b>	<b>Address for Service</b>	<b>Theme</b>	<b>Summary</b>	<b>Kāinga Ora position</b>	<b>Kāinga Ora Reasons - Support / Oppose Submission</b>
19	19.1	NZ Transport Agency (Waka Kotahi)	Brendan.clarke@NZTA.govt.nz	Support the plan change with amendments	Support the levels of residential density consistent with the Drury-Opaheke Structure Plan, subject to the specific amendments and relief sought in the NZTA submission.	Support in part	Kāinga Ora supports the submission to the extent it is consistent with its original submission.
19	19.2	NZ Transport Agency (Waka Kotahi)	Brendan.clarke@NZTA.govt.nz	Support the plan change with amendments	Amend PC61 to provide clarity over staging of development and any associated triggers for staging. In particular, Stage 3 should be developed in conjunction with the Upgrade of State Highway 22 and associated walking and cycling facilities, as well as the Drury West station. A proposed suite of infrastructure triggers is proposed in Attachment 1 to the NZTA submission.	Support in part	Kāinga Ora supports the submission to the extent it is consistent with its original submission.
19	19.3	NZ Transport Agency (Waka Kotahi)	Brendan.clarke@NZTA.govt.nz	Support the plan change with amendments	Retain reference to setback along State Highway 22 in the Connectivity Plan in the Masterplan prepared by Buchan.	Oppose in part	Kāinga Ora opposes the submission to the extent it is inconsistent with its primary submission.
19	19.4	NZ Transport Agency (Waka Kotahi)	Brendan.clarke@NZTA.govt.nz	Support the plan change with amendments	In the Connectivity Plan in the Masterplan prepared by Buchan, remove reference to a connection between the Collector Road and State Highway 22.	Support in part	Kāinga Ora supports the submission to the extent it is consistent with its original submission and that precinct plan road layouts are 'indicative'.
19	19.5	NZ Transport Agency (Waka Kotahi)	Brendan.clarke@NZTA.govt.nz	Support the plan change with amendments	The objectives of the proposed Waipupuke Precinct are generally supported, subject to relief sought in NZTA's submission points.	Oppose in part	Kāinga Ora opposes the submission for the reasons outlined in its primary submission.
19	19.6	NZ Transport Agency (Waka Kotahi)	Brendan.clarke@NZTA.govt.nz	Support the plan change with amendments	Insert new objective into the Waipupuke Precinct: <u>Protect sensitive activities from potential health and amenity effects that may arise from noise and vibration associated the operation of the transport network.</u>	Oppose	Kāinga Ora opposes the submission, for the reasons outlined in its primary submission in relation to reverse sensitivity effects.
19	19.7	NZ Transport Agency (Waka Kotahi)	Brendan.clarke@NZTA.govt.nz	Support the plan change with amendments	Clarification is required on which 'Precinct Plans' are being referred to in the Policy set (Precinct Plan 2 (Policy 8) and Precinct Plan 3 (Policy 10)).	Support in part	Kāinga Ora supports the submission to the extent it is consistent with its original submission.

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<b>Sub #</b>	<b>Sub Point</b>	<b>Submitter Name</b>	<b>Address for Service</b>	<b>Theme</b>	<b>Summary</b>	<b>Kāinga Ora position</b>	<b>Kāinga Ora Reasons - Support / Oppose Submission</b>
19	19.8	NZ Transport Agency (Waka Kotahi)	Brendan.clarke@NZTA.govt.nz	Support the plan change with amendments	<p>Insert a new policy into the Waipupuke Precinct:</p> <p><u>Policy X</u>  <u>Locate and design new and altered buildings, and activities sensitive to noise to minimise potential effects of the transport network</u></p> <p><u>Policy XX</u>  <u>Manage the location of sensitive activities (including subdivision) through set-backs, physical barriers and design controls.</u></p>	Oppose	Kāinga Ora opposes the submission, for the reasons outlined in its primary submission in relation to reverse sensitivity effects.
19	19.9	NZ Transport Agency (Waka Kotahi)	Brendan.clarke@NZTA.govt.nz	Support the plan change with amendments	Add a new non-complying activity reference in all Zones as follows: <u>(AXX) Any activity not in accordance with Standard IXXX.6.8 Arterial Road Intersections</u>	Support in part	Kāinga Ora supports the submission to the extent it is consistent with its original submission.
19	19.10	NZ Transport Agency (Waka Kotahi)	Brendan.clarke@NZTA.govt.nz	Support the plan change with amendments	Delete Activity A2 (service stations) from Table IXXX.4.1	Support in part	Kāinga Ora supports the submission to the extent it is consistent with its original submission.
19	19.11	NZ Transport Agency (Waka Kotahi)	Brendan.clarke@NZTA.govt.nz	Support the plan change with amendments	Delete Activity A3 (fast food outlets) from Table IXXX.4.1	Support in part	Kāinga Ora supports the submission to the extent it is consistent with its original submission.
19	19.14	NZ Transport Agency (Waka Kotahi)	Brendan.clarke@NZTA.govt.nz	Support the plan change with amendments	Delete Activity A6 (Retail (excluding supermarkets) greater than 3,500m2 GFA per site) from Table IXXX 4.3 unless additional assessment as to the traffic effects of large format retail on the transport network is provided.	Support	Kāinga Ora supports the submission for the reasons outlined within NZTA's original submission.
19	19.15	NZ Transport Agency (Waka Kotahi)	Brendan.clarke@NZTA.govt.nz	Support the plan change with amendments	Delete Activity A8 (Medical and Specialist Facility) from Table IXXX.4.3 unless additional assessment as to the traffic effects of these additional activities on the transport network.	Support	Kāinga Ora supports the submission for the reasons outlined within NZTA's original submission.
19	19.16	NZ Transport Agency (Waka Kotahi)	Brendan.clarke@NZTA.govt.nz	Support the plan change with amendments	Delete Rule IXXX.5 (Notification) in the proposed Waipupuke Precinct.	Support in part	Kāinga Ora supports the submission to the extent it is consistent with its original submission.
19	19.17	NZ Transport Agency (Waka Kotahi)	Brendan.clarke@NZTA.govt.nz	Support the plan change with amendments	Retain Rule IXXX.6.5(3)- Arterial Road Access in the proposed Waipupuke Precinct	Support in part	Kāinga Ora supports the submission to the extent it is consistent with its original submission.

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<b>Sub #</b>	<b>Sub Point</b>	<b>Submitter Name</b>	<b>Address for Service</b>	<b>Theme</b>	<b>Summary</b>	<b>Kāinga Ora position</b>	<b>Kāinga Ora Reasons - Support / Oppose Submission</b>
19	19.18	NZ Transport Agency (Waka Kotahi)	Brendan.clarke@NZTA.govt.nz	Support the plan change with amendments	Amend Standard IXXX 6.8 (Arterial Road Intersections) to reflect the appropriate triggers, as identified in the ITA and in the suggested wording included as Attachment 1 of NZTA's submission.	Support in part	Kāinga Ora supports the submission to the extent it is consistent with its original submission.
19	19.19	NZ Transport Agency (Waka Kotahi)	Brendan.clarke@NZTA.govt.nz	Support the plan change with amendments	Insert activity controls as per attachment 2 of NZTA's submission.	Oppose	Kāinga Ora opposes the submission for the reasons outlined in its primary submission.
19	19.20	NZ Transport Agency (Waka Kotahi)	Brendan.clarke@NZTA.govt.nz	Support the plan change with amendments	Add additional assessment criteria and matters of discretion to IXXX.7.1(1), IXXX.7.1(13), IXXX.7.2(1) and IXXX.7.1(13) as follows: <u>(x) the outcome of any consultation with Waka Kotahi</u>	Oppose	Kāinga Ora opposes the submission as the proposed inclusion may be requiring a form of third party approval through future resource consent processes.
21	21.1	Karaka and Drury Limited	Helen@berrysimons.co.nz	Neither supports nor opposes the plan change	PC61 be approved as notified. The submitter does not support any changes being made to PPC 61 as notified, to the extent that such changes may impact on the quality of planning outcomes that the submitter seeks to achieve for Drury West, or the timing of when those outcomes can be delivered.	Support in part	Kāinga Ora supports the submission to the extent it is consistent with its original submission.
22	22.1	Auckland Transport	Kevin.Wong-Toi@at.govt.nz	Decline the plan change, but if approved make the amendment	Decline PPC 61 unless the reasons for this submission, as outlined in the main body of this submission and in this table, including Auckland Transport's concerns about transport infrastructure and services funding deficit, are appropriately addressed and resolved. If PPC 61 is not declined, there is a need to consider a range of mitigation methods including the potential deferral of development or a review and implementation of land development staging to ensure co-ordination and alignment with the required transport network mitigation.	Oppose in part	Kāinga Ora opposes the submission to the extent it is inconsistent with its original submission.
22	22.2	Auckland Transport	Kevin.Wong-Toi@at.govt.nz	Decline the plan change, but if approved make the amendment	Decline PPC 61 unless Auckland Transport's concerns are addressed and resolved including the funding of transport infrastructure and services. If PPC 61 is not declined, there is a need to consider a range of mitigation methods including the potential deferral or review of land development staging to ensure co-ordination and alignment with the required transport network mitigation.	Oppose in part	Kāinga Ora opposes the submission to the extent it is inconsistent with its original submission.



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<b>Sub #</b>	<b>Sub Point</b>	<b>Submitter Name</b>	<b>Address for Service</b>	<b>Theme</b>	<b>Summary</b>	<b>Kāinga Ora position</b>	<b>Kāinga Ora Reasons - Support / Oppose Submission</b>
22	22.3	Auckland Transport	Kevin.Wong-Toi@at.govt.nz	Decline the plan change, but if approved make the amendment	Amend PPC 61 to incorporate provisions and / or mechanisms which address the following in relation to the upgrade of Oira Road, State Highway 22 / Karaka Road and Jesmond Road: <ul style="list-style-type: none"> <li>• Vesting and formation of frontage, drainage and carriageway upgrades</li> <li>• Timing of upgrade requirements</li> <li>• Funding and delivery of the above work.</li> </ul>	Oppose in part	Kāinga Ora opposes the submission to the extent it is inconsistent with its original submission.
22	22.4	Auckland Transport	Kevin.Wong-Toi@at.govt.nz	Decline the plan change, but if approved make the amendment	Decline PPC 61 on the basis that the area is not giving effect to the Regional Policy Statement (RPS) or alternatively reconcile the discrepancy between the relevant RPS provisions (B2.2.1 Objective 2 and B2.2.2 Policy 4) and the Drury – Opāheke Structure Plan in the context of statutory regional planning guidance on future urban zones in Auckland.	Oppose in part	Kāinga Ora opposes the submission to the extent it is inconsistent with its original submission.
22	22.5	Auckland Transport	Kevin.Wong-Toi@at.govt.nz	Decline the plan change, but if approved make the amendment	Amend PPC 61 to incorporate amended and/or additional objectives and policies to address the application of transport and land use integration principles including: <ul style="list-style-type: none"> <li>• efficiently servicing key origins/destinations by high quality public transport from the outset of development;</li> <li>• minimising walk distances to public transport nodes and stops;</li> <li>• mitigating barriers to safely accessing public transport;</li> <li>• locating a variety of land uses within a defined catchment to reduce travel distances / enable local trips by active modes; and</li> <li>• encouraging travel demand management initiatives.</li> </ul>	Oppose in part	Kāinga Ora opposes the submission to the extent it is inconsistent with its original submission.
22	22.6	Auckland Transport	Kevin.Wong-Toi@at.govt.nz	Decline the plan change, but if approved make the amendment	Amend PPC 61 to include appropriate activity rules, standards, matters of discretion and assessment criteria in relation to staging requirements.	Support in part	Kāinga Ora supports the submission to the extent it is consistent with its original submission.
22	22.7	Auckland Transport	Kevin.Wong-Toi@at.govt.nz	Decline the plan change, but if approved make the amendment	Amend PPC 61 to incorporate provisions that address cross boundary transport network mitigation requirements and determining the responsibility for the delivery to ensure interim adverse effects on the transport network are mitigated.	Support in part	Kāinga Ora supports the submission to the extent it is consistent with its original submission.

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Sub #	Sub Point	Submitter Name	Address for Service	Theme	Summary	Kāinga Ora position	Kāinga Ora Reasons - Support / Oppose Submission
22	22.8	Auckland Transport	Kevin.Wong-Toi@at.govt.nz	Decline the plan change, but if approved make the amendment	<p>Decline PPC 61 or alternatively amend the plan change to incorporate provisions addressing the staging and timing of transport infrastructure and services with the proposed development build-out and the interim effects of development proceeding ahead of the ultimate planned network, including:</p> <ul style="list-style-type: none"> <li>• The requirement for transport infrastructure and services to be delivered prior to the construction of anticipated stages of development enabled by the plan change.</li> <li>• The appropriate application of development staging rules and standards including the activity status when breaching triggers for transport infrastructure requirements.</li> <li>• Recognising the associated processes necessary to bring about delivery of transport infrastructure and services as the basis for defining the timeframes for transport infrastructure and services in relation to the staging of the enabled land use development.</li> <li>• The transport infrastructure requirements to include: <ul style="list-style-type: none"> <li>- Early active mode access to the proposed new rail station and / or bus services;</li> <li>- Introduction of public transport services to the Precinct Plan area;</li> <li>- Any interim improvements to State Highway 22;</li> <li>- Upgrade of the State Highway 22 / Oira Road intersection to a roundabout; and</li> <li>- Internal collector and local connections identified within precinct plan.</li> </ul> </li> </ul>	Support in part	Kāinga Ora supports the submission to the extent it is consistent with its original submission.

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Sub #	Sub Point	Submitter Name	Address for Service	Theme	Summary	Kāinga Ora position	Kāinga Ora Reasons - Support / Oppose Submission
22	22.9	Auckland Transport	Kevin.Wong-Toi@at.govt.nz	Decline the plan change, but if approved make the amendment	<p>Amend PPC 61 precinct provisions to provide for the mitigation of operational transport effects as part of the suite of transport staging provisions.</p> <p>These effects will potentially include but are not limited to the following:</p> <ul style="list-style-type: none"> <li>• Accelerated rate of damage on roading assets generated by increased vehicle movements</li> <li>• Consideration of the requirements to build significant utility infrastructure in the existing road corridors which are also likely to disturb the in situ pavements.</li> <li>• Rerouting of traffic via Bremner Road (i.e. as a rat run east west across Drury) based on the development timing and the potential effects on Jesmond Road and its intersection controls.</li> <li>• Rerouting of traffic and network impacts due to temporary construction detours</li> </ul>	Oppose	Kāinga Ora opposes the submission. Increased usage of roads and subsequent wear and tear is not the responsibility of the developer, and may not translate into effective and enforceable (or legally sound) conditions as part of any future resource consent. In any event, development contributions would be the appropriate mechanism to contribute to infrastructure in this regard. Construction traffic and potential effects thereof, are better-assessed at future resource consent stage.
22	22.10	Auckland Transport	Kevin.Wong-Toi@at.govt.nz	Decline the plan change, but if approved make the amendment	<p>Given the status of State Highway 22 / Karaka Road and Jesmond Road as key parts of the transport network, Auckland Transport supports the proposed arterial road access restrictions (Table IXXX.4.1 (A17), Table IXXX.4.2 (A13), Table IXXX.4.3 (A19), Table IXXX.4.4(A23) and IXXX.6.5 Arterial Road Access).</p>	Support in part	Kāinga Ora supports the submission to the extent it is consistent with its original submission.
22	22.11	Auckland Transport	Kevin.Wong-Toi@at.govt.nz	Decline the plan change, but if approved make the amendment	<p>State Highway 22 / Karaka Road is part of the State Highway network managed by Waka Kotahi and is classified as an arterial road in the AUPOP. Jesmond Road has been identified as a future arterial road as part of the Supporting Growth Programme's strategic network.</p> <p>Amend PPC 61 to include an additional objective in the precinct provisions addressing the safe and efficient operation of the key strategic routes supporting the plan change area.</p>	Oppose	Kāinga Ora opposes the submission. Chapter E27 of the AUP(OP) would otherwise-apply to an arterial route. Bespoke provisions are therefore not required.
22	22.12	Auckland Transport	Kevin.Wong-Toi@at.govt.nz	Decline the plan change, but if approved make the amendment	<p>Amend PPC 61 to include an additional policy in the precinct provisions addressing the management of adverse effects on the effective, efficient and safe operation of State Highway 22 / Karaka Road and Jesmond Road for all transport users</p>	Oppose	Kāinga Ora opposes the submission. Chapter E27 of the AUP(OP) would otherwise-apply to an arterial route. Bespoke provisions are therefore not required.

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<b>Sub #</b>	<b>Sub Point</b>	<b>Submitter Name</b>	<b>Address for Service</b>	<b>Theme</b>	<b>Summary</b>	<b>Kāinga Ora position</b>	<b>Kāinga Ora Reasons - Support / Oppose Submission</b>
					through the application of vehicle access restrictions.		
22	22.13	Auckland Transport	Kevin.Wong-Toi@at.govt.nz	Decline the plan change, but if approved make the amendment	Amend PPC 61 to indicate the extent of the vehicle access restrictions on IXXX9.3 Waipupuke Precinct Plan 3: Transport and provide appropriate cross references in the relevant standards.	Oppose	Kāinga Ora opposes the submission. Its is understood that the vehicle access restriction would apply to all proposed access to arterial roads or as otherwise provided for in Chapter E27 of the AUP(OP). If that is in fact the case, this does not need to be identified on the precinct plan.
22	22.14	Auckland Transport	Kevin.Wong-Toi@at.govt.nz	Decline the plan change, but if approved make the amendment	As and when Jesmond Road is upgraded to an arterial route, amend the AUPOP planning maps (arterial road control) to identify it as an arterial road.	Oppose	Kāinga Ora opposes the submission. This is not the responsibility of the developer and is the administrative role of Auckland Council.
22	22.15	Auckland Transport	Kevin.Wong-Toi@at.govt.nz	Decline the plan change, but if approved make the amendment	Amend PPC 61 land uses in terms of density and zoning location to better align and integrate with the proposed pattern of future bus routes and services.	Oppose in part	Kāinga Ora opposes the submission to the extent it is inconsistent with its original submission.
22	22.16	Auckland Transport	Kevin.Wong-Toi@at.govt.nz	Decline the plan change, but if approved make the amendment	Amend PPC 61 east-west collector network to align with the proposed collector network shown in the Drury - Opaheke Structure Plan 2019.	Oppose in part	Kāinga Ora opposes the submission to the extent it is inconsistent with its original submission. Kāinga Ora also notes that an alternative collector network may be appropriate in the present circumstances due to the detailed design and investigation undertaken as part of the private plan change request.

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Sub #	Sub Point	Submitter Name	Address for Service	Theme	Summary	Kāinga Ora position	Kāinga Ora Reasons - Support / Oppose Submission
22	22.17	Auckland Transport	Kevin.Wong-Toi@at.govt.nz	Decline the plan change, but if approved make the amendment	<p>Delete IXXX.6.3(1) road cross-section diagram, and:</p> <p>Amend PPC 61 to include provisions relating to the minimum road reserve widths and key design elements and functional requirements of new roads and roads which need to be upgraded to urban standards including but not limited to:</p> <ul style="list-style-type: none"> <li>• Carriageway</li> <li>• Footpaths</li> <li>• Cycleways</li> <li>• Public Transport</li> <li>• Ancillary Zone (parking, street trees etc.)</li> <li>• Berm</li> <li>• Frontage</li> <li>• Building Setback</li> <li>• Design Speed (e.g. to support safe active mode movements)</li> <li>• Confirming that the proposed width of collector roads is adequate to accommodate required design elements and increase if necessary</li> </ul>	Support in part	Kāinga Ora supports the submission to the extent it is consistent with its original submission. Detailed road cross sections can often be at odds with asset owner requirements (where vested roads are proposed). Kāinga Ora supports greater certainty and clarity over outcomes and features within a roading environment, to support all modes of transportation.
22	22.18	Auckland Transport	Kevin.Wong-Toi@at.govt.nz	Decline the plan change, but if approved make the amendment	Auckland Transport supports the use of precinct provisions to set out any specific transport related mitigation, assessment or staging requirements.	Support in part	Kāinga Ora supports the submission to the extent it is consistent with its original and primary submissions.
22	22.19	Auckland Transport	Kevin.Wong-Toi@at.govt.nz	Decline the plan change, but if approved make the amendment	Amend the notification rule (IXXX.5 Notification for restricted discretionary activities so that the normal tests for notification under the relevant sections of the Resource Management Act apply.	Oppose	Kāinga Ora opposes the submission to the extent it is inconsistent with its original submission.

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Sub #	Sub Point	Submitter Name	Address for Service	Theme	Summary	Kāinga Ora position	Kāinga Ora Reasons - Support / Oppose Submission
22	22.20	Auckland Transport	Kevin.Wong-Toi@at.govt.nz	Decline the plan change, but if approved make the amendment	<p>Amend the PPC61 precinct provisions to incorporate policies, standards and assessment criteria as appropriate to provide for efficient and effective active mode movements reflecting the following transport outcomes:</p> <ul style="list-style-type: none"> <li>• Walking and pedestrian connections to / from public transport routes (including Jesmond Road Frequent Transit Network and Oira Road), stops and future rail stations</li> <li>• Walking and pedestrian connections to / from local facilities and destinations including schools.</li> <li>• Safe walking and cycling facilities provided for as part of the proposed road/street network including local roads and access ways and provisions for rear access along roads with cycle facilities.</li> <li>• To include pedestrian and cycleway linkages as shown in the PPC 61 masterplan documents on IXXX9.3 Waipupuke Precinct Plan 3: Transport and any additional items as noted above.</li> </ul>	Support in part	Kāinga Ora supports the submission to the extent it is consistent with its original submission. The matters identified in the submission are best-suited to objectives, policies and assessment criteria rather than specific standards which may prove less-flexible in future consenting and detailed design stages of the overall development of the precinct.
22	22.21	Auckland Transport	Kevin.Wong-Toi@at.govt.nz	Decline the plan change, but if approved make the amendment	<p>Amend the PPC 61 precinct provisions by removing activities (A2) Service Stations fronting State Highway 22 and (A3) Fast food outlet (including drive through facilities) fronting State Highway 22 from Table IXXX.4.1 Residential - Terrace House and Apartment Buildings zone and removing related matters of discretion (IXXX.7.1(1)) and assessment criteria (IXXX.7.2.(1)).</p>	Support in part	Kāinga Ora supports the submission to the extent it is consistent with its original submission.

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Sub #	Sub Point	Submitter Name	Address for Service	Theme	Summary	Kāinga Ora position	Kāinga Ora Reasons - Support / Oppose Submission
22	22.23	Auckland Transport	Kevin.Wong-Toi@at.govt.nz	Decline the plan change, but if approved make the amendment	<p>Further assessment of the transport effects of the enabled land use activities proposed in the PPC 61 precinct plan provisions is sought from the applicant. Depending on the outcome of this assessment, to include amended and / or additional provisions (objectives, policies, rules, standards and assessment criteria) are sought within PPC 61 that:</p> <ul style="list-style-type: none"> <li>• Restrict the overall scale and intensity of activities that can be provided without any identified transport mitigation measures OR provide for appropriate transport mitigation measures with the staged development of PPC 61.</li> <li>• Provide for the further assessment (through later resource consents or similar) of any development at a scale beyond that which can be shown to be satisfactorily accommodated by the transport network, without any identified transport mitigation measures.</li> <li>• Provide for an appropriate activity status for high trip generating activities, including associated assessment criteria to consider effects on the operation of the transport network.</li> </ul>	Support in part	Kāinga Ora supports the submission to the extent it is consistent with its original and primary submissions.
22	22.24	Auckland Transport	Kevin.Wong-Toi@at.govt.nz	Decline the plan change, but if approved make the amendment	Any subsequent amendments to the PPC 61 precinct provisions providing direction on the how stormwater is managed within the road network are reviewed and if required amended to safeguard Auckland Transport's interests in the sustainable management of the road network.	Oppose	Kāinga Ora opposes the submission as such matters are typically dealt with through the Network Discharge Consent (NDC) and Stormwater Management Plan (SMP) processes, as well and relevant codes of practice that apply to public assets.
22	22.25	Auckland Transport	Kevin.Wong-Toi@at.govt.nz	Decline the plan change, but if approved make the amendment	Auckland Transport seeks that the drafting of the stormwater related provisions be consistent with those to apply with the Drury East plan changes (PPC48-50). This includes those policies and rules requiring consideration of the operating costs associated with proposed stormwater treatment assets as well as opportunities for consolidation of treatment assets where appropriate.	Oppose	Kāinga Ora opposes the submission as it may not be appropriate to replicate the Drury East approach as PPC 61 is a different catchment with its own unique environmental context and constraints.

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22	22.26	Auckland Transport	Kevin.Wong-Toi@at.govt.nz	Decline the plan change, but if approved make the amendment	Auckland Transport seeks the following: <ul style="list-style-type: none"> <li>• That feasible and optimal future network link alignments to the east and west and north of PPC 61 be confirmed and integrated with PPC 61 and wider network requirements.</li> <li>• That these be identified within the Precinct Plan or by other means where they continue beyond it.</li> </ul>	Oppose in part	Kāinga Ora opposes the submission to the extent it is inconsistent with its original submission.
22	22.27	Auckland Transport	Kevin.Wong-Toi@at.govt.nz	Decline the plan change, but if approved make the amendment	As part of Auckland Transport's submission on PC 51 (Private): Drury 2 Precinct it was suggested that there should be a direct east west link from Jesmond Road to the town centre and north south collector network which is capable of accommodating buses. Auckland Transport requests that the PPC61 collector network is aligned with the provision of a direct link from Jesmond Road to the town centre being considered as part of PPC 51: Drury 2 Precinct.	Oppose in part	Kāinga Ora opposes the submission to the extent it is inconsistent with its original submission.
22	22.28	Auckland Transport	Kevin.Wong-Toi@at.govt.nz	Decline the plan change, but if approved make the amendment	Add a new policy under IXXX.3 Policies as follows: <u>Ensure that new activities sensitive to noise adjacent to arterial roads are located, designed and constructed to mitigate adverse effects of road noise on occupants.</u>	Oppose	Kāinga Ora opposes the submission for the reasons outlined in its primary submission.
22	22.29	Auckland Transport	Kevin.Wong-Toi@at.govt.nz	Decline the plan change, but if approved make the amendment	Add a new standard under IXXX.6 Standards to require that the assessed incident noise level to the façade of any building facing an arterial road that accommodates a noise-sensitive space is limited to a given level.  As a consequential amendment, add a new activity under IXXX.4.1, IXXX 4.2, IXXX 4.3 and IXXX.4.4 Activity tables as follows:  <u>X) Development that does not comply with IX.6.X Noise Mitigation - Restricted Discretionary</u>	Oppose	Kāinga Ora opposes the submission for the reasons outlined in its primary submission.
22	22.30	Auckland Transport	Kevin.Wong-Toi@at.govt.nz	Decline the plan change, but if approved make the amendment	With respect to IXXX.7.2 Assessment criteria, Auckland Transport requests that the following assessment criterion is added: <u>The extent to which noise sensitive activities in proximity to arterial roads are managed.</u>	Oppose	Kāinga Ora opposes the submission for the reasons outlined in its primary submission.



**Plan Change 61 - Waipupuke**

**Summary of Decisions Requested**

<b>Sub #</b>	<b>Sub Point</b>	<b>Submitter Name</b>	<b>Address for Service</b>	<b>Theme</b>	<b>Summary</b>	<b>Kāinga Ora position</b>	<b>Kāinga Ora Reasons - Support / Oppose Submission</b>
22	22.31	Auckland Transport	Kevin.Wong-Toi@at.govt.nz	Decline the plan change, but if approved make the amendment	Make necessary amendments to PPC 61 to achieve an integrated development framework with and between adjoining/adjacent plan changes/development areas to ensure consistency in approach, including in relation to objectives, policies, rules, methods and maps, across the private plan changes within the Drury growth area.	Support in part	Kāinga Ora supports the submission to the extent it is consistent with its original submission.
23	23.1	Auckland Council	christopher.turbott@aucklandcouncil.govt.nz	Decline the plan change, but if approved make the amendment	Decline the plan change in its entirety until there is a fully funded and appropriately staged solution for the integration of land use, infrastructure and development for the Precinct and Sub Region. If the plan change is not declined, amend to retain the provisions as set out in council's submission.	Oppose in part	Kāinga Ora opposes the submission to the extent it is inconsistent with its original submission.
23	23.2	Auckland Council	christopher.turbott@aucklandcouncil.govt.nz	Decline the plan change, but if approved make the amendment	<p>Ensure that the council's concerns about bulk infrastructure: funding deficit, timing and location uncertainty are resolved by the following or other means:</p> <p>a. Evidence is presented at the hearing that a mechanism has been identified with the agreement of the council that unfunded infrastructure (as of October 2020) will be funded.</p> <p>b. Evidence is presented at the hearing that parts of the plan change area are not constrained by infrastructure funding, timing or location uncertainty and can proceed without significant adverse effects.</p> <p>c. Infrastructure development threshold or staging rules can be devised that are enforceable and effective, and supported by robust objective and policy provisions. This could for example include:</p> <ul style="list-style-type: none"> <li>• Threshold rules are not used for infrastructure works to be supplied by third party, e.g. Auckland Transport or NZTA, if these agencies do not have funds allocated for the works.</li> <li>• Threshold rules are not used for infrastructure works which are scheduled</li> </ul>	Oppose in part	Kāinga Ora opposes the submission to the extent it is inconsistent with its original submission.

Plan Change 61 - Waipupuke

Summary of Decisions Requested

Sub #	Sub Point	Submitter Name	Address for Service	Theme	Summary	Kāinga Ora position	Kāinga Ora Reasons - Support / Oppose Submission
					<p>beyond the lifetime of the plan (2026).</p> <ul style="list-style-type: none"> <li>• Threshold rules are not used for works to be funded privately but there is no funding agreement in place.</li> <li>• Threshold rules are not used for works which would require a funding contribution from multiple landowners or developers and there is no agreement to apportion costs and benefits in place.</li> <li>• Threshold rules do not use gross floor area as a metric (the council may not be able to track this with current data systems).</li> <li>• Use of prohibited activity status for infringement could be considered.</li> </ul> <p>d. Notices of requirement have been lodged for the relevant infrastructure by the time of the hearing.</p>		
23	23.3	Auckland Council	christopher.turbott@aucklandcouncil.govt.nz	Decline the plan change, but if approved make the amendment	<p>Amend Policy IX3(9) to read:  <del>Manage the effects of stormwater on water quality in streams through riparian margin planting, and at source hydrological mitigation.</del>  <u>Require subdivision and development to be consistent with any approved network discharge consent and supporting stormwater management plan including the application of water sensitive design and treatment train to achieve water quality and hydrology mitigation.</u></p>	Oppose	Kāinga Ora opposes the submission as compliance with an NDC is already required and administered by existing AUP(OP) provisions (Chapter E8) and the RMA framework.
23	23.4	Auckland Council	christopher.turbott@aucklandcouncil.govt.nz	Decline the plan change, but if approved make the amendment	Delete the phrase “• E36.4.1 - Rules A23 to A42 inclusive do not apply” where it occurs under the heading IXXX.4 Activity tables.	Support in part	Kāinga Ora supports the submission to the extent it is consistent with its original submission.

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**Summary of Decisions Requested**

<b>Sub #</b>	<b>Sub Point</b>	<b>Submitter Name</b>	<b>Address for Service</b>	<b>Theme</b>	<b>Summary</b>	<b>Kāinga Ora position</b>	<b>Kāinga Ora Reasons - Support / Oppose Submission</b>
23	23.6	Auckland Council	christopher.turbott@aucklandcouncil.govt.nz	Decline the plan change, but if approved make the amendment	<p>Amend IXXX.6 to provide a standard that requires management of effects of weed removal including potential stream bank erosion for the following rules:</p> <ul style="list-style-type: none"> <li>•Rule (A11) in Table IXXX.4.1 Residential – Terrace House and Apartment Building Zone.</li> <li>•Rule (A7) in Table IXXX.4.2 Residential - Mixed Housing Urban Zone.</li> <li>•Rule (A17) in Table IXXX.4.4 Open Space – Informal Recreation Zone.</li> </ul>	Oppose	Kāinga Ora opposes the submission. The suggested approach disincentivises riparian enhancement, if weed removal is to be a matter that triggers consent. This is better-placed as an assessment criteria and requires a supporting section 32 analysis for any proposed 'standard'.
23	23.7	Auckland Council	christopher.turbott@aucklandcouncil.govt.nz	Decline the plan change, but if approved make the amendment	<p>Delete rules (A12) and (A13) in Table IXXX.4.1 Residential – Terrace House and Apartment Building Zone. Delete rules (A8), and (A9) in Table IXXX.4.2 Residential - Mixed Housing Urban Zone. Delete rules (A18) and (A19) in Table IXXX.4.4 Open Space – Informal Recreation Zone</p> <p>If any are retained, then make amendments to address the additional matters raised in the bullet points below:</p> <ul style="list-style-type: none"> <li>•Some of the proposed rules may be inconsistent with the Resource Management (National Environmental Standards for Freshwater) Regulations 2020.</li> <li>•Some of the rules appear to be regional rules but this is not clear and needs to be clarified in accordance with AUP drafting standards if the rules are retained.</li> <li>• Any AUP rules that are not intended to apply need to be clearly identified in the header to the activity table.</li> <li>• It is not necessary to reference rules from Table E15.4.1 Activity table - Auckland-wide vegetation and biodiversity management rules, which do not apply in this zone.</li> </ul>	Support in part	Kāinga Ora supports the submission to the extent it is consistent with its primary submission.

Plan Change 61 - Waipupuke

Summary of Decisions Requested

Sub #	Sub Point	Submitter Name	Address for Service	Theme	Summary	Kāinga Ora position	Kāinga Ora Reasons - Support / Oppose Submission
23	23.8	Auckland Council	christopher.turbott@aucklandcouncil.govt.nz	Decline the plan change, but if approved make the amendment	<p>Amend IXXX.6.6 High Contaminant Yielding Materials to:</p> <ul style="list-style-type: none"> <li>• clarify the statement of purpose with respect to maintaining coastal marine ecosystems,</li> <li>• delete the 5m<sup>2</sup> per site exemption,</li> <li>• provide greater clarity on what is considered high contaminant generating materials.</li> </ul> <p>The following amendments or words to similar effect are requested:</p> <p>IXXX6.6 High Contaminant Yielding Materials Purpose:</p> <ul style="list-style-type: none"> <li>• maintain water quality <u>and the health of coastal marine ecosystems</u> by limiting the release of contaminants from building materials to streams.</li> </ul> <p>(1) <del>The total area of high contaminant</del> <u>Roofing, spouting, cladding or external architectural features on a site must not exceed 5m<sup>2</sup> use the following high contaminant generating building materials which are exposed:</u></p> <ul style="list-style-type: none"> <li>• <u>surface(s) or surface coating of metallic zinc of any alloy containing greater than 10% zinc,</u></li> <li>• <u>surface(s) or surface coating of metallic copper or any alloy containing greater than 10% copper,</u></li> <li>• <u>treated timber cladding surface(s) or any roof material with a copper containing or zinc-containing algaecide.</u></li> </ul>	Support in part	Kāinga Ora supports the submission to the extent it seeks to remove the allowance for up to 5m <sup>2</sup> of contaminating materials. This is not appropriate in reference to the NPS:FWM and policy 9 of the Precinct Provisions, particularly where the majority of stormwater discharge within the precinct is proposed to be conveyed to streams.
23	23.9	Auckland Council	christopher.turbott@aucklandcouncil.govt.nz	Decline the plan change, but if approved make the amendment	<p>The construction of the stormwater management structures is put forward as a RD activity. The matters of discretion should include the efficacy of the design and that it is designed for ease of operations and maintenance as these are aspects of the functionality of the stormwater area that are best addressed at design and construction stage. Add additional Matters of Discretion in IXXX.7.1(2) to address:</p> <ul style="list-style-type: none"> <li>• efficacy of device and</li> <li>• operation and maintenance requirements.</li> </ul>	Oppose	Kāinga Ora oppose the submission. The construction of stormwater infrastructure is a matter already managed through the AUP(OP) (Chapter E8 in particular). There do not appear to be any unique features of this precinct which warrant a bespoke provision. The use of the term 'efficacy' is not plain English and therefore is not appropriate.

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<b>Sub #</b>	<b>Sub Point</b>	<b>Submitter Name</b>	<b>Address for Service</b>	<b>Theme</b>	<b>Summary</b>	<b>Kāinga Ora position</b>	<b>Kāinga Ora Reasons - Support / Oppose Submission</b>
23	23.11	Auckland Council	christopher.turbott@aucklandcouncil.govt.nz	Decline the plan change, but if approved make the amendment	Delete the proposed Open Space – Informal Recreation Zone from the zone maps. Insert indicative open space within one of the precinct plans and amend the title and key of the precinct plan to that effect.	Oppose in part	Kāinga Ora opposes the submission. Open space areas are identified in the PC61 supporting documentation and assessment as critical to supporting the planned outcomes of the precinct. Securing open space areas through the appropriate zoning now will ensure that open space outcomes are supported through the plan change and subsequently delivered through future development processes.
23	23.12	Auckland Council	christopher.turbott@aucklandcouncil.govt.nz	Decline the plan change, but if approved make the amendment	Without prejudice to the position that Open Space – Informal Recreation Zone should be deleted from PC 61, delete the rules in Table IXXX.4.4 Open Space – Informal Recreation Zone, unless another submission point from the council seeks their retention.	Oppose in part	Kāinga Ora opposes the submission. Open space areas are identified in the PC61 supporting documentation and assessment as critical to supporting the planned outcomes of the precinct. Securing open space areas through the appropriate zoning now will ensure that open space outcomes are supported through the plan change and subsequently delivered through future development processes.
23	23.13	Auckland Council	christopher.turbott@aucklandcouncil.govt.nz	Decline the plan change, but if approved make the amendment	Without prejudice to the position that Open Space – Informal Recreation Zone should be deleted from PC 61, retain rule (A7) in Table IXXX.4.4 Open Space – Informal Recreation Zone.	Oppose in part	Kāinga Ora opposes the submission. Open space areas are identified in the PC61 supporting documentation and assessment as critical to supporting the planned outcomes of the precinct. Securing open space areas through the appropriate zoning now will ensure that open space outcomes are supported through the plan change and subsequently delivered through future development processes.
23	23.17	Auckland Council	christopher.turbott@aucklandcouncil.govt.nz	Decline the plan change, but if approved make the amendment	Amend the IXXX.5 Notification rule (1) which requires non-notification, to instead apply the normal tests for notification under the relevant sections of the RMA.	Oppose	Kāinga Ora opposes the submission to the extent it is inconsistent with its original submission.

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Summary of Decisions Requested

Sub #	Sub Point	Submitter Name	Address for Service	Theme	Summary	Kāinga Ora position	Kāinga Ora Reasons - Support / Oppose Submission
23	23.18	Auckland Council	christopher.turbott@aucklandcouncil.govt.nz	Decline the plan change, but if approved make the amendment	<p>Ensure that any residential yield that is additional to that estimated for the Drury – Opāheke Structure Plan August 2019 and Integrated Transport Assessment, is located within a consistent realistic walkable distance of the proposed Jesmond Road FTN route.</p> <p>Ensure that the Terrace Housing and Apartment Buildings Zone (THAB), the proposed centre zoning and medical facilities are all contained within a consistent and realistic walkable distance of the proposed Jesmond Road FTN route. In particular, the centre should be located as close as possible to the FTN route.</p> <p>If necessary, additional height could be considered close to (within 200m) of the FTN route, to offset any reduction in potential yield further west in the PC 61 area.</p>	Support in part	Kāinga Ora supports the submission to the extent it is consistent with its original submission.
23	23.19	Auckland Council	christopher.turbott@aucklandcouncil.govt.nz	Decline the plan change, but if approved make the amendment	<p>Delete the south western part of plan change area from 99 Oira Road southwards, or ensure:</p> <ul style="list-style-type: none"> <li>• that it is staged with development of the infrastructure listed in the bullet points opposite,</li> <li>• that the zoned intensity does not result in excessive car dependency and car trip generation in the context of a realistic assumption of mode shift to public transport in this location.</li> <li>• that development does not occur before walkable pedestrian connections are available to the proposed Jesmond Road FTN.</li> </ul>	Oppose	Kāinga Ora opposes the submission to the extent it is inconsistent with its original submission.
23	23.20	Auckland Council	christopher.turbott@aucklandcouncil.govt.nz	Decline the plan change, but if approved make the amendment	Review the size, type and location of the proposed centre zone to ensure that the most appropriate zoning and height options are applied.	Support in part	Kāinga Ora supports the submission to the extent it is consistent with its original submission.
23	23.21	Auckland Council	christopher.turbott@aucklandcouncil.govt.nz	Decline the plan change, but if approved make the amendment	Delete rules (A1), (A2), (A3), (A4), and (A5) in Table IXXX.4.1 Residential – Terrace House and Apartment Building Zone.	Support in part	Kāinga Ora supports the submission to the extent it is consistent with its original submission.

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**Summary of Decisions Requested**

<b>Sub #</b>	<b>Sub Point</b>	<b>Submitter Name</b>	<b>Address for Service</b>	<b>Theme</b>	<b>Summary</b>	<b>Kāinga Ora position</b>	<b>Kāinga Ora Reasons - Support / Oppose Submission</b>
23	23.22	Auckland Council	christopher.turbott@aucklandcouncil.govt.nz	Decline the plan change, but if approved make the amendment	Delete rules (A1), (A1A) in Table IXXX.4.2 Residential - Mixed Housing Urban Zone.	Support in part	Kāinga Ora supports the submission to the extent it is consistent with its original submission.
23	23.23	Auckland Council	christopher.turbott@aucklandcouncil.govt.nz	Decline the plan change, but if approved make the amendment	Delete rules (A1), (A4), (A5), (A6), (A7), (A8), (A9), (A10), (A11), (A12) and (A13) in Table IXXX.4.3 Business – Neighbourhood Centre Zone.  Refer also to related submission points on the type of centre zone, location of centre zone and medical and specialist facility.	Support in part	Kāinga Ora supports the submission to the extent it is consistent with its original submission.
24	24.1	GYL Holdings Limited	Mary.Barton@arassociates.co.nz	Neither supports nor opposes the plan change	Should proposed Plan Change 61 be approved at the scale proposed, it should not compromise the development potential of land outside the proposed Plan Change area. In particular that consideration is made to the scale of the proposed Neighbourhood Centre Zone and corresponding THAB zone and whether this would restrict or inhibit development on the property at 316 Jesmond Road.	Support in part	Kāinga Ora supports the submission to the extent it is consistent with its original submission.
25	25.1	Counties Power	qwang@align.net.nz	Support the plan change with amendments	Counties Power supports the establishment of a connected network of public open space and riparian margin. However, electrical infrastructure must be taken into consideration when planning landscaping and planting in the vicinity of electricity infrastructure and should be carried out in consultation with Counties Power.  Counties Power seeks recognition of the rights that the Electricity Act 1992, New Zealand Electrical Code of Practice for Electrical Safe Distances, NZECP 34:2001 and the Electricity (Hazards from Trees) Regulations 2003 offer in order to protect the lines from encroachment from vegetation/trees to ensure their safe and reliable operation and ensure access for maintenance is not restricted.  Counties Power seeks consultation regarding the species of trees/shrubs proposed required by any standard in the vicinity of overhead lines on the perimeter of	Oppose	Kāinga Ora opposes the submission. The Unitary Plan already contains provisions relating to network utilities which would apply in addition to the proposed precinct provisions.

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**Summary of Decisions Requested**

<b>Sub #</b>	<b>Sub Point</b>	<b>Submitter Name</b>	<b>Address for Service</b>	<b>Theme</b>	<b>Summary</b>	<b>Kāinga Ora position</b>	<b>Kāinga Ora Reasons - Support / Oppose Submission</b>
					<p>the PC 61 area and new underground cables within the development to ensure that due consideration is given to the potential hazards to the electricity network associated with the location and species of trees and areas of landscaping.</p> <p>If bridges are to be installed over streams in the Plan change area, Counties Power request prior consultation to establish whether provision needs to be made for ducts to be attached or incorporated into the structure for power reticulation.</p>		
25	25.2	Counties Power	qwang@align.net.nz	Support the plan change with amendments	<p>Support in part Objective lxxx.2 (8) of the proposed Waipupuke Precinct. However, Counties Power seeks alternative road corridor design to ensure appropriate electricity infrastructure can be provided to service the developments within the plan change area. These changes include:</p> <ul style="list-style-type: none"> <li>• 700mm grass covered strip at the back of the berm along both sides of the road</li> <li>• Suitable provision required for distribution substations within the road reserve in agreement with Counties Power.</li> </ul>	Oppose	Kāinga Ora opposes the submission. The Unitary Plan already contains provisions relating to network utilities which would apply in addition to the proposed precinct provisions.
25	25.3	Counties Power	qwang@align.net.nz	Support the plan change with amendments	Retain Objective lxxx.2 (9) in the proposed Waipupuke Precinct as notified.	Support in part	Kāinga Ora supports the submission to the extent it is consistent with its original submission.
25	25.4	Counties Power	qwang@align.net.nz	Support the plan change with amendments	Retain Policy lxxx.3 (8) is supported in part. Counties Power seeks consultation regarding the species of trees/shrubs proposed required by any standard in the vicinity of overhead lines or underground cables to ensure that due consideration is given to the height and spread of the tree and any potential hazards to the electricity network associated with the location and species of the tree.	Oppose	Kāinga Ora opposes the submission. The Unitary Plan already contains provisions relating to network utilities which would apply in addition to the proposed precinct provisions.
25	25.5	Counties Power	qwang@align.net.nz	Support the plan change with amendments	Retain Policy lxxx.3 (10) in the proposed Waipupuke Precinct as notified.	Support in part	Kāinga Ora supports the submission to the extent it is consistent with its original submission.



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Sub #	Sub Point	Submitter Name	Address for Service	Theme	Summary	Kāinga Ora position	Kāinga Ora Reasons - Support / Oppose Submission
25	25.6	Counties Power	qwang@align.net.nz	Support the plan change with amendments	<p>The IXXX.5 Notification rule is opposed. Counties Power requests the notification rule to be amended as follows:</p> <p><u>(1) Any application for resource consent for an activity listed in Tables IXXX.4.1 to 4.4 will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.</u></p> <p><u>(2) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule C1.13(4)</u></p>	Oppose	Kāinga Ora opposes the submission to the extent it is inconsistent with its original submission.
25	25.7	Counties Power	qwang@align.net.nz	Support the plan change with amendments	<p>Standard IXXX.6.3 is supported in part. Counties Power seeks alternative road design to ensure appropriate electricity infrastructure can be provided to service the developments within the plan change area. These changes include:</p> <ul style="list-style-type: none"> <li>• 700mm grass covered strip at the back of the berm along both sides of the road</li> <li>• suitable provision required for distribution substations within the road reserve in agreement with Counties Power.</li> </ul>	Oppose	Kāinga Ora opposes the submission. In addition to the reasons provided on submission point 22.17, Kāinga Ora notes that the Unitary Plan already contains provisions relating to network utilities which would apply in addition to the proposed precinct provisions.
25	25.8	Counties Power	qwang@align.net.nz	Support the plan change with amendments	<p>Standard IXXX.6.4(2) is supported in part. Counties Power seeks consultation regarding the species of trees/shrubs proposed required by any standard in the vicinity of overhead lines or underground cables to ensure that due consideration is given to the height and spread of the tree and any potential hazards to the electricity network associated with the location and species of the tree.</p>	Oppose	Kāinga Ora opposes the submission. In addition to the reasons provided on submission point 22.17, Kāinga Ora notes that the Unitary Plan already contains provisions relating to network utilities which would apply in addition to the proposed precinct provisions.

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<b>Sub #</b>	<b>Sub Point</b>	<b>Submitter Name</b>	<b>Address for Service</b>	<b>Theme</b>	<b>Summary</b>	<b>Kāinga Ora position</b>	<b>Kāinga Ora Reasons - Support / Oppose Submission</b>
25	25.9	Counties Power	qwang@align.net.nz	Support the plan change with amendments	<p>Regarding the Matters of discretion IXXX.7.1(4) for Construction of a Collector Road that does not comply with Standard IXXX.6.3, Counties Power seeks that the matters of discretion are amended to consider the following factors:</p> <p>Consideration of any existing or proposed electricity infrastructure is needed when assessing an application for the construction of a collector road that is not compliant with the permitted activity standards.</p> <p>Counties Power is of the opinion that the matters of discretion should clearly outline what matters are been assessed when considering alternative road location and cross sections. For example, the effects of alternative road layout and design on the provision of infrastructure and servicing, in particular, utilities within the road reserve.</p>	Oppose	Kāinga Ora opposes the submission. In addition to the reasons provided on submission point 22.17, Kāinga Ora notes that the Unitary Plan already contains provisions relating to network utilities which would apply in addition to the proposed precinct provisions.
25	25.10	Counties Power	qwang@align.net.nz	Support the plan change with amendments	Retain Assessment criteria IXXX.7.2 (4) in the proposed Waipupuke Precinct as notified.	Support in part	Kāinga Ora supports the submission to the extent it is consistent with its original submission.
26	26.1	Hao Li	li_hao99@hotmail.com	Decline the plan change, but if approved make the amendment	Supports the idea of a plan change, but requests that Auckland Council lead the process and include properties surrounding PC61 in the plan change. The impacts of new infrastructure on downstream infrastructure needs to be properly identified so as to not hinder the future development of properties outside the PC61 area.	Oppose in part	Kāinga Ora opposes the submission to the extent it is inconsistent with its original submission.
27	27.1	Heritage New Zealand Pouhere Taonga	sandrews@heritage.org.nz	Support the plan change with amendments	Heritage New Zealand supports the proposed retention of the c.1893 villa at 140 Jesmond Road and proposed scheduling as a Category B Historic Heritage Place in Schedule 14.1 of the Auckland Unitary Plan (Operative in Part) (AUP(OP)), in accordance with extent of place, primary feature and exclusions as proposed.	Support in part	Kāinga Ora supports the submission to the extent it is consistent with its original submission.
27	27.2	Heritage New Zealand Pouhere Taonga	sandrews@heritage.org.nz	Support the plan change with amendments	The proposed Schedule 14.1 entry should include the 'Additional Controls for Archaeological Sites or Features' as per the recommendation made in Section 9.2 of the '140 Jesmond Road, Drury, Auckland,	Support in part	Kāinga Ora supports the submission to the extent it is consistent with its original submission.

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Sub #	Sub Point	Submitter Name	Address for Service	Theme	Summary	Kāinga Ora position	Kāinga Ora Reasons - Support / Oppose Submission
					Historic Heritage Evaluation', completed by Plan.Heritage, dated October 2020, at page 44.		
27	27.3	Heritage New Zealand Pouhere Taonga	sandrews@heritage.org.nz	Support the plan change with amendments	<p>The adaptive reuse of the villa is also supported, toward an appropriate publicly accessible use, as is the use of the adjoining pocket park and the refurbished villa for the reinstatement of Te Whare Nohoanga in recognition of the past use of the place by Māori, 'as a place of learning/wānanga'.</p> <p>The proposed plan change is amended to include provisions requiring the refurbishment and restoration of the homestead to provide for an appropriate publicly accessible adaptive reuse such as a childcare/kohanga reo/community/communal facility or café in accordance with principles of the ICOMOS New Zealand Charter 2010</p>	Support in part	Kāinga Ora supports the submission to the extent it is consistent with its original submission.
27	27.4	Heritage New Zealand Pouhere Taonga	sandrews@heritage.org.nz	Support the plan change with amendments	Heritage New Zealand however does not support the indicative inclusion of several features including community gardens, an orchard, and fitness & play elements within the site surrounds of the house (the 'home paddock') and proposed scheduled extent of place. These features should more appropriately locate adjacent to but outside of the 'home paddock' house surrounds.	Support in part	Kāinga Ora supports the submission to the extent it is consistent with its original submission.
27	27.5	Heritage New Zealand Pouhere Taonga	sandrews@heritage.org.nz	Support the plan change with amendments	<p>The proposed configuration of zone boundaries in relation to the homestead and associated extent of place are not supported, and present a confusing scenario, with the extent partially falling within intensive Residential – Terrace Housing &amp; Apartment Building (THAB) zone; partially within the road reserve; and partially within the Eastern Pocket Park and Open Space – Informal Recreation zone.</p> <p>The proposed plan change is amended to locate the entire proposed 'John Fitzgerald Homestead' Historic Heritage Place Extent of Place within Open Space – Informal Recreation zone with proposed Eastern Pocket Park features located outside the</p>	Oppose in part	Kāinga Ora opposes the submission. Application of an Open Space zoning to the heritage place may frustrate adaptive reuse of the building or integrated development in the future with surrounding (proposed) urban zonings. It is also not clear what the ownership of the land is and whether an open space zoning is appropriate over private land.

Plan Change 61 - Waipupuke

Summary of Decisions Requested

Sub #	Sub Point	Submitter Name	Address for Service	Theme	Summary	Kāinga Ora position	Kāinga Ora Reasons - Support / Oppose Submission
					extent of place, and with road frontage along the eastern boundary of the extent of place but not within it		
27	27.6	Heritage New Zealand Pouhere Taonga	sandrews@heritage.org.nz	Support the plan change with amendments	Heritage New Zealand does not support the placement of THAB zoning within the homestead extent with this presenting a development expectation incongruous with the retention and preservation of the homestead and its extent, and has the potential of over dominating the scale and setting of the homestead.	Oppose in part	Kāinga Ora opposes the submission. Kāinga Ora does not consider it appropriate to apply a lesser-intensity of zoning solely due to the presence of the heritage feature. Further s32 analysis is required to ensure that the relief sought by Heritage New Zealand is appropriate, having regard to the effect it may have on the efficient and sustainable use of land.
27	27.7	Heritage New Zealand Pouhere Taonga	sandrews@heritage.org.nz	Support the plan change with amendments	Provision should be made to ensure an appropriate setback and transition of density from THAB zone development to the villa site and proposed accompanying/encompassing area of open space.	Oppose in part	Kāinga Ora opposes the submission. Kāinga Ora does not consider it appropriate to apply a lesser-intensity of zoning solely due to the presence of the heritage feature. Further s32 analysis is required to ensure that the relief sought by Heritage New Zealand is appropriate, having regard to the effect it may have on the efficient and sustainable use of land.
27	27.8	Heritage New Zealand Pouhere Taonga	sandrews@heritage.org.nz	Support the plan change with amendments	To locate the entire proposed 'John Fitzgerald Homestead' Historic Heritage Place Extent of Place within Open Space – Informal Recreation zone with proposed Eastern Pocket Park features located outside the extent of place, and with road frontage along the eastern boundary of the extent of place but not within it.	Oppose	Kāinga Ora opposes the submission. Kāinga Ora questions why the presence of a historic feature would justify the use of open space zoning as the sole zoning for the extent of place. Further s32 analysis is required to ensure that the relief sought by Heritage New Zealand is appropriate, having regard to the effect it may have on the efficient and sustainable use of land.
27	27.9	Heritage New Zealand Pouhere Taonga	sandrews@heritage.org.nz	Support the plan change with amendments	Heritage New Zealand seek that in the finalisation of roading and lot configurations, consideration is given to reflecting existing site and subdivision boundaries which contribute to the meaning of place, and that the pattern of development appropriately addresses the villa, including the provision of sightlines to the dwelling from within the development.	Support in part	Kāinga Ora supports the submission to the extent it is consistent with its original submission.

**Plan Change 61 - Waipupuke**

**Summary of Decisions Requested**

<b>Sub #</b>	<b>Sub Point</b>	<b>Submitter Name</b>	<b>Address for Service</b>	<b>Theme</b>	<b>Summary</b>	<b>Kāinga Ora position</b>	<b>Kāinga Ora Reasons - Support / Oppose Submission</b>
27	27.10	Heritage New Zealand Pouhere Taonga	sandrews@heritage.org.nz	Support the plan change with amendments	The archaeological assessment does not make specific mention of the lengths of Ngakaroa Stream and Oira Stream tributaries that fall within the site. Heritage New Zealand considers additional archaeological site survey should be completed to determine the likelihood for these areas to contain archaeological remains, and that this informs proposed riparian margin restoration planting and stormwater park design and management as appropriate, to ensure any potential archaeological remains are avoided in the first instance.	Support in part	Kāinga Ora supports the submission to the extent it is consistent with its original submission.
27	27.11	Heritage New Zealand Pouhere Taonga	sandrews@heritage.org.nz	Support the plan change with amendments	The plan request materials recommend recording of 140 Jesmond Road and 329 Karaka Road as archaeological sites on the New Zealand Archaeological Association (NZAA) database ArchSite, (and their addition to the Auckland Council Cultural Heritage Index (CHI)), this has yet to be undertaken and should be completed. Archaeological extents for both locations should be established and included as part of each record.	Support in part	Kāinga Ora supports the submission to the extent it is consistent with its original submission.
27	27.12	Heritage New Zealand Pouhere Taonga	sandrews@heritage.org.nz	Support the plan change with amendments	Heritage New Zealand seeks the addition of provisions to require interpretation of late 19th century historic European settlement and farming on the subject land and the wider Karaka area and beyond, in accordance with recommendations made in the in the historic heritage assessments prepared in support of the plan change request, and in accordance with conservation principles as outlined in the ICOMOS New Zealand Charter 2010.	Oppose in part	Kāinga Ora opposes the submission to the extent it is inconsistent with the relief sought in its submissions against points 27.5-8 above.
27	27.13	Heritage New Zealand Pouhere Taonga	sandrews@heritage.org.nz	Support the plan change with amendments	Heritage New Zealand supports iwi/hapu in the exercising of kaitiakitanga and support the provisions proposed in the precinct plan to provide interpretation and recognise Māori cultural heritage values that have been identified.  The provisions in the proposed Waipupuke Precinct which recognise cultural heritage values identified by mana whenua is supported.	Support in part	Kāinga Ora supports the submission to the extent it is consistent with its original submission.

**Plan Change 61 - Waipupuke**

**Summary of Decisions Requested**

<b>Sub #</b>	<b>Sub Point</b>	<b>Submitter Name</b>	<b>Address for Service</b>	<b>Theme</b>	<b>Summary</b>	<b>Kāinga Ora position</b>	<b>Kāinga Ora Reasons - Support / Oppose Submission</b>
27	27.14	Heritage New Zealand Pouhere Taonga	sandrews@heritage.org.nz	Support the plan change with amendments	To enable retention of existing vegetation within the site at 329 Karaka Road (particularly any identifiable as having early historic associations with the homestead), and the incorporation of onsite interpretation of both the cultural and historical background of the plan change area within the proposed reserve at 329 Karaka Road and in association with 140 Jesmond Road, in accordance with principles of the ICOMOS New Zealand Charter 2010.	Oppose in part	Kāinga Ora opposes the submission to the extent it is inconsistent with the relief sought in its submissions against points 27.5-8 above.
28	28.1	Tingran Doreen	tingran.duan@gmail.com	Decline the plan change, but if approved make the amendment	The plan change should include the wider area, particularly areas around Jesmond Road. A council masterplan and better integration of the plan change with surrounding infrastructure (including proposed train stations, underground services and roads) is sought.	Oppose in part	Kāinga Ora opposes the submission to the extent it is inconsistent with its original submission.
29	29.1	Mark Lewis Grey	mark.grey@xtra.co.nz	Decline the plan change	Decline the plan change in its entirety. The proposed upgrade of Jesmond Road is not supported.	Oppose	Kāinga Ora opposes the submission for the reasons outlined in its original submission.
29	29.2	Mark Lewis Grey	mark.grey@xtra.co.nz	Decline the plan change	Decline the plan change in its entirety. Leave the existing property as it is.	Oppose	Kāinga Ora opposes the submission for the reasons outlined in its original submission.

**From:** [UnitaryPlanFurtherSubmissionForm@donotreply.aucklandcouncil.govt.nz](mailto:UnitaryPlanFurtherSubmissionForm@donotreply.aucklandcouncil.govt.nz)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan further submission - Plan Change 61 - Balkar Singh  
**Date:** Friday, 23 April 2021 11:30:37 AM

---

The following customer has submitted a Unitary Plan online further submission.

#### **Contact details**

Full name of person making a further submission: Balkar Singh

Organisation name: Bsk growers Ltd

Full name of your agent:

Email address: balk11@xtra.co.nz

Contact phone number: 0212076666

Postal address:

303 Oira road

karaka

auckland 2578

#### **Submission details**

**This is a further submission to:**

Plan change number: Plan Change 61

Plan change name: Plan Change 61 (Private): Waipupuke

#### **Original submission details**

Original submitters name and address:

Balkar singh

303 Oira Road

karaka

Auckland

Nz

Submission number: 3

Do you support or oppose the original submission? I or we support the submission

Specific parts of the original submission that your submission relates to:

Point number rezone of future urban land

The reasons for my or our support or opposition are:

We are making our living out of this property ,we are using our land for horticulture purpose. Which puts food on our table and others is well and we have no where to go.

Our living hood is attached to our property.

I or we want Auckland council to make a decision to: Allow the whole original submission

Submission date: 23 April 2021

#### **Attend a hearing**

I or we wish to be heard in support of this submission: Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?

Yes

**Declaration**

What is your interest in the proposal? I am a person who has an interest in the proposal that is greater than the interest that the general public has

Specify upon which grounds you come within this category:  
As an owner of the property

I declare that:

- I understand that I must serve a copy of my or our further submission on the original submitter within five working days after it is served on the local authority
- I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.



**From:** [UnitaryPlanFurtherSubmissionForm@donotreply.aucklandcouncil.govt.nz](mailto:UnitaryPlanFurtherSubmissionForm@donotreply.aucklandcouncil.govt.nz)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan further submission - Plan Change 61 - Rachel Bilbe  
**Date:** Friday, 23 April 2021 4:00:37 PM  
**Attachments:** [Counties Power PC 61 Further Submission.pdf](#)

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The following customer has submitted a Unitary Plan online further submission.

#### **Contact details**

Full name of person making a further submission: Rachel Bilbe

Organisation name: Counties Power Limited

Full name of your agent: Qian Wang

Email address: [qwang@align.net.nz](mailto:qwang@align.net.nz)

Contact phone number: 09 972 3624

Postal address:  
PO Box 147105  
Ponsonby  
Auckland 1021

#### **Submission details**

**This is a further submission to:**

Plan change number: Plan Change 61

Plan change name: Plan Change 61 (Private): Waipupuke

#### **Original submission details**

Original submitters name and address:  
Please refer to the submission attached for details

Submission number: Please refer to the further submission document attached

Do you support or oppose the original submission? I or we support the submission

Specific parts of the original submission that your submission relates to:  
Point number Please see attached document

The reasons for my or our support or opposition are:  
Please refer to submission document attached

I or we want Auckland council to make a decision to: Allow part of original submission

Specify the parts of the original submission you want to allow or disallow:  
Please refer to attached document

Submission date: 23 April 2021

Supporting documents  
[Counties Power PC 61 Further Submission.pdf](#)

#### **Attend a hearing**

I or we wish to be heard in support of this submission: Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?  
Yes

### **Declaration**

What is your interest in the proposal? I am a person who has an interest in the proposal that is greater than the interest that the general public has

Specify upon which grounds you come within this category:

Counties Power (CP) has an interest in the proposed plan that is greater than the interest the general public has because they own significant electricity infrastructure within the area that is subject to the plan change. Counties Power is therefore able to make a further submission on Plan Change 61. Information about the operation of the Counties Power network is contained in the original submission.

I declare that:

- I understand that I must serve a copy of my or our further submission on the original submitter within five working days after it is served on the local authority
- I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

Auckland Unitary Plan  
PC 61 (Private): Waipupuke Precinct  
Further Submission



**C O U N T I E S P O W E R**

# Quality Control Sheet

Submitter: Counties Power Limited  
Asset: Counties Power Electricity Distribution Network  
Plan: Auckland Unitary Plan - Proposed Plan Change 61(Private): Waipupuke Precinct  
Document: Further Submission  
Counties Power Contact: Rachel Bilbe, Land Access Coordinator  
Consultant Contact: Qiuang Wang, Planning Consultant, Align Limited  
File Reference: COUNT042

Version:

Issue 3.0	23 April 2021	For approval
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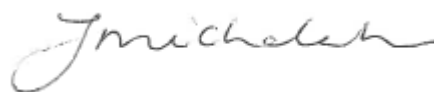
Distribution:

Rachel Bilbe	Counties Power	Email
AC Policy Team	Auckland Council	Online Submission



Produced by:

Qiuang Wang



Review by:

Jo Michalakis

Align Limited

Date: 23 April 2021

**Limitations:**

This report has been prepared for the client according to their instructions. The information in this report should not be used by anyone else, or for any other purpose. Some of the information presented in this report is based on information supplied by the client. Align Limited does not guarantee the accuracy of any such information. Any advice contained in this report is subject to this limitation.

## 1. Introduction

This document provides a further submission on Plan Change 61(Private): Waipupuke Precinct. The document contains a spreadsheet with submission points in relation to the following submitter(s):

- Watercare Services Limited (05)
- Linqi Wang (11)
- Ministry of Housing and Urban Development(17)
- NZ Transport Agency (Waka Kotahi)(19)
- Auckland Transport (22)
- Auckland Council (23)

Counties Power (CP) has an interest in the proposed plan that is greater than the interest the general public has because they own significant electricity infrastructure within the area that is subject to the plan change. Counties Power is therefore able to make a further submission on Plan Change 61. Information about the operation of the Counties Power network is contained in the original submission.

Counties Power wishes to be heard in support of their submission.

If others make a similar submission, they will consider presenting a joint case with them at a hearing.

2. Further submission points

Plan Change 61: Waipupuke Precinct					
Relevant Provision	Submitter (Submission No.)	Submission Point	Submission "summary"	Support/Oppose	Reason
Objective 1xxx.2 (9));	Watercare Services Limited – 05	5.1	<p>(a) Amend Objective 9 as follows:</p> <p>(9) Subdivision and development (including infrastructure provision) is coordinated with, <u>and does not precede,</u> the delivery of the transport, infrastructure and <u>water and wastewater</u> services required to provide for the development.</p>	Support with amendments	<p>Counties Power requests that the wording of Objective 9 to be amended as follows:</p> <p><b>"Subdivision and development (including infrastructure provision) is coordinated with, <u>and does not precede,</u> the delivery of the transport, <u>all infrastructure including electrical infrastructure and water and wastewater services</u> required to provide for the development."</b></p> <p>Counties Power will have the initial capacity to supply the Plan Change Area. However, this is for short term only. To have the capacity to supply</p>

					<p>electricity to Plan Change 61 area and other nearby Plan Change areas in the long term, Counties Power will need to establish new zone substations in the area, together with associated sub-transmission (110kV) line routes. The timing of these substations will depend partially on Counties Power's ability to acquire suitable land and also on receiving support from the council in terms of consent for the construction of the substations and ensuring corridors are available for the sub-transmission circuits enabling connectivity between the substations.</p> <p>The timing of development should be coordinated with</p>
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Policy Ixxx.3 (10)		5.2	<p>Amend Policy 10 as follows:</p> <p>(10) Require subdivision and development to provide appropriate transport and other infrastructure capacity, <u>including water and wastewater infrastructure,</u> within the precinct and to provide connections to the adjoining road network in accordance with Precinct Plan 3.</p>	Support with amendments	<p>infrastructure providers in order to ensure the Waipupuke Precinct is serviced by appropriate supporting infrastructure and avoids disruption caused by delayed installation of infrastructure, for example consultation should be held with all infrastructure providers including Counties Power.</p> <p>Counties Power requests that the wording of Policy 10 to be amended as follows:</p> <p><b>“Require subdivision and development to provide appropriate transport and other infrastructure capacity, <u>including electrical, water and wastewater infrastructure,</u> within the precinct and to provide connections to the adjoining road network in accordance”</b></p>
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New Policy		5.3	<p>Insert a new Policy 11 as follows:</p> <p><u>(11) Manage subdivision and development to avoid, remedy or mitigate adverse effects on infrastructure, including reverse sensitivity effects or those which may compromise the operation or capacity of existing or authorised infrastructure.</u></p>	Support	<p>Counties Power supports the insertion of the new policy.</p> <p><b>Counties Power's existing</b> assets are overhead lines located at the perimeter of the Plan Change 61 area. Whilst Counties Power does not currently have any plan to underground these lines, undergrounding of lines to accommodate road widening of the arterial road may be achieved by negotiation with Counties Power.</p> <p>Undergrounding of existing works will require early consultation and coordination with Counties Power in order to maintain supply to the existing customers who are currently served by these overhead lines.</p> <p>Counties Power also requests that the footpath and cycleway to be positioned at a</p>
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General	Linqi Wang -11	11.6	Council should undertake a public plan change for land in Drury West Stage 1 of the Future Urban Land Supply Strategy. If this does not occur, PC61 should be expanded to include all Future Urban zoned land in Drury West Stage 1 of the Future Urban Land Supply Strategy	Support with amendments	<p>location as per our original submission to allow the installation of distribution substation within the road reserve which is a permitted activity under Rule E26.2.3.1 (A17) of the AUP(OP)</p> <p>Councils Power would like to highlight the importance of taking a holistic view of the plan change/ development in the wider Future Urban Zone in Drury West Stage 1 of the Future Urban Land Supply Strategy.</p> <p>The visibility of electricity infrastructure around this Plan Change area and the wider Future Urban Zone in Drury West stage 1 of the Future Urban Land Supply Strategy is not an indication that</p>
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					<p>Counties Power has the capacity to supply the resulting development. Counties Power will only have short term capacity to supply the comparatively small Plan Change 61 development. Counties Power will need to establish new zone substations in the area to ensure supply to this and the wider Future Urban Zone in the long term. Substations typically require a long lead time to acquire suitable land and designation status as well as consenting for line routes between substations.</p>
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General	Ministry of Housing and Urban Development - 17	17.2	The road layouts and connections with the neighbouring land at the corner of Jesmond Road and SH22 should be designed to provide better pedestrian access and connectivity to the location of the planned rail station.	Support with amendments	Counties Power supports the provision of better pedestrian access and connectivity to the planned rail station. However, depending on the nature of the pedestrian access, provision may need to be made through consultation with Counties Power, for the relocation or undergrounding of existing overhead electricity infrastructure
Policy lxxx.3 (8); and Policy lxxx.3 (10)	NZ Transport Agency (Waka Kotahi)-19	19.7	Clarification is required on which 'Precinct Plans' are being referred to in the Policy set (Precinct Plan 2 (Policy 8) and Precinct Plan 3 (Policy 10)).	Support	Both of these policies refer to precinct plans. However, more clarification is required to confirm which set of plans are being referred to. Counties Power request that the information and plans presented as part of the plan change application

General	Auckland Transport -22	22.8	Decline PPC 61 or alternatively amend the plan change to incorporate provisions addressing the staging and timing of transport infrastructure and services with the proposed development build-out and the interim effects of development proceeding ahead of the ultimate planned network, including: <ul style="list-style-type: none"> <li>• The requirement for transport infrastructure and services to be delivered prior to the construction of anticipated stages of development enabled by the plan change.</li> <li>• The appropriate application of development staging rules</li> </ul>	Support with amendments	documents are correctly and accurately referenced in the precinct provisions
<p>Counties Powers supports the Plan Change. However, Counties Power also recognises the possible infrastructure constraints. Counties Power only have capacity to supply the Plan Change Area in the short term. To have the capacity to supply electricity to Plan Change 61 area and other nearby Plan Change areas in the long term, Counties Power will need to establish new zone substations, together with associated sub-transmission (110kV) - line routes between the substations. The timing of these substations and</p>					

			<p>and standards including the activity status when breaching triggers for transport infrastructure requirements.</p> <ul style="list-style-type: none"> <li>• Recognising the associated processes necessary to bring about delivery of transport infrastructure and services as the basis for defining the timeframes for transport infrastructure and services in relation to the staging of the enabled land use development.</li> <li>• The transport infrastructure requirements to include: <ul style="list-style-type: none"> <li>o Early active mode access to the proposed new rail station and / or bus services;</li> <li>o Introduction of public transport services to the Precinct Plan area;</li> <li>o Any interim improvements to State Highway 22;</li> <li>o Upgrade of the State Highway 22 / Oira road</li> </ul> </li> </ul>	<p>associated infrastructure will depend partially on Counties Power's ability to acquire suitable land and also on receiving support from the council in terms of consent for the construction of the substations and sub-transmission lines, in addition to ensuring suitable corridors are available for the construction of the lines between the substations.</p> <p>If the road corridor could not be upgraded prior to the establishment of infrastructure needed to support a capacity upgrade, unless Auckland Council recognise the need for, and actively support the construction of the necessary electrical infrastructure, there could</p>
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			<p>intersection to a roundabout; and</p> <ul style="list-style-type: none"> <li>Internal collector and local connections identified within precinct plan.</li> </ul>	<p>be delays in providing additional capacity to supply PC61. Therefore, it is important that the timing of development is coordinated with transport infrastructure and all other infrastructure providers in order to ensure the Waipupuke Precinct is serviced by appropriate supporting infrastructure.</p> <p>Any plans to widen or improve existing roading, particularly SH22, will need to make provision for electricity infrastructure to support the capacity upgrade that will be required to enable Plan Change 61 and the anticipated development of the surrounding Future Urban Zone.</p>
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Standard IXX.6.3	Auckland Transport-22	22.17	<p>Delete IXX.6.3(1) road cross-section diagram, and:</p> <p>Amend PPC 61 to include provisions relating to the minimum road reserve widths and key design elements and functional requirements of new roads and roads which need to be upgraded to urban standards including but not limited to:</p> <ul style="list-style-type: none"> <li>• Carriageway</li> <li>• Footpaths</li> <li>• Cycleways</li> <li>• Public Transport</li> <li>• Ancillary Zone (parking, street trees etc.)</li> <li>• Berm</li> <li>• Frontage</li> </ul>	Support with amendments	<p>Early consultation should be held with Counties Power for any road upgrading works that may affect its existing assets.</p> <p>Counties Power seeks alternative road design to ensure appropriate electricity infrastructure can be provided to service the developments within the plan change area.</p> <p>These changes include:</p> <ul style="list-style-type: none"> <li>• 700mm grass covered strip at the back of the berm along both side of the road</li> <li>• suitable provision required for distribution substations within the road reserve</li> </ul>
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			<ul style="list-style-type: none"> <li>• Building Setback</li> <li>• Design Speed (e.g. to support safe active mode movements)</li> <li>• Confirming that the proposed width of collector roads is adequate to accommodate required design elements and increase if necessary</li> </ul>		<p>in agreement with Counties Power.</p> <p>Counties Power also request that cross-sections of the road design for all categories of road that will either be constructed within or be upgraded as a result of their proximity to the Plan Change 61 Area to be included in standard IXXX.6.3 and /or as a new standard in the Precinct</p>
<p>IXXX.5 Notification</p>	<p>Auckland Council - 23</p>	<p>23.7</p>	<p>Amend the IXXX.5 Notification rule (1) which requires non-notification, to instead apply the normal tests for notification under the relevant sections of the RMA.</p>	<p>Support with amendments</p>	<p>Counties Power has in our original submission requested the following amendments to IXXX.5 Notification:</p> <p>“(1) Any application for resource consent for an activity listed in Tables IXXX.4.1 to 4.4 will be subject to the normal tests for notification under</p>

				<p>the relevant sections of the Resource Management Act 1991.</p> <p>(2) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in <b>Rule C1.13(4).</b>"</p> <p>This is because electricity infrastructure could potentially be affected by development and subdivision as well as any changes to the location and design of the road network and landscaping within the riparian area. Therefore, restricted discretionary activities such as (but not limited) to infringements to</p>
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						standard IXXX.6.3 should not be precluded from notification.
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**From:** [UnitaryPlanFurtherSubmissionForm@donotreply.aucklandcouncil.govt.nz](mailto:UnitaryPlanFurtherSubmissionForm@donotreply.aucklandcouncil.govt.nz)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan further submission - Plan Change 61 - Yongcheng Duan  
**Date:** Friday, 23 April 2021 4:15:37 PM

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The following customer has submitted a Unitary Plan online further submission.

#### **Contact details**

Full name of person making a further submission: Yongcheng Duan

Organisation name: Soco Homes Limited

Full name of your agent: Topland NZ Limited

Email address: [cozy@topland.co.nz](mailto:cozy@topland.co.nz)

Contact phone number: 021806888

Postal address:  
9/42 Ormiston Road  
Otara  
Auckland 2019

#### **Submission details**

##### **This is a further submission to:**

Plan change number: Plan Change 61

Plan change name: Plan Change 61 (Private): Waipupuke

##### **Original submission details**

Original submitters name and address:  
KĀINGA ORA HOMES AND COMMUNITIES ("Kāinga Ora")

Kāinga Ora – Homes and Communities  
PO Box 74598  
Greenlane, Auckland  
Email: [developmentplanning@hnzc.co.nz](mailto:developmentplanning@hnzc.co.nz)

Submission number: #20

Do you support or oppose the original submission? I or we support the submission

Specific parts of the original submission that your submission relates to:  
Point number 20.3

The reasons for my or our support or opposition are:

The amendment sought by Kāinga Ora - listed in their submission as 15.(a) for the rezoning of parcels of land specified in that submission (16, 64, 54, and 84 Jesmond Road, Drury) is supported for the following reasons:

The identified sites should be rezoned in accordance with the Drury – Opāheke structure plan.

Rezoning these sites would contribute to the effective and efficient delivery of urbanised land in accordance with the Drury – Opāheke structure plan.

Failure to rezone these sites in accordance with the structure plan would impede the efficient and effective planning and development of the wider fabric of the identified area in the Drury – Opāheke

structure plan. Rezoning PC61 without also rezoning the properties identified in Kāinga Ora's submission would result in significant consequences, as a planning failure:

The identified properties would become a block of isolated land pockets, without efficient local road connections; particularly, the PC61 proposal does not provide local road connection between these sites,

Both SH22 and the planned future upgrade to Jesmond road are significant road/PT corridors, future connections may affect the level of service of these road assets, which the proposal did not provide sufficient study on.

The proposal will not gain effective, and good quality pedestrian linkage via these sites, and their development.

The identified properties would become isolated pockets of land lacking local road transport and infrastructure connections to the wider area.

I or we want Auckland council to make a decision to: Allow the whole original submission

Submission date: 23 April 2021

### **Attend a hearing**

I or we wish to be heard in support of this submission: Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?  
Yes

### **Declaration**

What is your interest in the proposal? I am a person who has an interest in the proposal that is greater than the interest that the general public has

Specify upon which grounds you come within this category:

Soco Homes owns the property 54 Jesmond Road and 224 Jesmond Road, Drury. The property 54 Jesmond Road is directly adjacent to the area included in the proposed PC61.

I declare that:

- I understand that I must serve a copy of my or our further submission on the original submitter within five working days after it is served on the local authority
- I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

**From:** [UnitaryPlanFurtherSubmissionForm@donotreply.aucklandcouncil.govt.nz](mailto:UnitaryPlanFurtherSubmissionForm@donotreply.aucklandcouncil.govt.nz)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan further submission - Plan Change 61 - Yongcheng Duan  
**Date:** Friday, 23 April 2021 4:15:58 PM

---

The following customer has submitted a Unitary Plan online further submission.

#### **Contact details**

Full name of person making a further submission: Yongcheng Duan

Organisation name: Soco Homes Limited

Full name of your agent: Topland NZ Limited

Email address: [cozy@topland.co.nz](mailto:cozy@topland.co.nz)

Contact phone number: 021806888

Postal address:  
9/42 Ormiston Road  
Otara  
Auckland 2019

#### **Submission details**

**This is a further submission to:**

Plan change number: Plan Change 61

Plan change name: Plan Change 61 (Private): Waipupuke

#### **Original submission details**

Original submitters name and address:  
Auckland Council

35 Albert Street  
Private Bag 92300  
Auckland 1142

Submission number: 23

Do you support or oppose the original submission? I or we support the submission

Specific parts of the original submission that your submission relates to:

Point number 23.2

Point number 23.10

Point number 23.17

The reasons for my or our support or opposition are:

The identified amendments sought by Auckland Council are supported for the following reasons:

The zoning and road network proposed by PC61 are not in accordance with Council's Drury - Opāheke structure plan, and there is no evidence that the proposal will deliver a better outcome (both short term and long term) than Council's structure plan outcome.

I or we want Auckland council to make a decision to: Allow the whole original submission

Submission date: 23 April 2021

#### **Attend a hearing**

I or we wish to be heard in support of this submission: Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?  
Yes

**Declaration**

What is your interest in the proposal? I am a person who has an interest in the proposal that is greater than the interest that the general public has

Specify upon which grounds you come within this category:

Soco Homes owns the property 54 Jesmond Road and 224 Jesmond Road, Drury. The property 54 Jesmond Road is directly adjacent to the area in the proposed PC61.

I declare that:

- I understand that I must serve a copy of my or our further submission on the original submitter within five working days after it is served on the local authority
- I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

**From:** [UnitaryPlanFurtherSubmissionForm@donotreply.aucklandcouncil.govt.nz](mailto:UnitaryPlanFurtherSubmissionForm@donotreply.aucklandcouncil.govt.nz)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan further submission - Plan Change 61 - Yongcheng Duan  
**Date:** Friday, 23 April 2021 4:16:36 PM  
**Attachments:** [Auckland Transport Points.pdf](#)

---

The following customer has submitted a Unitary Plan online further submission.

#### **Contact details**

Full name of person making a further submission: Yongcheng Duan

Organisation name: Soco Homes Limited

Full name of your agent: Topland NZ Limited

Email address: [cozy@topland.co.nz](mailto:cozy@topland.co.nz)

Contact phone number: 021806888

Postal address:  
9/42 Ormiston Road  
Otara  
Auckland 2019

#### **Submission details**

##### **This is a further submission to:**

Plan change number: Plan Change 61

Plan change name: Plan Change 61 (Private): Waipupuke

##### **Original submission details**

Original submitters name and address:  
Auckland Transport

Auckland Transport  
Private Bag 92250  
Auckland 1142

Submission number: 22

Do you support or oppose the original submission? I or we support the submission

Specific parts of the original submission that your submission relates to:

Point number 22.1  
Point number 22.2  
Point number 22.3  
Point number 22.6  
Point number 22.7

The reasons for my or our support or opposition are:

The identified amendments sought by Auckland Transport are supported for the following reasons:

PC61 does not consider the connectivity of the neighbouring sites to the planned town centre and train station with the wider integrated multi-modal transport network planned under the Drury - Opāheke structure plan.

The current configuration of local and collector roads proposed by PC61 differs from the Drury -



Opāheke plan, and there is no evidence that the proposal will deliver a better outcome than the structure plan. The local road network connections to the sites identified in Kāinga Ora's submission (namely 16 Jesmond Road, Drury; 64 Jesmond Road, Drury; 54 Jesmond Road, Drury; and 84 Jesmond Road, Drury) has not been addressed, and the divergence of PC61 from the structure plan could isolate these properties from the wider transport network and negatively impact the accessibility of the planned town centre and train station identified in the structure plan.

PC61 does not address the pedestrian pathway envisioned by the structure plan, including the planned pedestrian connection through 54 Jesmond road towards the planned town centre and train station.

I or we want Auckland council to make a decision to: Allow the whole original submission

Submission date: 23 April 2021

Supporting documents  
Auckland Transport Points.pdf

### **Attend a hearing**

I or we wish to be heard in support of this submission: Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?  
Yes

### **Declaration**

What is your interest in the proposal? I am a person who has an interest in the proposal that is greater than the interest that the general public has

Specify upon which grounds you come within this category:

Soco Homes owns the property 54 Jesmond Road and 224 Jesmond Road, Drury. The property 54 Jesmond Road is directly adjacent to the area in the proposed PC61.

I declare that:

- I understand that I must serve a copy of my or our further submission on the original submitter within five working days after it is served on the local authority
- I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

The points of Auckland Transport's submission which I wish to submit in support of are:

- 22.1;
- 22.2;
- 22.3;
- 22.6;
- 22.7;
- 22.8;
- 22.9;
- 22.10;
- 22.17;
- 22.20;
- 22.26; and
- 22.31

**From:** [UnitaryPlanFurtherSubmissionForm@donotreply.aucklandcouncil.govt.nz](mailto:UnitaryPlanFurtherSubmissionForm@donotreply.aucklandcouncil.govt.nz)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan further submission - Plan Change 61 - Yongcheng Duan  
**Date:** Friday, 23 April 2021 4:30:35 PM

---

The following customer has submitted a Unitary Plan online further submission.

#### **Contact details**

Full name of person making a further submission: Yongcheng Duan

Organisation name: Soco Homes Limited

Full name of your agent: Topland NZ Limited

Email address: [cozy@topland.co.nz](mailto:cozy@topland.co.nz)

Contact phone number: 021806888

Postal address:  
9/42 Ormiston Road  
Otara  
Auckland 2019

#### **Submission details**

**This is a further submission to:**

Plan change number: Plan Change 61

Plan change name: Plan Change 61 (Private): Waipupuke

#### **Original submission details**

Original submitters name and address:  
Address not provided

Submission number: 26

Do you support or oppose the original submission? I or we support the submission

Specific parts of the original submission that your submission relates to:  
Point number 26.1

The reasons for my or our support or opposition are:  
The submission is supported for the following reasons:

The zoning and road network proposed by PC61 are not in accordance with Council's Drury - Opāheke structure plan, and there is no evidence that the proposal will deliver a better outcome (both short term and long term) than Council's structure plan outcome.

I or we want Auckland council to make a decision to: Allow the whole original submission

Submission date: 23 April 2021

#### **Attend a hearing**

I or we wish to be heard in support of this submission: Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?  
Yes

## **Declaration**

What is your interest in the proposal? I am a person who has an interest in the proposal that is greater than the interest that the general public has

Specify upon which grounds you come within this category:

Soco Homes owns the property 54 Jesmond Road and 224 Jesmond Road, Drury. The property 54 Jesmond Road is directly adjacent to the area of the proposed PC61.

I declare that:

- I understand that I must serve a copy of my or our further submission on the original submitter within five working days after it is served on the local authority
- I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

**From:** [UnitaryPlanFurtherSubmissionForm@donotreply.aucklandcouncil.govt.nz](mailto:UnitaryPlanFurtherSubmissionForm@donotreply.aucklandcouncil.govt.nz)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan further submission - Plan Change 61 - Harnett Bruce Harnett orchard  
**Date:** Friday, 23 April 2021 9:30:36 PM

---

The following customer has submitted a Unitary Plan online further submission.

#### **Contact details**

Full name of person making a further submission: Harnett Bruce Harnett orchard

Organisation name:

Full name of your agent:

Email address: bharnett839@gmail.com

Contact phone number: +45 91 80 29 18

Postal address:

#### **Submission details**

**This is a further submission to:**

Plan change number: Plan Change 61

Plan change name: Plan Change 61 (Private): Waipupuke

#### **Original submission details**

Original submitters name and address:  
Harnett Orchard L and C Griffen

Submission number: 13.1. 13.2

Do you support or oppose the original submission? I or we support the submission

Specific parts of the original submission that your submission relates to:

Point number Storm water discharge

Point number public wastewater connectors

Point number Acceptable outcomes for management and Design

The reasons for my or our support or opposition are:

As is 13.1 and 13.2 of our original submission.

Unfortunately we see it necessary that PC 61 be declined as the dysfunctional situation may lead to poor outcomes .

( 1 ) no contact from the developer to develop best practice outcomes to the adjoining property's

( 2 ) with the seemingly urgent requirement of the NZ government to supply housing , with the Ministry of Education , Ministry of Houing , NZ Transport , and Kainga Ora seemingly supporting this development , yet Auckland council whom have accepted the area is to be developed and state , that the area will be development ready by 2022 and whose responsibility it is to manage , is seemingly opposed We support the Kainga Ora submission 20 / 20.3 to include the isolated area, though we believe best practice will be achieved with council and or government development bodies management .

I or we want Auckland council to make a decision to: Allow the whole original submission

Submission date: 23 April 2021

**Attend a hearing**

I or we wish to be heard in support of this submission: Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?  
Yes

**Declaration**

What is your interest in the proposal? I am a person who has an interest in the proposal that is greater than the interest that the general public has

Specify upon which grounds you come within this category:  
Adjacent land owner ( 12 hectares) . Joint water course ,

I declare that:

- I understand that I must serve a copy of my or our further submission on the original submitter within five working days after it is served on the local authority
- I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

**APPENDIX 7**  
**RECOMMENDED CHANGES**





## Appendix 7 – Recommended Changes to Waipupuke Precinct Provisions

Amendments are shown with text to be deleted as ~~struck through~~ and text to be added as underlined.

### IX. Waipupuke Precinct

#### IX.1 Precinct Description

Waipupuke – where the streams meet, is the name given to the Precinct by mana whenua. In conjunction with the name, a tohu symbol (logo) has been developed for Waipupuke to represent its spiritual significance. The Waipupuke symbol represents a connection between the tributaries of the Oira and the Ngakaroa streams. Both streams feed into the Drury Creek and then into the Pahurehure Inlet which feeds into the Manukau Harbour. Therefore, what happens on Waipupuke affects the hauora (health) of the Manukau and therefore the health of the people.

The centre of the site can also be interpreted as the ‘pupuke’ (to swell up). This is the part of the site where flooding historically occurred (‘swelled up’). Water, which is symbolised in the 3 branching kowhai patterns, sustained our tupuna (ancestors), fed our streams, and provided an abundance of mahinga kai (food) for harvesting. The mauri (life force) of the water in those days was strong and tikanga (customs, practices and ritual) ensured this continued. A key objective for this development is to revitalise the mauri in the waterways and to regenerate (as the mauri upholds creation) the land, through binding physical and spiritual elements of all things together. It was also the mode of transport via waka for trade to navigate through a cultural landscape where the waterways were like the modern roading networks.

In a modern context, the tohu symbol also represents a sustainable 3 waters strategy, while seeking to achieve better outcomes than the minimum standards, and best practice for water supply, wastewater and stormwater management.

The Waipupuke Precinct comprises approximately 56 hectares of undulating land bound by Karaka Road (State Highway 22) (south), Jesmond Road (East) and Oira Road (west). The Ngakaroa and Oira tributaries reach into the site and support a blue-green network through the site which will establish an ecological, pedestrian and cycle connection between the tributaries. A network of public open spaces including a ~~3-hectare~~ suburban park also forms an integral part of the blue-green network within Waipupuke.

Urbanisation of the land will provide for housing diversity and choice based around a neighbourhood centre ~~which supports additional building height. A key feature of the neighbourhood centre and the precinct is the Southern Medical and Specialist Centre which will provide health and medical services to the population of the Auckland Region, particularly those in South Auckland. Specific provision is made for this medical centre and hospital within the Precinct provisions.~~

The Precinct results in higher density zoning (~~THAB~~) being located closer to public transport routes/connections, the rail corridor, the neighbourhood centre and transport corridors, in recognition of the unique proximity of the site to these features. This also enables greater efficiency and integration of land use and transport networks.

The Precinct also provides for a large ~~3-hectare~~ public open space supported by several smaller neighbourhood public open spaces and stormwater reserve connections. The

Precinct builds upon these physical elements to establish a blue-green network through the site, which provides for pedestrian and cycle access as well as vehicle connections. In support of this, an east-west collector road route through the site will connect Jesmond Road with Oira Road, and will also provide for public transport. A collector road is also provided in a north-south direction from State Highway 22 to the 3-hectare public park within the Precinct. A further east-west collector road is proposed in the southern portion of the site and provides for a future connection to Jesmond Road.

~~A range of zonings apply within the Precinct. These are Residential – Mixed Housing Urban, Residential – Terrace House and Apartment, Business – Neighbourhood Centre and Open Space – Informal Recreation Zone.~~

The zoning of the land within the Waipupuke Precinct is Business – Neighbourhood Centre, Residential - Terrace Housing and Apartment Buildings and Residential - Mixed Housing Urban.

All relevant overlay, Auckland-wide and zone provisions apply in this precinct unless otherwise specified below.

## **IX.2 Objectives**

~~All relevant overlay, Auckland-wide and zone objectives apply in this precinct unless otherwise specified below.~~

- ~~(1) Mana whenua values are recognised and positive environmental outcomes are achieved for the health and well-being of the land, waterways and people.~~
- ~~(2) Urban growth is based around the Southern Auckland Medical and Specialist Centre within the Neighbourhood Centre.~~
- ~~(3) Higher density residential and commercial development is enabled along primary transport corridors, public transport routes and around centres.~~
- ~~(4) (2) A variety of housing types and choices for future residents is provided for in keeping with the locality's planned and built urban character.~~
- ~~(5) The Neighbourhood Centre is to provide commercial, health and amenity services for the Precinct and wider locality.~~
- ~~(6) (3) An accessible blue green network is established through the Precinct which supports pedestrian, and cycle and vehicle access.~~
- ~~(7) (4) A connected network of public open spaces and riparian margins is established, that create a variety of open space types and locations, while providing for the health and well-being of the community.~~
- ~~(8) (5) A collector road network that connects Jesmond Road with Oira Road combined with internal roads that enhance movement through and within the site.~~
- ~~(9) (6) Subdivision and development (including infrastructure provision) is coordinated with the delivery of the transport, infrastructure and services required to provide for the development.~~
- (7) The Waipupuke precinct develops and functions in a way which:
  - a) promotes travel by public and active modes of transport;

b) provides a well-connected and legible network of pedestrian and cycling linkages connecting the precinct to the surrounding transport network; and

c) mitigates impacts on the safe and efficient functioning of the existing and future arterial network.

(8) Freshwater quality and biodiversity are improved.

The overlays, Auckland-wide and zones objectives apply in this precinct in addition to those specified above.

### **IX.3 Policies**

~~All relevant overlay, Auckland-wide and zone policies apply in this precinct unless otherwise specified below.~~

(1) Reflect a strong cultural narrative within the Precinct through cultural identity markers and artwork and provide high quality public open spaces, revegetated riparian margins and high- quality stormwater management to achieve positive Mana whenua outcomes.

~~(2) Support the local community through the provision of local commercial, health, accommodation and recreation outcomes.~~

~~(3) (2) Manage development so that its scale and design contribute to the creation of high-quality intensive urban amenity through variable building heights, providing a well-connected pedestrian network connections and locating and designing public open space that contributes to a sense of place, particularly in the Neighbourhood Centre.~~

~~(4) (3) Provide diverse residential options that meet community needs.~~

~~(5) Locate more intensive accommodation and commercial development opportunities adjacent to primary transport corridors, public transport routes and the neighbourhood centre.~~

(4) Locate high density residential activities within walking distance to frequent public transport routes.

~~(6) Provide for pedestrian, cyclist, vehicle and riparian connections throughout the Precinct.~~

~~(7) (5) Provide for a blue-green open space network through a series of public open spaces, protected streams and planted riparian margins within the Precinct.~~

~~(8) (6) Retain the protected streams identified on Precinct Plan 2 and incorporate biodiversity enhancement their 10m of riparian margins through the removal of harmful species and vegetation weeds and replacement with native vegetation, positive ecological outcomes and ongoing maintenance.~~

~~(9) Manage the effects of stormwater on water quality in streams through riparian margin planting, and at source hydrological mitigation.~~

(7) Require subdivision and development to be consistent with any approved network discharge consent and supporting stormwater management plan including the application of water sensitive design and treatment train to achieve water quality and hydrology mitigation.

- ~~(10)~~ (8) Require subdivision and development to provide appropriate transport and other infrastructure capacity within the precinct and to provide connections to the adjoining road network in accordance with Precinct Plan 3: a highly connected local road network that integrates with the surrounding transport network.
- (9) Require collector roads to be generally in the location shown in Precinct Plan 3, while allowing for variation, where it would achieve integration with the surrounding transport network.
- (10) The timing of development in the Waipupuke Precinct is coordinated with transport infrastructure upgrades to encourage public transport usage and mitigate the adverse effects of development on the effectiveness and safety of the immediately surrounding transport network by ensuring:
- a) development does not precede the upgrade of intersections and rural roads in the adjoining area required to ensure safe and efficient access to the precinct; and
- b) development is timed with the operation and safe access to frequent bus services and the Drury West train station.
- (11) Restrict vehicle access to Jesmond Road and Karaka Road to support the effective, efficient and safe operation of the arterial road network.

The overlays, Auckland-wide and zone policies apply in this precinct in addition to those specified above.

#### **IX.4 Activity table**

~~The activity rules in any relevant zones, overlays and Auckland-wide provisions apply in this precinct, unless otherwise specified below. In the case of any uncertainty, the precinct provisions apply instead of this zone, overlay or Auckland-wide provisions.~~

- ~~• E36.4.1 – Rules A23 to A42 inclusive do not apply~~

The overlays, Auckland-wide and zones activity tables apply unless the activity is listed in Table IX1.4.1 Activity table below.

Table IX.4.1 Activity table specifies the activity status of land use and subdivision activities in the Waipupuke Precinct pursuant to sections 9(3) and 11 of the Resource Management Act 1991.

~~**[DELETED] Table IXXX.4.1 Residential – Terrace House and Apartment Building Zone**~~

~~**[DELETED] Table IXXX.4.2 Residential – Mixed Housing Urban Zone**~~

~~**[DELETED] Table IXXX.4.3 Business – Neighbourhood Centre Zone**~~

~~**[DELETED] Table IXXX.4.4 Open Space – Informal Recreation Zone**~~

**Table IX.4.1 Land use and subdivision activities in Waipupuke Precinct**

<b>Activity</b>		<b>Activity Status</b>
<b>Subdivision</b>		
(A1)	Subdivision that does not comply with Standard IX.6.4 Transport Infrastructure Requirements	NC
<b>Use and development</b>		
(A2)	Activities that do not comply with Standard IX.6.4 Transport Infrastructure Requirements	NC
(A3)	Construction of a Collector Road	RD
(A4)	Infringement of Standard IX.6.2 – Arterial Road Access	NC

### **IX.5 Notification**

- ~~(1) Any application for resource consent for a restricted discretionary activity listed in Tables IX.4.1 to 4.4 will be considered without public or limited notification or the need to obtain written approval from affected parties unless the Council decides that special circumstances exist under sections 95A(9) or 95B(10) of the Resource Management Act 1991.~~
- (1) Any application for resource consent for an activity listed in Table IX.4.1 Activity table 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).

### **IX.6 Standards**

- ~~(1) The standards in the relevant zones, overlays and Auckland-wide provisions apply in this precinct and also apply to the activities within Tables 4.1 to 4.4 inclusive above, unless otherwise specified below.~~
- ~~(2) The zone and Auckland-wide standards relating to the standards below do not apply to the activities listed in activity tables above:~~

The overlays, Auckland-wide and zones standards apply to all activities listed in Table IX.4.1 Activity Table above, in addition to the following activity standards.

#### **IX.6.1 Building Height**

Purpose:

- ~~• manage the effects of building height;~~

- ~~manage shadowing effects of building height on public open space, excluding streets;~~
- ~~manage visual dominance effects;~~
- ~~allow for building height that provides variation and interest in building form when viewed from the streets, public open spaces and the surrounding Waipupuke precinct;~~
- ~~enable greater height in identified areas adjacent public open space and along the collector road.~~

- (1) ~~Buildings within the Waipupuke Precinct Business-Neighbourhood Centre zone must not exceed the height in specified on Precinct Plan 1.~~
- (2) ~~The Business-Neighbourhood Centre zone Building Height standard (H12.6.1) does not apply within this Precinct.~~
- (3) ~~A new building within the Residential Terrace House and Apartment Building zone, the Residential Mixed Housing Urban zone and the Open Space Informal Recreation zone are subject to the Building Height standard of those zones.~~
- (4) ~~A new building within the Neighbourhood Centre zone shall be setback 6m from the site frontage where it exceeds a height of 18m above ground level and above when opposite a residential zone.~~

#### **~~IX.6.2 Yards~~**

~~Purpose: enable the efficient use of unutilised side yards.~~

- (1) ~~Side Yards: Side yards within the Business-Neighbourhood Centre zone, Residential Terrace House and Apartment Building zone and the Residential Mixed Housing Urban zone do not apply to site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.~~

#### **~~IX.6.3 Collector Roads~~**

~~Purpose: ensure the collector road network within the precinct provides for public transport, vehicles, parking, cyclists, pedestrians, utilities, trees and raingardens.~~

- (1) ~~The Collector Roads identified on Precinct Plan 3 shall be developed in the locations identified on Precinct Plan 3 and shall be designed and constructed in accordance with the cross-section below at a minimum.~~

~~[DELETED] Collector Road cross-section~~

#### **~~IX.6.4 IX.6.1 Protected Streams and Margins~~**

~~Purpose:~~

- ~~ensure a 10m riparian margin is preserved for vegetation and ecological enhancement.~~
- (1) ~~No buildings or structures (other than stormwater control/management structures) shall be located within 10m either side (measured from the top of the stream bank) of~~

the protected streams identified on Precinct Plan 2.

- (2) Riparian margins of the protected streams identified on Precinct Plan 2 shall be planted to a minimum width of 10m measured from the top of the stream bank. A riparian planting plan must be prepared to demonstrate compliance with this standard, and must:

- ~~a. Include a plan identifying the location, species and planting bag size and density of plants;~~
- ~~b. Use native vegetation;~~
- ~~c. Be consistent with local biodiversity;~~
- ~~d. Include weed and pest removal methodologies;~~
- ~~e. Include a maintenance plan~~

#### **~~IX.6.5~~ IX.6.2 Arterial Road Access**

Purpose:

- restrict direct vehicle access from individual sites and road intersections onto Jesmond Road
  - avoid direct vehicle access from individual sites and road intersections to Karaka Road (State Highway 22)
  - achieve the safe and efficient operation of transport infrastructure
- (1) No road intersections or private vehicle access shall be permitted directly onto Jesmond Road except for the proposed collector road as indicated on Precinct Plan 3 and either one local road or one private access located to the south of the Protected Stream identified on Precinct Plan 2.
- ~~(2) No private vehicle access from any property shall be permitted directly onto Jesmond Road, except for one vehicle access located to the south of the Protected Stream identified on Precinct Plan 2.~~
- (3) No road intersections or private vehicle access from any property shall be permitted directly onto Karaka Road (State Highway 22).

#### **~~IX.6.6~~ IX.6.3 High Contaminant Yielding Materials**

Purpose: maintain water quality and the health of coastal marine ecosystems by limiting the release of contaminants from building materials to streams.

- ~~(1) The total area of high contaminant roofing, spouting, cladding or external architectural features on a site must not exceed 5m<sup>2</sup>.~~
- (1) New buildings and additions to buildings must be constructed using inert cladding, roofing and spouting building materials that do not have an exposed surface made from contaminants of concern to water quality (i.e. zinc, copper, and lead).

#### **~~IX.6.7~~ Events and Noise Events**

~~Purpose:~~

- ~~• Facilitate and active and vibrant precinct~~

- Provide a reasonable level of amenity

(1) ~~The standards listed in E40.6.4.~~

#### **IX.6.8 Arterial Road Intersections IX.6.4 Transport Infrastructure Requirements**

~~Purpose: Assess the performance of the SH22/Oira Road and SH22/Jesmond Road intersections after 2,000 dwellings have been consented within Waipupuke Precinct.~~

- (1) ~~A restricted discretionary resource consent application shall be required under this standard for any residential dwelling resource consent application after 2,000 residential dwellings have been consented within Waipupuke Precinct.~~
- (2) ~~This standard shall not apply if the following transport upgrades are provided prior to the 2,000 residential dwelling number being reached within Waipupuke Precinct:~~
- ~~Oira Road widening and SH22 intersection upgrade.~~
  - ~~Jesmond Road widening and SH22 intersection upgrade.~~
  - ~~SH22 improvements~~
  - ~~Jesmond Road Extension~~
  - ~~Drury West rail station construction~~
  - ~~Rail network upgrade~~
  - ~~Bremner Road works~~
  - ~~Pukekohe Expressway~~

Purpose: To integrate development with the provision of transport infrastructure to ensure the ongoing safe and efficient functioning of the transport network.

1. No subdivision or development with vehicular access to Oira Road shall occur prior to the provision of a two-lane roundabout with approach lanes at the intersection of Oira Road and Karaka Road and the upgrading of Oira Road to an urban collector standard along the frontage of the PPC61 area;
2. No subdivision or development with vehicular access to Jesmond Road shall occur prior to the intersection of Karaka Road and Jesmond Road being controlled by either a two-lane roundabout with approach lanes; or traffic signals with three approach lanes and two departure lanes on each road.
3. No subdivision or development providing for non-residential activities generating more than 100 external vehicle movements per hour or more than 500 dwellings total within the precinct shall occur prior to all the following infrastructure being provided:
  - a. Passenger rail services at the Drury West rail station with vehicular and pedestrian access links from Karaka Road
  - b. Frequent bus services along Jesmond Road
4. No subdivision or development providing for non-residential activities generating more than 200 external vehicle movements per hour or more than 1000 dwellings total within the precinct shall occur prior to all the following infrastructure being provided:
  - a. Four vehicle lanes and separate walking and cycling infrastructure on



Karaka Road between Oira Road and Jesmond Road.

[Depending upon further assessment (as discussed in section 9.4), the following addition to the provisions may be appropriate:]

5. No subdivision or development providing for more than 2000 dwellings within the precinct shall occur prior to the Pukekohe Expressway being provided.

### **IX.7 Assessment – controlled activities**

There are no controlled activities in this precinct.

### **IX.8 Assessment – restricted discretionary activities**

#### **IX.8.1 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, Auckland-wide or zones provisions:

(1) Land use and subdivision:

(a) Consistency with the objectives and policies of the Waipupuke Precinct; and

(b) Consistency with the Waipupuke Precinct Plans 1, 2 and 3.

~~(1) Service Station and Fast Food (including drive through facilities) fronting State Highway 22~~

~~(a) Traffic and transport including access, manoeuvring, loading, road capacity, safety, trip movements and parking~~

~~(b) Hazardous substance transport, storage and use~~

~~(c) Functional requirements of the service station and ancillary activities~~

~~(d) Safety and efficiency of SH22 operation~~

~~(e) Pedestrian and cyclist safety~~

~~(f) Residential amenity on adjoining or nearby sites~~

~~(2) Stormwater Management Structures in a Stormwater Control Area~~

~~(a) Capacity~~

~~(b) Design~~

~~(c) Landscaping and planting~~

~~(3) Removal of native vegetation within 10m of a protected stream (measured from the top of the stream bank) identified on Precinct Plan 2.~~

~~(a) The relevant matters for consideration listed in E15.8.1(1)~~

~~(4) (2) Construction of a Collector Roads that does not comply with Standard IXXX.6.3.~~

~~(a) Alternative Locations and alignment of for the Collector road;~~

~~(b) Alternative Cross sections for the Collector road;~~

- (c) Provision of cycling and pedestrian networks;
- (d) Connections with the wider road network; and
- (e) Connections with neighbouring sites.

~~(5) Offices greater than 1,500m<sup>2</sup> GFA~~

- ~~(a) The compatibility of the effects of intensity and scale of the development arising from the numbers of people and/or vehicles using the site and any practicable mitigation measures that would be appropriate to manage those effects.~~
- ~~(b) The effects of the design and location of parking areas and vehicle access and servicing arrangements on visual amenity of the streetscape and on pedestrian safety.~~
- ~~(c) The effects of the size, composition and characteristics of retail activities proposed on the existing and expected future function, role and amenity of other centre zones having regard to the need to enable convenient access of communities to commercial and community services.~~

~~(6) Clubrooms~~

- ~~(a) The effects of the scale of the structure, its location and effect on the useability of the open space.~~
- ~~(b) The effects on the amenity value of adjoining sites.~~
- ~~(c) The Precinct objectives and policies.~~

~~(7) Recreational Facility and Community Centre and Halls~~

- ~~(a) The effects of the scale of the structure, its location and effect on the useability of the open space.~~
- ~~(b) The effects on the amenity value of adjoining sites.~~
- ~~(c) The Precinct objectives and policies~~
- ~~(d) Landscaping~~
- ~~(e) Transport including access, parking and traffic generation~~
- ~~(f) Noise and lighting~~

~~(8) Subdivision in accordance with the Open Space Informal Recreation Zone~~

- ~~(a) The Precinct plan~~
- ~~(b) The SMP for the Precinct~~

~~(c) c. E38.12.1(7)~~

~~(9) Building Height that does not comply with Standard~~

~~(a) IXXX.6.1 a. H12.8.1(7)~~

~~(10) (3) Protected Streams and Margins~~

- ~~(a) Stream ecology~~
- ~~(b) Base flow~~
- ~~(c) Management of water flow~~
- ~~(d) Offset mitigation~~
- ~~(e) Stream bed level~~
- ~~(f) Riparian planting~~
- ~~(g) Overland flow~~
- ~~(h) Providing for growth and development~~

~~(11) (4) High Contaminant Yield Materials~~

- ~~(a) Extent and type of high contaminant materials used Stormwater quality~~

~~(12) Events and Noise Events that do not comply with Standard IXXX6.7~~

~~(a) E40.8.1~~

~~(13) Arterial Road Intersections~~

- ~~(a) Traffic network efficiency and functionality~~
- ~~(b) Trip generation and traffic volumes~~
- ~~(c) Road and Intersection performance~~
- ~~(d) Available travel modes~~
- ~~(e) Travel Demand management~~
- ~~(f) Transport Improvements~~

### **IX.8.2 Assessment criteria**

The Council will consider the relevant assessment criteria below for restricted discretionary activities, in addition to the assessment criteria specified for the relevant restricted discretionary activities in the overlays, Auckland-wide or zones provisions:

(1) Land use and subdivision:

(a) The extent to which the proposal is consistent with the objectives and policies of the Waipupuke Precinct or achieves the equivalent or better outcome; and

(b) The extent to which the subdivision or development implements and is in general accordance with the Waipupuke Precinct Plans 1, 2 and 3.

~~(1) Service Station and Fast Food (including drive through facilities) fronting State Highway 22~~

~~(a) The effects of the design and location of parking areas and vehicle access and servicing arrangements on visual amenity of the streetscape and on pedestrian safety.~~

~~(b) Measures proposed to ensure vehicle, truck, cyclist and pedestrian safety.~~

~~(c) The extent to which safe and efficient loading and unloading is provided for.~~

~~(d) Measures proposed to ensure safe and efficient hazardous substance transport, storage and use.~~

~~(e) Measures to mitigate effects on residential neighbours including sufficient separation distances, boundary landscaping, screening of outdoor storage and refuse areas and boundary fencing.~~

~~(2) Stormwater Management Structures in a Stormwater Control Area~~

~~(a) Stormwater management calculations that confirm the design and capacity of the stormwater management structure is fit for purpose and satisfies the requirements of the SMP.~~

~~(b) A Landscape Plan that identifies the landscaping proposed, a planting plan and maintenance plan that ensure the ongoing quality and viability of the stormwater management structure~~

~~(3) Removal of native vegetation within 10m of a protected stream (measured from the top of the stream bank) identified on Precinct Plan 2.~~

~~(a) The relevant matters for consideration listed in E15.8.2(1)~~

~~(4) (2) Construction of a Collector Road that does not comply with Standard IXXX.6.3~~

~~(a) The extent to which the collector road is provided generally in the location shown on Precinct Plan 3;~~

~~(b) The feasibility of extending the collector road westwards to connect with the wider collector road network;~~

~~(a)(c) The extent to which the alternative location achieves a safe and efficient road network within the Precinct;~~

~~(b)(d) The extent to which the collector road network connects with external roads in a safe and efficient manner;~~

- ~~(e)~~ (e) The design of intersections with the external road network;
- ~~(d)~~ (f) The extent to which the capacity design of the collector road sufficiently provides for vehicles, roads, rain gardens, on street parking, pedestrians, cyclists, trees and vegetation and infrastructure; and
- ~~(e)~~ (g) The extent to which the proposed roads satisfy suitable safety audit requirements.

~~(5) Offices greater than 1,500m<sup>2</sup> GFA~~

- ~~(a) The extent to which the proposed development is compatible within the Precinct and does not compromise the function of nearby local and town centres.~~
- ~~(b) The extent to which the design and location of parking areas and vehicle access and servicing arrangements satisfy the requirements of the proposed development.~~
- ~~(c) Visual amenity of the streetscape and on pedestrian safety~~

~~(6) Clubrooms~~

- ~~(a) The extent to which the scale of the building and its location is compatible with adjoining sites.~~
- ~~(b) The extent to which the building does not compromise the useability of the open space.~~
- ~~(c) The extent to which the building is compatible with the amenity value of adjoining sites.~~
- ~~(d) The extent to which building design is compatible with CPTED principles.~~
- ~~(e) The extent to which the building is compatible with the Precinct objectives and policies.~~

~~(7) Recreational Facility and Community Centre and Halls~~

- ~~(a) The extent to which the scale of the building and its location is compatible with adjoining sites.~~
- ~~(b) The extent to which the building does not compromise the useability of the open space.~~
- ~~(c) The extent to which the building is compatible with the amenity value of adjoining sites.~~
- ~~(d) The extent to which building design is compatible with CPTED principles.~~
- ~~(e) The extent to which the building is compatible with the Precinct objectives and policies.~~
- ~~(f) A proposed landscape plan that identifies hard and soft landscaping, tree and plant types and location, maintenance plan.~~

- ~~(g) The extent to which appropriate provision is made for the transport (including access, parking and traffic generation) effects resulting from the proposed development.~~
  - ~~(h) Specific noise and lighting measures proposed for the development.~~
- ~~(8) Subdivision in accordance with the Open Space Informal Recreation Zone~~
- ~~(a) The extent to which the subdivision is complementary to the Precinct plan~~
  - ~~(b) The extent to which the subdivision is complementary to the SMP for the Precinct~~
  - ~~(c) The extent to which the subdivision is complementary to the relevant criteria listed in E38.12.2(7)~~
- ~~(9) Building Height that does not comply with standard IXXX.6.1~~
- ~~(d) H12.8.2(7)(a)(i)~~
- ~~(10) (3) Protected Streams and Margins~~
- The extent to which:
- (a) Streams can be retained through re-alignment and raising of stream beds to integrate with land contouring;
  - (b) Ten metre riparian native planting will be provided along each side of any re-aligned stream;
  - (c) Where streams are proposed to be reclaimed with no vertical or horizontal re-alignment, the degree and extent of off-setting, and compensation;
  - (d) Management of water flow is achieved to prevent flooding of residential sites;
  - (e) Base flows to the head of retained streams affected by any reclamation of a permanent stream are maintained;
  - (f) Reclamation achieves the minimum road grade requirements.
  - (g) Development potential will be lost without reclamation works, balanced against the ecological value of the stream to be reclaimed.
  - (h) The ecological classification of the underlying stream is maintained.
  - (i) The 'effects management hierarchy' (avoidance, remediation, mitigation, offset) has been applied.
  - (j) The degree of mitigation or offset where changes to the vertical and horizontal alignment are proposed.
- ~~(11) (4) High Contaminant Yield Materials~~
- ~~(a) Methods proposed to mitigate the effects of high contaminant materials~~
  - (a) The extent to which development:
    - (i) is in accordance with the approved Stormwater Management Plan and Policies E1.3(1) – (10) and (12) – (14).

(ii) implements a treatment train approach to treat runoff from all impervious surfaces so that all contaminant generating surfaces are treated including cumulative effects of lower contaminant generating surfaces.

~~(12) Events and Noise Events that do not comply with Standard IXXX6.7~~

~~(a) E40.8.2~~

~~(13) Arterial Road Intersections~~

~~(a) Additional traffic numbers and directional movements at SH22/Oira Road and SH22/Jesmond Road intersections~~

~~(b) Levels of Service for the above intersections~~

~~(c) Any Travel Demand Management measures proposed~~

~~(d) Roading/Transport improvements planned or proposed~~

~~(e) Alternative travel modes available~~

### **IX.9 Special information requirements**

(1) Any subdivision application shall include an environmental management plan containing:

(a) ecological surveys of bats and birds; and

(b) the identification of any existing significant ecological values and habitat features to be protected from development.

(2) Any development or subdivision of land that adjoins any Protected Streams identified on Precinct Plan 2 shall be accompanied by a riparian planting plan that is prepared by a suitably qualified and experienced person and:

(a) demonstrates compliance with Standard IX.6.3(1) and incorporates all information requirements of Appendix 16;

(b) identifies the location, species, planting bag size and density of the plants;

(c) uses eco-sourced native vegetation where available;

(d) provides fruiting and flowering plants for birds and suitable habitat structure for lizards; and

(e) has a planting density of 10,000 plants per hectare, unless a different density has been approved on the basis of plant requirements.

### **IX.3 Precinct plans**

**IX.10.1** Waipupuke Precinct plan 1 – Zoning

**IX.10.2** Waipupuke Precinct plan 2 – Controls

**IX.10.3** Waipupuke Precinct plan 3 – Transport

