



THE PLANNING
COLLECTIVE



Riverview Properties Limited Private Plan Change Request

Section 32 Assessment Report

751 and 787 Kaipara Coast Highway, Kaukapakapa

This assessment has been prepared by The Planning Collective Limited and forms part of the Private Plan Change request on behalf of Riverview Properties Limited to rezone land at 751 and 787 Kaipara Coast Highway, Kaukapakapa.
(TPC Reference RIV 50-21).



This report has been prepared by:

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Planner
The Planning Collective

Dated: 15 July 2021



This report has been peer reviewed by:

Burnette O'Connor
Director/Planner
The Planning Collective

Dated: 15 July 2021

"The curves within the circle symbol of our logo are a depiction of the shape the Mahurangi River takes as it weaves its way through Warkworth. This was chosen to illustrate the whenua and landscape of the town that The Planning Collective works so closely with."

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1. Applicant and Property Details

Applicant	:	Riverview Properties Limited
Address for Service	:	The Planning Collective 2021 Limited P O Box 591 Warkworth, 0941
Address for Plan Change	:	751 and 787 Kaipara Coast Highway, Kaukapakapa
Legal Description	:	Lot 1 Deposited Plan 523159, Lot 2 Deposited Plan 523159, and Lot 36 Deposited Plan 523159
Plan Change Area	:	Approximately 5.6432 hectares
Zoning <i>Auckland Unitary Plan</i>	:	Rural - Countryside Living Zone
		Overlays: <ul style="list-style-type: none">- Natural Resources: High-Use Stream Management Areas Overlay
		Controls: <ul style="list-style-type: none">- Macroinvertebrate Community Index - Rural- Subdivision Variation Control - Rural, Kaukapakapa Countryside Living
Non-Statutory Overlays	:	Flood plain Overland Flow Paths
Brief Description of Proposal	:	Private Plan Change request to rezone 5.6432 hectares of land at Kaukapakapa from Rural - Countryside Living to Residential - Rural and Coastal Settlement.

Contact Details

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2. Executive Summary

Riverview Properties Limited is applying to the Auckland Council for a Private Plan Change to rezone the land at 751 and 787 Kaipara Coast Highway, Kaukapakapa (referred to as the 'Plan Change area').

The Request seeks to rezone approximately 5.64532 hectares of land from Rural - Countryside Living zoning under the Auckland Unitary Plan to Residential - Rural and Coastal Settlement zoning.

It is sought that the Request is processed on a Limited Notification basis concurrently with the subdivision resource consent application that is being lodged at the same time. Alternatively the Plan Change Request could be processed as a resource consent.

The Private Plan Change will enable residential development of the Plan Change area, consistent with the development on adjoining land to the north and also on the opposite side of the Kaipara Coast Highway. The Request has been prepared in response to the high demand for quality housing outcomes with the Auckland region, particularly within the Kaukapakapa Township. There is currently a waiting list of at least 60 parties seeking residential sites at Kaukapakapa.

The Plan Change Request is appropriate given the National Policy Statement on Urban Development (NPS-UD) objectives that seek to improve housing affordability by supporting competitive land and development markets; create well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety now and into the future; and that urban environments, and their amenity values develop and change over time in response to the diverse and changing needs of people, communities and future generations.

Subdivision resource consent for 787 Kaipara Coast Highway will be applied for and processed in conjunction with the Plan Change Request. The subdivision proposal involves the creation of 16 residential allotments with on-site water supply, wastewater and stormwater servicing. The subdivision forms stage two of the existing Riverview Estate development.

The Request gives effect to the relevant planning documents and has been assessed to be the best way to achieve the objectives of the Auckland Unitary Plan and the purpose of the RMA for the following reasons:

- The proposed zoning pattern and associated subdivision will provide for residential development within the southern township of Kaukapakapa, reflective of the existing residential development pattern.
- The proposed zoning pattern is consistent with the zoning and land use pattern that encompasses the Plan Change area. The rezoning is reflective of the limited ability to feasibly utilise the Plan Change area for rural productive use as emphasised in the Auckland Unitary Plan policy framework for rural environments.
- The proposed Plan Change is well placed in relation to established community facilities and commercial activities present within the Kaukapakapa township, and community initiatives such as the future pedestrian linkage between the northern and southern parts of Kaukapakapa township which will provide for alternative modes of transport and greater connectivity between the two communities.

- The Plan Change is well placed in terms of its access and connectivity to the wider region, including State Highway 16 to the west and the Silverdale interchange to access State Highway 1 to the east. Additionally, the Plan Change area is situated near to bus stops and therefore will enable the use of public transport.
- Any adverse effects of residential development on the natural environment can be effectively mitigated through the on-site management of stormwater during the development of the sites; the location and operation of onsite wastewater systems and site works.
- The Plan Change area is able to be self-serviced in terms of infrastructure and will not require the upgrading or extension of any public reticulated system. The existing road network and intersection of Maclennan farm Lane with the Kaipara Coast Highway can easily accommodate additional traffic associated with the proposed development.

On this basis, it is considered that the proposed zoning is the most appropriate zoning for the land and that the Auckland Council is able to accept the Private Plan Change request.

3. Background

3.1 BACKGROUND TO PLAN CHANGE REQUEST

Riverview Properties Limited (the applicant) is applying to the Auckland Council for a Plan Change to the Auckland Unitary Plan to rezone approximately 5.6432 hectares of land in Kaukapakapa from Rural - Countryside Living to Residential - Rural and Coastal Settlement zoning.

The existing Residential – Rural and Coastal Settlement zoning occurred as part of the Auckland Unitary Plan process in 2016. The land was rezoned to Residential – Rural and Coastal Settlement to give effect to the Kaukapakapa Structure Plan (KSP) adopted by Rodney District Council on 30 September 2010. A copy of this Structure Plan is provided in **Appendix 12**. The KSP was a community-based planning exercise and was “...generally aimed at the sustainable management of the natural and physical resources of the area, in accordance with community aspirations, and to the benefit of the local and wider District community”¹.

A subsequent subdivision was then sought and approved (BUN20459764) to create the individual titles on which dwellings have now been constructed.

3.2 BACKGROUND TO RURAL - COUNTRYSIDE LIVING ZONING

The land within the Plan Change area is currently zoned Rural - Countryside Living under the Auckland Unitary Plan (Operative in Part) (AUP(OP)). The zone is applied to rural land that is identified as being suitable for rural lifestyle living in areas of rural land which are generally closer to urban Auckland or rural and coastal towns².

The subject Countryside Living zoned land is a receiver area for transferable rural site subdivision. This enables the use of a transferable title right to create sites with a minimum site size of 8000m² and a minimum average site area of 1 hectare. The description of the zone states the Zone incorporates a range of rural lifestyle developments, including scattered rural residential sites, farmlets and horticultural sites, residential bush sites and papakāianga. The character of the Zone is low density residential development on rural land.

3.3 ACCEPTING THE PLAN CHANGE REQUEST (CLAUSE 25)

The Council has discretion to accept or reject a Plan Change request in accordance with Clause 25 of Schedule 1 of the Resource Management Act 1991 (RMA), subject to the matters set out in Clause 25(4)(a)-(e) as follows:

- (4) The local authority may reject the request in whole or in part, but only on the grounds that—*
- (a) the request or part of the request is frivolous or vexatious; or*
- (b) within the last 2 years, the substance of the request or part of the request—*

¹ Kaukapakapa Structure Plan, Section 1.2, Adopted 30 September 2010.

² Auckland Unitary Plan – Operative in Part – H19.7.1 – Countryside Living Zone – Zone description.

- (i) has been considered and given effect to, or rejected by, the local authority or the Environment Court; or*
- (ii) has been given effect to by regulations made under section 360A; or*
- (c) the request or part of the request is not in accordance with sound resource management practice; or*
- (d) the request or part of the request would make the policy statement or plan inconsistent with Part 5; or*
- (e) in the case of a proposed change to a policy statement or plan, the policy statement or plan has been operative for less than 2 years.*

It is noted that the Council has the discretion to accept or reject a Plan Change request in the case of a proposed change to a policy statement or plan that has been operative for less than two years. The Auckland Unitary Plan became operative in part on 15 November 2016 and therefore the two-year limitation no longer applies.

In summary, the Plan Change request, including the planning analysis and supporting technical analysis, the process undertaken to prepare the request, including consultation with the relevant stakeholders – Kaukapakapa Residents and Ratepayers Association (KARRA), the logical and discrete extension to the existing residential zoned land to enable a small part of the demand for additional residential living opportunities in this location to be realised demonstrate that the proposal accords with the Council's strategic documents, is consistent with the objectives and policies of the AUP(OP), and is consistent with sound resource management practice. On this basis, in our opinion, the Council should accept the Plan Change request.

buildings. A large portion of the site contains exotic landscape planting, particularly along the western aspect of the property. The site has direct access to Kaipara Coast Highway. The site is accessed via two vehicle crossings, one vehicle crossing to the main dwelling and a separate vehicle crossing to the minor dwelling.

4.2 SURROUNDING LOCALITY

The Plan Change area is situated within the southern township of Kaukapakapa. **Figure 2** below shows the Plan Change area and surrounding locality.



Figure 2 - Aerial image showing Plan Change area and surrounding locality (sourced from Google Maps, 11 June 2021)

Immediately north of the Plan Change area is the Riverview Estate which consists of 33 residential lots. The residential lots generally have site sizes of 2500m². The subdivision works have been completed and most of residential lots have been developed, containing single levelled dwellings. Properties within the Riverview Estate are mix-zoned Residential - Rural and Coastal Settlement and Rural - Rural Production.

Further north of the Plan Change area is the Kaukapakapa River and the associated flood plain.

Immediately east of the Plan Change area is the residential development within South Avenue and Wyn Close. A bus stop is located on the northern road reserve of Kaipara Coast Highway, approximately 50m east of the Plan Change area. The All Saint's Kaukapakapa Church is situated on the intersection of Kaipara Coast Highway and Peak Road, approximately 90 metres from the Plan Change area. The Kaukapakapa Veterinary Services and Cattery, and the Country Meat Processors are situated north-east of the Plan Change area.

South and south-east of the Plan Change area on Kaipara Coast Highway is a mix of relatively intensive residential sites accessing off Kawaupaka Road with sites varying in size between approximately 400m² to 700m². This land also fronts Peak Road. There are rural properties further to the west.

An Auckland Council owned recreation reserve is situated opposite to Maclennan Farm Lane and provides a pedestrian walkway to Kawaupaka Road and Henley Road.

Immediately west of the Plan Change area is 7.1 hectares of rural land containing a dwelling, accessory buildings and grazing land adjacent to the Kaukapakapa River. The wider rural properties to the west consist largely of small to medium sized rural lots.

The northern township of Kaukapakapa is situated approximately 900m north of the Plan Change area. The northern township comprises of a mix of established residential development, commercial activity, and community facilities. The Kaukapakapa Hall, Village Market, Playground, Fire Station and Primary School are situated within the southern fringe of the northern township. The Saint Cuthberts Church is situated on the north-western fringe of the northern township. There is also private plan change number 65 to the Unitary Plan being processed at the present time seeking to zone Rural – General Rural land to Rural – Countryside Living.

Commercial activities within Kaukapakapa are largely focused within the northern township, and include the Kaukapakapa General Store, Shark 'n' Tatties, Gull petrol station, Black Bull Liquor Store and the Kaukapakapa Hotel. Properties 1079, 1081, 1083 and 1085 Kaipara Coast Highway comprise of the Kaukapakapa Village Centre which is currently under construction. Kaipara Group Limited obtained resource consent by way of the Auckland Council Hearing Commissioners on the 30 May 2012 to undertake the commercial development of the sites (reference number: BUN60072413). The Kaukapakapa Village Centre will contain a mixed-use retail and commercial centre for Kaukapakapa, inclusive of the existing Gull petrol station, Black Bull Liquor Store. Proposed development includes retail shops, a restaurant, a supermarket, office spaces and commercial premises, and live/work units.

Residential development has established around the commercial and community activities, with higher density development focused around the central area of the northern township. Further residential development has extended north of the township.

The northern and southern townships of Kaukapakapa are connected via the Kaipara Coast Highway. There is currently no walkway connection between the northern and southern townships of Kaukapakapa. However, future planning for a walkway connection along the Kaukapakapa River will provide pedestrian access between the two villages. The Applicant is willing to engage with the Residents and Ratepayers Association and to assist where possible to facilitate this walkway connection.

5. Description of Plan Change Request

5.1 DESCRIPTION OF PROPOSAL

5.1.1 Overview of the Proposed Zoning

This Plan Change seeks to rezone approximately 5.6432 hectares of Rural - Countryside Living zoned land to Residential - Rural and Coastal Settlement zoning as shown in **Figure 4** and in the plan contained in **Appendix 2**.

The Plan Change will provide for self-serviced residential development of 787 and 751 Kaipara Coast Highway, an expansion of the existing residential development situated adjacent to the Plan Change area. With the Residential - Rural and Coastal Settlement zoning over the Plan Change area, the land will have capacity to accommodate new dwellings. This will be a logical extension to the development Riverview Estate subdivision north of the Plan Change area.

The current zoning pattern of the Plan Change area is shown in **Figure 3** below. **Figure 4** overleaf shows the zoning pattern proposed through the Plan Change and has been included as **Appendix 2**.

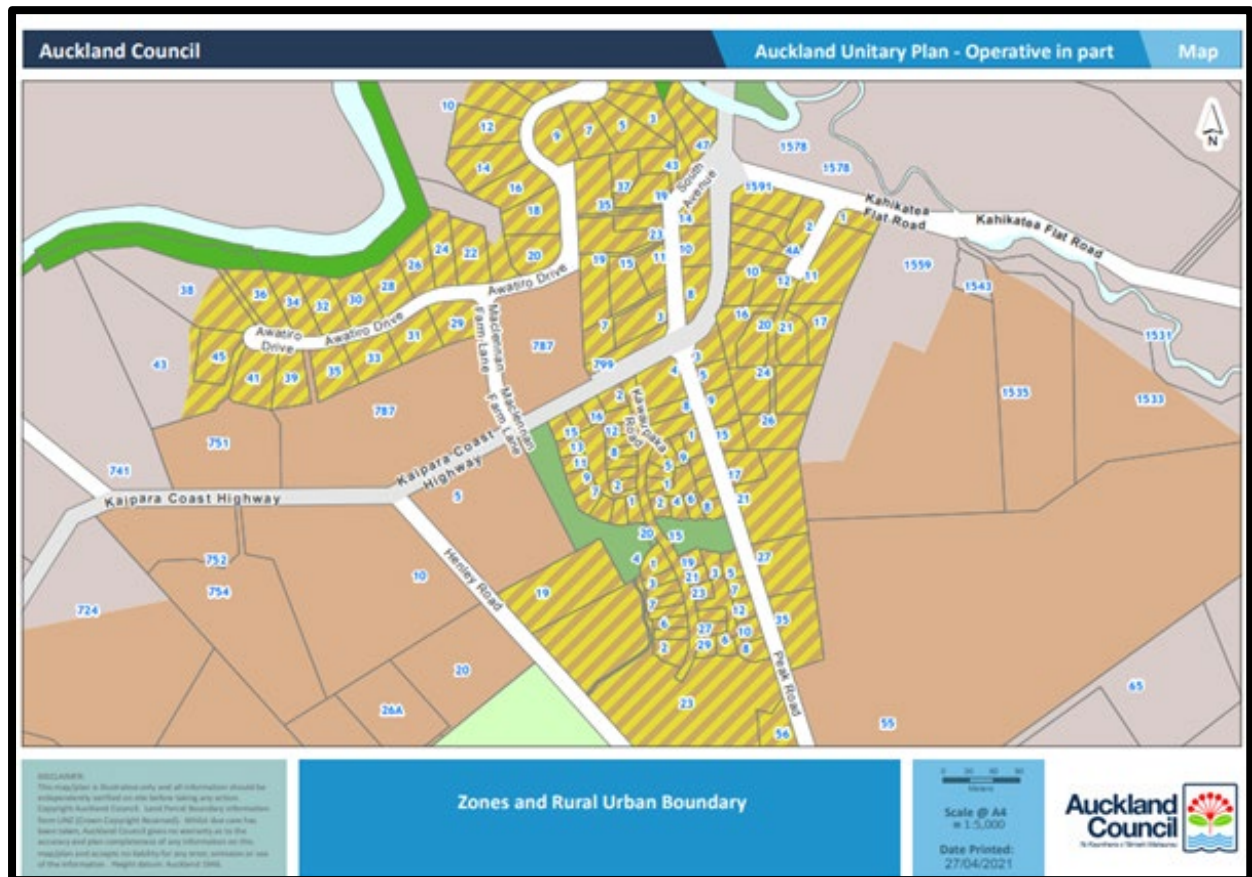


Figure 3 - Current zoning of Plan Change area and surrounding locality (sourced from Auckland Council's AUP(OP) Maps, 11 June 2021)

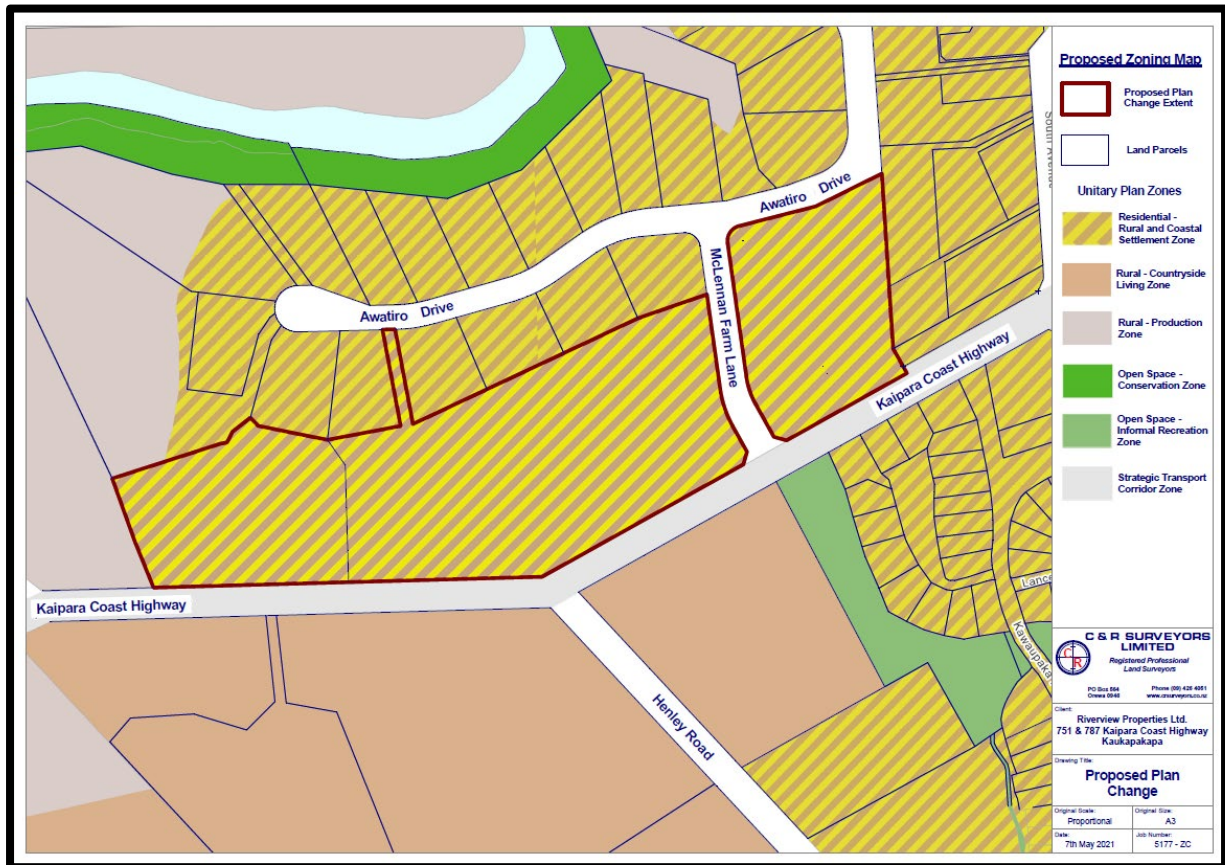


Figure 4 - Zoning pattern proposed through Plan Change Request

5.1.2 Other Unitary Plan Controls

The following AUP(OP) controls and overlays currently apply to the Plan Change area.

- Natural Resources: High-Use Stream Management Area Overlay
- Controls: Macroinvertebrate Community Index - Rural
- Controls: Subdivision Variation Control - Rural, Kaukapakapa Countryside Living

The High-Use Stream Management Area overlay applies to the Waitoki, Waikahikatea and Waipapakura streams, sub catchments of the Kaukapakapa River Catchment. This overlay identifies streams within the Auckland region that are under pressure from demands to take water or use water. The rules relevant to this overlay would not need to apply to the proposed urban zoning of the land as there are no watercourses or streams existing in the area proposed to be rezoned.

The Macroinvertebrate Community Index - Rural applies because of the rural zoning currently applying to the land. It is noted that this Control also applies to the existing Residential – Rural and Coastal Settlements zoned land and therefore for consistency it is proposed to retain this control.

The Subdivision Variation Control - Rural, Kaukapakapa Countryside Living provides for the transfer of titles created in a Rural Zone to sites in the Rural - Countryside Living Zone. The proposed Plan Change

will deem this control to be no longer relevant to the subject sites, therefore, it is proposed that this control be removed.

All relevant Auckland-wide and Residential – Rural and Coastal zone rules would apply to future development on the site.

5.2 PURPOSE AND REASONS FOR THE PLAN CHANGE

Clause 22(1) of the RMA requires that a Plan Change request explains the purpose of, and the reasons for the proposed change.

The purpose of the Plan Change is to extend the existing Residential – Rural and Coastal Settlement zoning over approximately 5.6432 hectares of Rural - Countryside Living land within Kaukapakapa to enable some of the current high demand for additional residential sites in this location to be met.

The reasoning for the Plan Change request is that the applicant, who owns the property identified as 787 Kaipara Coast Highway, seeks to subdivide their land in a manner consistent with the proposed zoning framework to alleviate some of the high level of demand for residential living in this location.

The Plan Change will cater for a small portion of the high demand for good quality housing within the Auckland region, particularly within the Kaukapakapa township.

At present, there is no intention to further develop 751 Kaipara Coast Highway, however the rezoning of this site to Residential - Rural and Coastal Settlement will provide a consistent transition between the residential and rural areas of Kaukapakapa and creates a clear physical demarcation between zones.

5.3 TIMING OF PLAN CHANGE

The timing of the proposed Plan Change is responds to demand for residential living opportunities in this location consistent with the directives of National Policy Statement on Urban Development (NPS-UD) which requires planning decisions to improve housing affordability by supporting competitive land and development markets and for urban environments to develop and change over time to respond to the diverse and changing needs of people and communities and future generations.

The Plan Change request is being made prior to a review of the AUP(OP) that would currently be required to be completed by November 2026. This is due to the critical demand for quality housing within the Kaukapakapa township that requires a response now.

As stated, a subdivision consent application will be applied for and processed alongside the Plan Change request. This provides relative certainty as to the develop outcomes sought and improves timing for delivery of sites to the market to meet some of the current demand. The subdivision will be consistent with the policy framework for the Residential - Rural and Coastal Settlement Zone and be of a consistent character, scale and design as the existing residential development to the adjoining Riverview Estate.

On this basis, it is our opinion that the timing of the proposed Plan Change is appropriate and has been prepared in recognition of the high demand for housing within the Auckland region, specifically within the Kaukapakapa township.

6. Strategic Framework

A number of strategic and statutory planning documents have been considered in development of this Plan Change process. This section provides a summary of those documents.

6.1 NATIONAL POLICY STATEMENTS

6.1.1 National Policy Statement on Urban Development

The National Policy Statement on Urban Development 2020 (NPS-UD) came into force on 20 August 2020.

The NPS:UD recognises the national significance of having well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future through a suite of objectives and policies to guide decision-making in urban areas. There is an emphasis on providing sufficient development capacity to meet the different needs of people and communities.

Policy 1 sets out that *planning decisions shall contribute to well-functioning urban environments, which are urban environments that, as a minimum:*

- a) *Have or enable a variety of homes that:*
 - i. *meet the needs, in terms of type, price, and location, of different households; and*
 - ii. *enable Māori to express their cultural traditions and norms; and*
- b) *have or enable a variety of sites that are suitable for different business sectors in terms of location and site size; and*
- c) *have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport; and*
- d) *support, and limit as much as possible adverse impacts on, the competitive operation of land and development markets; and*
- e) *support reductions in greenhouse gas emissions; and*
- f) *are resilient to the likely current and future effects of climate change.*

The proposed Plan Change will enable creation of 15 additional certificates of title and 15 additional dwellings (16 titles) within the southern township of Kaukapakapa. As stated, the subdivision consent is sought to be processed in conjunction with this Private Plan Change Request to enable timely development of the land.

The proposed Plan Change will meet the needs of the Kaukapakapa community by providing suitable sites for residential development. The Plan Change is reflective of the demand for suitable housing within Kaukapakapa and is well placed in terms of the commercial and community development present within Kaukapakapa. In addition, the Plan Change area has direct access to Kaipara Coast Highway and

provides good connectivity to the wider Auckland region such as Helensville and Auckland City to the south, and Silverdale to the east.

On this basis, it is evident that the Plan Change proposal will be consistent with the NPS-UD.

6.1.2 National Policy Statement for Freshwater Management

The National Policy Statement for Freshwater Management 2020 (NPS-FM) sets a national policy framework for managing freshwater quality and quantity. The NPS-FM sets out the objectives and policies for freshwater management. The objective of the NPS-FM is to ensure that natural and physical resources are managed in a way that prioritises:

- a) first, the health and well-being of water bodies and freshwater ecosystems
- b) second, the health needs of people (such as drinking water)
- c) third, the ability of people and communities to provide for their social, economic, and cultural well-being now and in the future.

An Assessment of Ecological Effects Assessment prepared by Bioreserches is attached as **Appendix 4**. This report notes that no intermittent streams, permanent streams, or wetlands were identified within the Plan Change area and therefore any earthworks or vegetation removal associated with residential development of this area will have no direct effects on freshwater ecological values.

The report notes that the predominant threat to freshwater ecology and the downstream receiving environment as a result of the proposed Plan Change would be the increased impervious surfaces and pollutant runoff associated with residential development of the site. The report noted that while there may be an increase to impervious areas, stormwater devices installed as part of the residential development will ensure that the development anticipated through the Private Plan Change will not result in significant adverse effects on the water quality of the receiving environment. In any event there is no maximum site or building coverage provisions in the Rural zones, whereas the proposed Residential zoning will limit the amount of building coverage on each site.

Based on the expert analysis prepared for this Plan Change proposal, the proposed Plan Change will be entirely consistent with the outcomes sought in the NPS-FM.

6.1.3 Proposed National Policy Statement for Highly Productive Land

The Proposed National Policy Statement for Highly Productive Land (PNPS-HPL) sets a national policy framework for managing highly productive land. The PNPS-HPL was prepared by the Ministry for the Environment (MfE) and the Ministry for Primary Industries (MPI) to strengthen the requirements under the RMA for local authorities to manage New Zealand's most versatile and productive land to ensure its long-term availability for primary use.

The PNPS-HPL discussion document was released for public submissions between 14 August to 10 October 2019. The MfE and MPI are reviewing the PNPS-HPL based on public submissions and will be

providing feedback and recommendations to Ministers. If approved by Cabinet, the proposal will likely take effect in the second half of 2021.

According to the Manaaki Whenua Landcare Research data regarding soil qualities on the New Zealand Landscape, the Plan Change area and surrounding environment are identified as Class 2 arable soils; characterised as very good multiple-use land with slight limitations, suitable for cropping, viticulture, berry fruit, pastoralism, tree crops and forestry. It is noted that the Class 2 soils cover a large portion of the southern township of Kaukapakapa which is used for residential purposes. See **Figure 5** overleaf for a map showing the Land Use Capability of Kaukapakapa and the surrounding locality.

The draft cabinet paper for the PNPS-HPL sets out three objectives to achieve the overall purpose of the PNPS-HPL. The objectives relate to recognising the full range of values and benefits associated with the use of highly productive land for primary production, maintaining the availability of highly productive land for primary production for future generations, and to protect highly productive land from inappropriate subdivision, use and development.

The current zoning of the Plan Change area is Rural - Countryside Living which provides for rural lifestyle living on the fringe of rural towns. The current zoning signals sites which have not been identified for high levels of rural productive activity. Rural production use of the sites would be difficult to achieve given the size of the lots and the potential for reverse sensitivity effects on the adjoining residential properties. Given these constraints to rural productive activities, it is considered that the rezoning of the subject properties from Rural - Countryside Living to Residential - Rural and Coastal Settlement will not further affect the ability to use the land for rural production activities and overall represents an efficient use of the land resource.

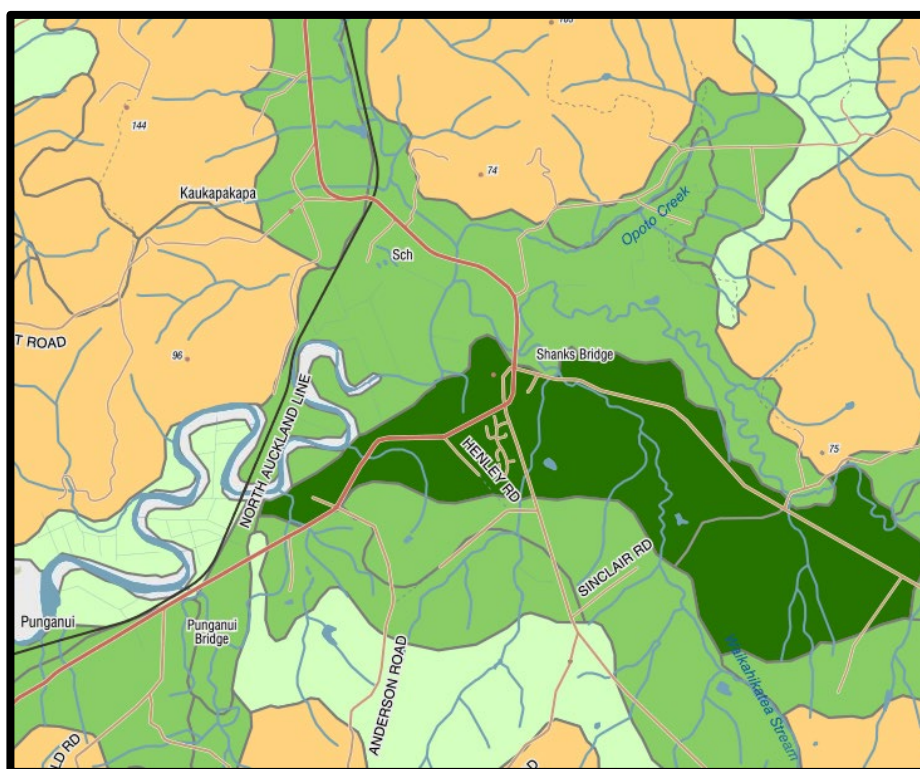


Figure 5 - Map showing the Land Use Capability of Kaukapakapa and surrounding locality (sourced from Manaaki Whenua Landcare Research Soil and Land Use Capability Data Maps, 9 June 2021)

Key:

Dark Green: Class 2. Arable. Very good multiple-use land, slight limitations, suitable for cropping, viticulture, berry fruit, pastoralism, tree crops and forestry.

Medium Green: Class 3. Arable. Moderate limitations, restricting crop types and intensity of cultivation, suitable for cropping, viticulture, berry fruit, pastoralism, tree crops and forestry.

Light Green: Class 4. Arable. Significant limitations for arable use or cultivation, very limited crop types, suitable for occasional cropping, pastoralism, tree crops and forestry. Some Class 4 is also suitable for viticulture and berry fruit.

Orange: Class 6. Non-arable. Slight to moderate limitations to pastoral use, suitable for pasture, tree crops and forestry and in some cases vineyards. Erosion is generally the dominant limitation.

6.2 NATIONAL ENVIRONMENTAL STANDARDS

The National Environmental Standards (NES) that is relevant to this proposed Plan Change include:

- NES for Assessing and Managing Contaminants in Soil to Protect Human Health

The above NES have been taken into account in the development of this Request. The relevant expert reports are further discussed in Section 9 below.

6.3 COUNCIL STRATEGIC PLANS

6.3.1 Auckland Plan 2050

The Auckland Plan 2050 is the Auckland Council's long-term spatial plan for Auckland. The Auckland Plan 2050 provides a high-level direction for Auckland and considers how the Auckland Council will address key challenges of high population growth, shared prosperity, and environmental degradation over the next 30 years. The Auckland Plan 2050 outlines six key outcomes for the development of Auckland, being six areas where significant progress is required, so that Auckland can continue to be a place where people want to live, work and visit. The key outcomes relate to belonging and participation, Māori identity and wellbeing, homes and places, transport and access, environment and cultural heritage, and opportunity and prosperity. The Auckland Plan 2050 outlines a Development Strategy which sets out how Auckland will physically grow and change over the next 30 years, taking into account the outcomes we want to achieve, as well as population growth projections and planning rules in the Auckland Unitary Plan.

The Development Strategy outlines that Auckland will take a quality compact approach to growth and development, with future development being focused in existing and new urban areas within Auckland's urban footprint, limiting expansion into the rural hinterland.

The Development Strategy for Rural Auckland concentrates residential development in towns which provide services for the wider rural area, particularly the rural nodes of Pukekohe and Warkworth. Less growth is anticipated in smaller rural towns and villages, with Rural Lifestyle growth being focused in those areas zoned as Countryside Living away from the most environmentally sensitivity and economically productive areas. Only a small amount of growth is anticipated in the wider rural area,

and this growth is likely to relate to environmental enhancement and existing vacant lots. This will also support the resources and production systems, including water supply, that underpin working rural land.

We have reviewed the Auckland Plan 2050 and note that the Development Strategy focuses on creating a compact urban environment and limiting residential development which fragments rural productive activities. The proposed Plan Change will provide for residential development opportunities consistent with the immediately surrounding character values and will provide for a minor expansion to the existing residential area of Kaukapakapa. The proposed Plan Change will meet the purpose of the NPS-UD by providing for the high demand for housing needs within Kaukapakapa of a consistent character and form to the surrounding residential sites. In addition, residential development enabled by the Plan Change will be adequately serviced by the commercial and community services present within the Kaukapakapa township and the wider settlements of Helensville and Silverdale.

6.4 REGIONAL POLICY AND PLANS

6.4.1 Auckland Unitary Plan (Operative in Part)

The Auckland Unitary Plan (Operative in Part) (AUP)(OP)) is the primary statutory planning document for Auckland. It is comprised of the Regional Policy Statement, Regional Coastal Plan, Regional Plan and District Plan. The AUP(OP) provides the regulatory framework for managing Auckland's natural and physical resources while enabling growth and development and protecting matters of national importance.

The significant resource management issues for the Auckland region, as stated in Chapter B1 of the Plan are:

- 1) Urban growth and form;
- 2) Infrastructure, transport and energy;
- 3) Built heritage and character;
- 4) Natural heritage (landscapes, natural features, volcanic viewshafts and trees);
- 5) Issues of significance to Mana Whenua;
- 6) Natural resources;
- 7) The coastal environment;
- 8) The rural environment; and
- 9) Environmental risk.

The significant resource management issues relevant to the Plan Change proposal are evaluated below.

Urban Growth and Form

The policy framework for urban growth and form identifies the predominant issue with urban growth and form being that Auckland's growing population increases demand for housing, employment, business, infrastructure, social facilities, and services. The framework focuses on creating a quality compact urban form that enables a higher-quality urban environment, greater productivity and economic growth, better use of existing infrastructure and efficient provisions of new infrastructure,

improved and more effective public transport, greater social and cultural vitality, better maintenance of rural character and rural productivity, and reduced adverse environmental effects.³

The proposed Plan Change will provide a small-scale development to cater for housing demand within Kaukapakapa. The Request will enable residential development of a consistent character and form to the surrounding residential sites and will be consistent with the policy framework for the Residential - Rural and Coastal Settlement Zone. The Plan Change land is well-placed in terms of public transport and transport networks. Given the surrounding established residential activity, it is my opinion that the Request will have no effect on the maintenance of rural character or rural productivity.

It is noted that the AUP(OP) provides for a Rural Urban Boundary (RUB) around the outer extent of land zoned Future Urban and deemed potentially suitable for urban development. The township of Kaukapakapa is not bound by the RUB given the rural settlement characteristics of the township, therefore the proposed Plan Change will not require the expansion of any RUB.

On this basis, the Request is consistent with the RPS in relation to urban growth and development.

Infrastructure, Transport and Energy

The policy framework for infrastructure, transport and energy identifies that the quality of the environment and wellbeing of people and communities are influenced by choices made regarding the management of and investment in infrastructure.⁴

The Request seeks efficient use of land and infrastructure and is therefore consistent with the RPS in relation to infrastructure, transport and energy.

Issues of significant to Mana Whenua

Section B6.1 of the AUP outlines that: *“Development and expansion of Auckland has negatively affected Mana Whenua taonga and the customary rights and practices of Mana Whenua within their ancestral rohe. Mana Whenua participation in resource management decision-making and the integration of mātauranga Māori and tikanga into resource management are of paramount importance to ensure a sustainable future for Mana Whenua and for Auckland as a whole”.*⁵

As per schedule 1 of the RMA, we anticipate that Mana Whenua groups will be consulted by the Auckland Council through the Plan Change process to provide for Mana Whenua comment on the proposal. The Plan Change area and surrounding environment is a heavily modified landscape associated with residential development and farming activities. Consequently, the Plan Change proposal will not give rise to adverse effects on Mana Whenua and is therefore consistent with the RSP in relation to issues significant to mana whenua.

We acknowledge that areas of the development may be of interest to Iwi which include water quality related to land development and on-site discharge of wastewater, stormwater management and

³ Auckland Unitary Plan - Operative in Part - B2 - Tāhuhu whakaruruhau ā-taone - Urban growth and Form

⁴ Auckland Unitary Plan - Operative in Part - B3 Ngā pūnaha hanganga, kawekawe me ngā pūngao - Infrastructure, transport and energy

⁵ Auckland Unitary Plan - Operative in Part - B6 Mana Whenua

protection of riparian areas. As stated, there are no riparian areas on the land and conditions on the subdivision resource consent will ensure that acceptable and appropriate environmental outcomes are achieved.

On this basis, it is considered the Request is consistent with the NPS relating to Mana Whenua.

Natural Resources

The policy framework for natural resources identifies that the pressures on natural resources relating to indigenous biodiversity, freshwater systems, coastal water, freshwater and geothermal water, air and minerals need to be managed not only for environmental well-being but also for social, economic and cultural well-being.⁶

The Request and associated subdivision consent will have negligible effects on the ecological values of the subject land as outlined in the Ecological Report contained in **Appendix 4**. Appropriate conditions of the subdivision consent will ensure that stormwater associated with residential development will be managed to ensure there are no adverse impacts on the environment beyond an acceptable level. The Request therefore seeks to provide sustainable management of natural resources and is therefore consistent with the RPS in relation to natural resources.

The Rural Environment

The policy framework for the rural environment is focused on the protection of rural areas outside of the Rural Urban Boundary from inappropriate subdivision, urban use, and development. There is a focus on enabling a diverse range of activities within the rural environment while avoiding significant adverse effects on and urbanisation of rural areas, and avoiding, remedying, or mitigating other adverse effects on rural character, amenity, landscape, and biodiversity values.⁷

The subject land does very little to contribute to rural productive land uses or rural character or amenity values. The surrounding residential development has resulted in a wider character for this area that is inherently residential, rather than rural. Due to the fragmented nature of the subject land, the land has limited ability for rural production use given the potential for reverse sensitivity effects on adjoining residential sites. The earth bund present along the road frontage of the subject land will limit views into the site and therefore lessen the visual change to the land resulting from the Request and associated subdivision.

The Request will therefore represent a small-scale reduction in rural land of limited rural productive use and is therefore consistent with the RPS in relation to the rural environment.

Environmental Risk

The policy framework for environmental risk outlines the importance of managing development susceptible to natural hazards and climate change, hazardous substances, contaminated land and genetically modified organisms.⁸

⁶ Auckland Unitary Plan - Operative in Part - B7 Toitū te whenua, toitū te taiao – Natural resources

⁷ Auckland Unitary Plan - Operative in Part - B9 Toitū te tuawhenua- Rural environment

⁸ Auckland Unitary Plan - Operative in Part - B10 Ngā tūpono ki te taiao - Environmental risk

The subject land is a contaminated site as addressed in the Preliminary Site Investigation provided in **Appendix 6**. The report concludes that it is highly unlikely that the Plan Change area poses a risk to human health of the environment by the rezoning of the sites from Rural - Countryside Living to Residential - Rural and Coastal Settlement.

On this basis, it is evident that the residential development proposed and poses a negligible environmental risk to human health and is therefore consistent with the RPS in relation to environmental risk.

6.5 NON-STATUTORY PLANS

6.5.1 Kaukapakapa Structure Plan

The Kaukapakapa Structure Plan (KSP) is a non-statutory document prepared by the Rodney District Council (now Auckland Council) and Kaukapakapa Area Residents and Ratepayers Association (KARRA). The KSP was developed over a five-year period and was adopted on 20 September 2010. The KSP was developed with the purpose of formulating an integrated development framework for Kaukapakapa to ensure sustainable management of natural and physical resources in the area, in accordance with community aspirations, and to benefit the local and wider district community. The KSP was prepared to minimise ad hoc decision-making and thereby avoid, remedy or mitigating the cumulative adverse environmental effects of growth and development within the Kaukapakapa Area. A copy of the KSP is in **Appendix 12**.

The KSP focuses residential development within the northern and southern parts of Kaukapakapa. Residential development within the southern township focuses on utilizing key natural features as strong and logical edges to the building environment where possible in order to further reduce the potential for township sprawl. Lifestyle blocks were to be provided along the western and eastern edges of the township to provide a transition between rural-residential development and rural production land. Land use development anticipated through the KSP is shown in **Figure 6** overleaf.

Under the KSP, the Plan Change area is identified as Countryside Living which is reflective in the current Auckland Unitary Plan (Operative in Part) zoning.

A key theme in the KSP was the retention of the rural character values of Kaukapakapa, particularly within the southern township. The KSP was adopted over 10 years ago and within that time period, subdivision and development has occurred within the southern township. In relation to the Plan Change area, development has occurred within the Riverview Estate immediately north and within Kawaupaka Road, Magnolia Lane and Oioi Lane to the south-east. The rate of development within Kaukapakapa is reflective of the market demand for housing choices and the proximity of Kaukapakapa to Helensville, the Hibiscus Coast, Albany and Auckland. The proposed Plan Change would be reflective of the existing character of the southern township. In addition, consultation was undertaken with the KARRA who have provided a letter of support for the proposed Plan Change which has been included in **Appendix 3** of this report.

6.5.2 Kaukapakapa Design and Developments Guideline

The Kaukapakapa Design and Developments Guideline (KDDG) was developed on behalf of the KARRA in July 2012. The purpose of the KDDG is to provide a more refined design strategy for development within Kaukapakapa. The KDDG outlines objectives guidelines and agreed actions in relation to heritage, rural character, ecology and natural character, amenity and stormwater. The KDDG outlines the retention of rural character and the small, friendly nature of the community as being an important consideration for the future of Kaukapakapa. The KDDG outlines guidelines for undertaking development and/or projects within the Kaukapakapa area. Future development of the Plan Change area will have regard to the guidelines set out in the KDDG.

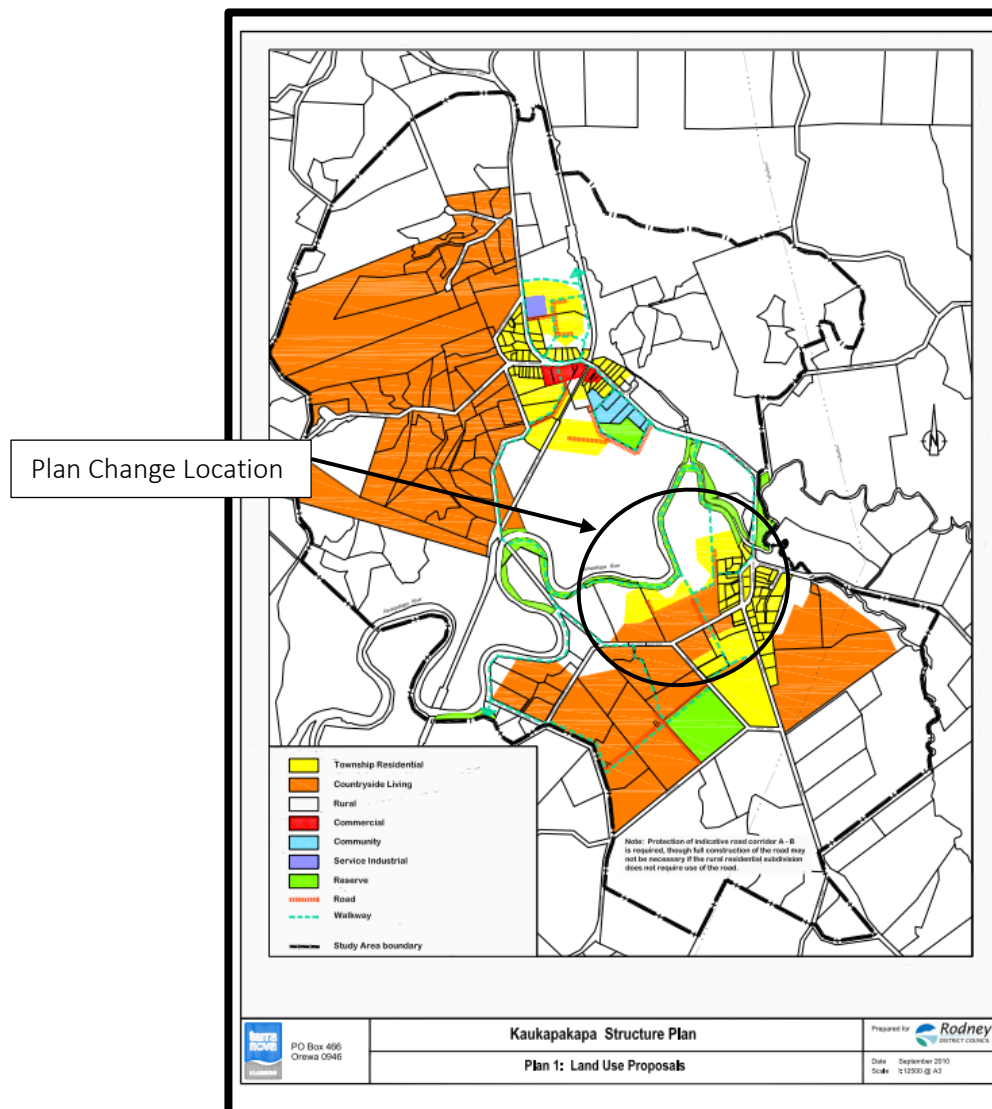


Figure 6 - Kaukapakapa Structure Plan

7. Statutory Considerations

The report has been prepared in accordance with the requirements of Clause 22 of Schedule 1 of the RMA which states:

22 Form of request

- 1) *A request made under clause 21 shall be made to the appropriate local authority in writing and shall explain the purpose of, and reasons for, the proposed plan or change to a policy statement or plan and contain an evaluation report prepared in accordance with section 32 for the proposed plan or change.*

- 2) *Where environmental effects are anticipated, the request shall describe those effects, taking into account clauses 6 and 7 of Schedule 4, in such detail as corresponds with the scale and significance of the actual or potential environmental effects anticipated from the implementation of the change, policy statement, or plan.*

Section 32 of the RMA sets out the requirements for evaluation reports (emphasis added):

32 Requirements for Evaluation Reports

- 1) *An evaluation report required under this Act must -*
 - a) *Examine the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of this Act; and*
 - b) *Examine whether the provisions in the proposal are the most appropriate way to achieve the objectives by—*
 - i. *identifying other reasonably practicable options for achieving the objectives; and*
 - ii. *assessing the efficiency and effectiveness of the provisions in achieving the objectives; and*
 - iii. *summarising the reasons for deciding on the provisions; and*
 - c) *Contain a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal.*

- 2) *An assessment under subsection (1)(b)(ii) must—*
 - a) *Identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for—*
 - i. *economic growth that are anticipated to be provided or reduced; and*
 - ii. *employment that are anticipated to be provided or reduced; and*
 - b) *If practicable, quantify the benefits and costs referred to in paragraph (a); and*
 - c) *Assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.*

The following sections address the matters set out in Schedule 1 and Section 32 of the RMA.

8. Consultation and Engagement

As part of preparation of the Plan Change, the following consultation has been undertaken.

8.1 Kaukapakapa Area Residents and Ratepayers Association

The Kaukapakapa Area Residents and Ratepayers Association (KARRA) have been consulted regarding the Plan Change proposal and related subdivision resource consent application.

The KARRA's sole concern with the proposed Plan Change was that residential development of the subject lots includes provision for suitable pedestrian walkways between the Riverview Estate, South Avenue and the northern township of Kaukapakapa. Providing for pedestrian connectivity through residential development is an important issue for the KARRA as the current pattern of residential development does not currently provide for pedestrian connectivity between the north and southern townships.

The Rodney West Local Paths (Greenways) Plan adopted June 2019 is used by the KARRA as a guidance for the provision of greenways within Kaukapakapa. A copy of the Greenways Plan is **Appendix 13**.

A pedestrian walkway has been established along the eastern aspect of Awatiro Drive which provides a pedestrian connection between the Plan Change area and the southern township of Kaukapakapa as shown in **Figure 7** overleaf. Provision for a future pedestrian linkage has been provided between properties addressed as 1 and 2; and 20 and 22 Awatiro Drive and is shown in **Figure 7** overleaf. Provision for this pedestrian linkage will be discussed in future with the applicant and the KARRA.

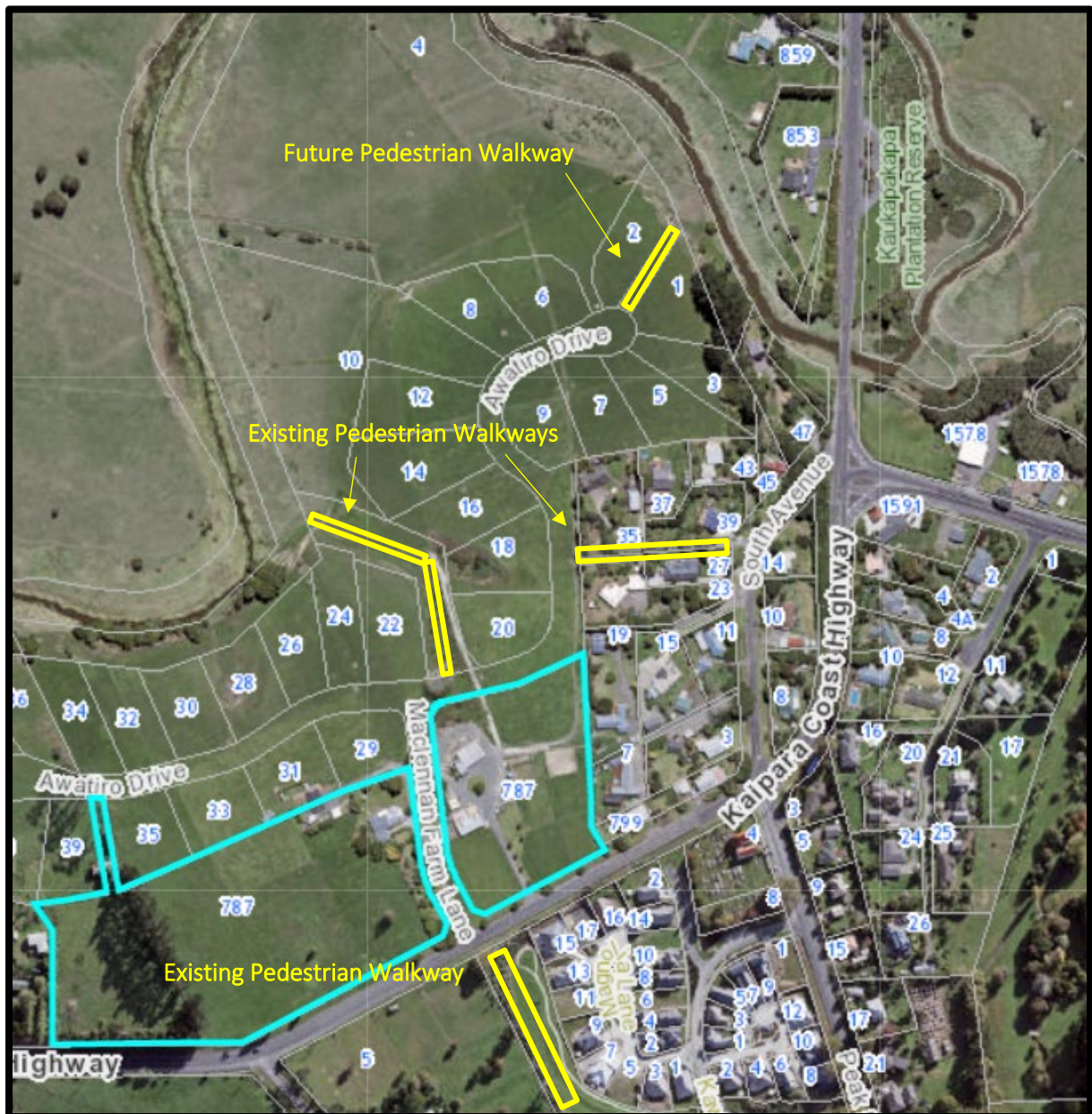


Figure 7 - Aerial image showing the location of the existing pedestrian walkway between the Riverview Estate and South Avenue (sourced from Auckland Council's GeoMaps, 11 June 2021)

The KARRA have provided a letter of support for the Plan Change proposal which has been included as **Appendix 3** of this report.

8.2 New Zealand Transport Agency / Waka Kotahi

The Plan Change area is located adjacent to the Kaipara Coast Highway which is managed by the New Zealand Transport Agency (NZTA). NZTA provided their written approval for the current residential development within the Riverview Estate.

Given that the Plan Change area will gain access to the Kaipara Coast Highway, NZTA will be consulted through the Plan Change process. A copy of the application will be sent to Waka Kotahi noting that the

intersection of Maclennan Farm Lane is suitably designed to accommodate all additional traffic that may be associated with the rezoning and subsequent residential development.

8.3 Mana Whenua

The Plan Change area is located with the area of interests for the following iwi / hapu groups:

- Ngāti Manuhuri
- Ngāti Maru
- Ngāti Te Ata
- Ngāti Wai
- Ngāti Whātua o Kaipara
- Ngāti Whātua Ōrākei
- Te Ākitai Waiohua
- Te Kawarau ā Maki
- Te Rūnganga o Ngāti Whātua

As per schedule 1 of the RMA, we anticipate mana whenua groups will be consulted by the Auckland Council through the Plan Change process. Individual pre-consultation has not been undertaken because of the small discreet nature of the rezoning sought, the location of the land, history and past and current uses of the land.

We acknowledge areas of the development that may be of interest to Iwi include water quality related to land development and onsite discharge of wastewater, stormwater management and protection of riparian areas. As stated, there are no riparian areas on the land and conditions on the subdivision resource consent will ensure that acceptable and appropriate environmental outcomes are achieved.

9. Assessment of Environmental Effects

The following section of the report provides an assessment of the actual and potential effects of the proposed Plan Change may have on the environment. This assessment is based on analysis and reporting undertaken by various experts, which are attached as appendices to this report.

9.1 CHARACTER VALUES

The Plan Change area consists of approximately 5.6432 hectares of land situated within the southern township of Kaukapakapa.

The Plan Change area covers three allotments; two certificates of title. There are currently residential dwellings on each of the existing Record of Title.

The Plan Change land is surrounded by residential development except for the western boundary. The western extent of the plan change area has been determined by contour, land use patterns and the orientation of the Kaipara Coast Highway.

The subject land has a character reflective of the surrounding residential properties. In particular, the Riverview Estate containing 28 residential allotments is situated immediately north of the Plan Change area. South Avenue containing 16 residential allotment is situated east of the subject site. South-east of the Plan Change area contains 51 residential allotments which are of a higher density when compared to the remaining residential development present within Kaukapakapa. These existing developments strongly influence the character of the subject sites and their ability to be utilised for rural productive activities. Despite the intentions of the KSP the retention of thee subject sites with a Rural zoning does little to retain or protect rural character.

The size of the properties, and fact the land is surrounded by residential development, pose constraints for the establishment of rural production activities

On this basis, the proposed rezoning of the Plan Change area from Rural - Countryside Living zoning to Residential - Rural and Coastal Settlement zoning better reflects the site's current character values and enables a cohesive and consistent zoning and land development pattern outcome to be achieved.

9.2 ECOLOGY

An Assessment of Ecological Effects has been prepared by Bioresarches dated 27 April 2021. It is included as **Appendix 4**.

The report assesses the ecological values within the Plan Change area, assessing the stream habitats, vegetation, and potential fauna habitats.

787 Kaipara Coast Highway is predominantly covered with managed pasture with the exception of native planting undertaken on the existing 10-metre wide raised earth bund adjacent to Kaipara Coast Highway. Native species on the bund include harakeke, manuka, kanuka, tarata, karamu, karaka and tōtara. See **Figure 8** and **Figure 9** below for an image of the earth bund.



Figure 8 - View of earth bund looking east



Figure 9 - View of earth bund looking west

The vegetation at 751 Kaipara Coast Highway is largely exotic, typically in the form of amenity planting. See **Figure 10** and **Figure 11** below for images of this vegetation.



Figure 10 - Vegetation along southern boundary



Figure 11 - Understorey of existing vegetation consisting of native and pest plan species

The report notes that the overall botanical value of the Plan Change area is low. The report states that the site presented a degraded natural environment as a result of historic native vegetation clearance for agricultural purposes, recent and ongoing farming practices, and residential development. Given the low botanical values present, the proposed Plan Change will not directly affect the vegetation and habitat values of the properties, noting that the properties will be subject to the same Auckland-Wide rules of the AUP(OP) relating to vegetation management and biodiversity that currently apply to vegetation alteration and removal on the subject sites.

The report notes that due to the low effects on vegetation, the low changes in pest animals and the current lack of native fauna, the proposed Plan Change will result in negligible adverse effects on native fauna.

In terms of freshwater ecology, the report noted that no intermittent streams, permanent streams, or wetlands were identified within the Plan Change area, therefore no aquatic habitats are present on the sites nor any riparian margins. The report notes that the proposed Plan Change and any vegetation removal will have no direct effects on freshwater ecological values.

As discussed previously in this report, the findings of the Ecological Assessment highlighted that the main indirect threat to the freshwater ecology and downstream receiving environments, as a result of the Request, would be potential increases in impervious surfaces and pollutant runoff.

Conditions will be imposed on the subdivision consent to ensure stormwater quality and volumes are managed in a way that ensures there are not adverse impacts on the environment beyond an acceptable level.

The proposed Residential zoning of the land will better manage the amount of impervious surfaces constructed as building coverage is not controlled in the Rural zones.

On the basis of the expert analysis, it is evident that the proposed level of residential development enabled through the Plan Change process will not give rise to adverse effects on the ecological values of the site and receiving environment that will be minor or more than minor. The level of adverse effects of the proposal on ecological values are deemed to be negligible.

9.3 ARCHAEOLOGY

Clough and Associates Limited have undertaken an Archaeological Assessment of the Plan Change area. The report documenting their findings is included as **Appendix 5**.

The site assessment did not identify any evidence of archaeological sites within the Plan Change area, and no archaeological sites had been previously recorded within the Plan Change area. Therefore, it was concluded that the potential for recovering unidentified subsurface archaeological remains within the Plan Change areas would be low.

The report notes that buildings within the Plan Change area are modern, except for the villa at 751 Kaipara Coast Highway, which is reported to have been built in 1912 by the Drinnan sisters and has been modified, mainly within the last 20 years. The report noted that the subdivision of 751 Kaipara Coast Highway is not currently proposed, however should subdivision of this property occur in the future, as provided for through the proposed Plan Change, a heritage assessment of the villa by a built heritage specialist is recommended to determine its heritage values and appropriate mitigation. This is a matter we would expect to be picked up in the course of any subdivision application assessment and therefore no condition, rule or other mechanism is required as part of this Plan Change request to manage effects on built heritage.

Based on the expert analysis undertaken, it is evident that the proposed Plan Change will have no known effects on archaeological or other historic heritage values of the land contained within the Plan Change area and the existing legislative requirements set out in the Pouhere Toanga Act and the Unitary Plan will be sufficient to ensure effects on heritage and archaeological values will be less than minor.

9.4 CULTURAL VALUES

It is noted that there are no known identified sites of significance or value to Māori within the Plan Change area. In addition, the Plan Change area is not located within, or adjacent to, a statutory acknowledgement area.

It is noted that the Kaukapakapa River situated north of the Plan Change area is identified as being within a Coastal Statutory Acknowledgement to Te Uri O Hau due to the river discharging to the Kaipara Harbour Coastal Area. The proposed Plan Change will have negligible effect on the mana whenua values of the Kaukapakapa River and Kaipara Harbour Coastal Area for reasons stated above, notably that the potential effects of land development activities on water quality will be managed through the subdivision consent by way of conditions relating to erosion and sediment control, permitted standards for onsite wastewater discharge and stormwater management.

The Plan Change area, and surrounding environment, is a heavily modified landscape associated with the residential development and farming activities. Consequently, the Plan Change proposal will not give rise to adverse effects on the cultural values of the Plan Change area and surrounding locality.

As outlined in Section 8.3 of this report, the mana whenua groups will be consulted through the Plan Change process and will have the opportunity to provide their feedback to the proposed Plan Change.

9.5 SOIL CONTAMINATION

A Preliminary Site Investigation (PSI) prepared by 4Sight Consulting Limited dated April 2021, has been included as **Appendix 6**.

This PSI (April 2021) has been prepared in addition to the initial PSI prepared by 4Sight in September 2016 which accompanied the subdivision consent application for the Riverview Estate (reference number: BUN20459764).

The PSI (April 2021) assesses whether any change has occurred to the risk profile of the Plan Change area since the initial PSI (September 2016), to determine whether there are any potential implications for the proposed rezoning of the Plan Change area from Rural - Countryside Living to Residential - Rural and Coastal Settlement, in terms of the National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health 2011 (NESCS) and the AUP(OP).

The findings of the initial PSI noted that historic evidence of the Plan Change area suggested that an activity / industry listed on the Ministry for the Environment (MfE) Hazardous Activities and Industries List (HAIL) has been, or is more likely to have been, undertaken on the subject land. Specifically, the PSI notes *“HAIL Item (A.10) at 751 Kaipara Coast Hwy – Persistent pesticide bulk storage or use including sport turfs, market gardens, orchards, glass houses or spray sheds and HAIL Item (F.8) at 787 Kaipara*

Coast Hwy – Transport depots or yards including areas used for refuelling or the bulk storage of hazardous substances”.

The PSI (April 2021) states that 751 Kaipara Coast Highway remains in use for rural residential purposes, however, the property at 787 Kaipara Coast Highway has been developed, with a new access road having been constructed at the location of the former gravel turnaround area, the old barn has been upgraded to a residential accessory building for personal use by the owner and landscaping around the site structures has been completed.

The report concluded that no new activities or industries listed in the HAIL have been undertaken on the site since the initial PSI (September 2016) that would warrant further investigation of the sites in terms of soil contamination. On this basis, it is concluded that it is highly unlikely that the Plan Change area poses a risk to human health of the environment by the rezoning of the sites from Rural - Countryside Living to Residential - Rural and Coastal Settlement. Based on this expert analysis, it is evident that the Plan Change area is suitable for residential development in terms of the NESCS.

9.6 TRANSPORT

A Transport Assessment has been prepared by Stantec dated 2 June 2021. The report is included as **Appendix 7**.

As outlined above, the Plan Change area has road frontage to Kaipara Coast Highway along the southern boundary of the site. The Kaipara Coast Highway extends between Wellsford to the north, and into the Auckland City Centre to the south. The Kaipara Coast Highway is identified as an arterial route in the AUP(OP), and is a Limited Access Road (LAR) within the site’s vicinity. There is no dedicated walking or cycling facilities along the portion of Kaipara Coast Highway adjacent to the Plan Change area.

The Plan Change area is split by MacLennan Farm Lane which runs through Lots 1 and 2. MacLennan Farm Lane was created through the previous subdivision of the property and provides vehicle access to the Riverview Estate. MacLennan Farm Lane connects to the Kaipara Coast Highway via a give-way T-intersection.

Residential development of 787 Kaipara Coast Highway that will be enabled through the Plan Change process is proposed in the subdivision application to access via MacLennan Farm Lane and Awatiro Drive via a joint-owned access lot. The report notes that the trips arising from the residential development of this property would not lead to a material impact on the operation of the Kaipara Coast Highway / MacLennan Farm Lane intersection i.e the intersection is designed and constructed to accommodate the additional traffic movements that may arise from the proposed rezoning and subsequent residential development. Furthermore, it was concluded that residential development of this site enabled by the Plan Change will have a negligible impact on the capacity of the surrounding road networks within the vicinity of the Plan Change area.

751 Kaipara Coast Highway will continue to gain vehicle access directly to Kaipara Coast Highway utilising the two existing and approved Crossing Places CP 41 and CP 42. The vehicle trips associated with this site were considered to be minimal and well within the daily fluctuations along the Kaipara

Coast Highway given the existing development on the site and the limited potential for further development, which in any event will require approval from Waka Kotahi to increase use of the existing Crossing Places. This existing crossing was deficient due to low visibility to the east and the west, however it was noted that this crossing is a licenced crossing place. The report states that access upgrades may be required at the time of future subdivision of this site and will be assessed as part of any future land development proposal.



Figure 12 - Site location in proximity to the surrounding road network (sourced from Transport Assessment, prepared by Stantec, dated 2 June 2021)

Bus Route 128 runs between Helensville and the Hibiscus Coast Station which traverse through Kaukapakapa via the Kaipara Coast Highway. A bus stop is situated on Kaipara Coast Highway, approximately 150 metres east of the intersection with Kaipara Coast Highway / MacLennan Farm Lane. This bus stop provides travel to Hibiscus Coast Site Station to the east. Arrivals from Hibiscus Coast Station can depart at the bus stop located on Kahikatea Flat Road, approximately 500 metres from the Plan Change area. The Plan Change area is well located in relation to the bus stops to service residential development anticipated through the Plan Change and proposed subdivision.

In terms of walking and cycling, MacLennan Farm Lane provides a formed footpath on its eastern side, whilst Awatiro Drive provides a formed footpath on its southern side, however, none of the roads have dedicated cycling facilities as there is a sufficient level of safety to ride within the subdivision should this be desired. There is an existing walkway connection provided from Awatiro Drive through to South Avenue. This route provides connection for pedestrians to walk to the township and the nearby bus

stops. Therefore, it is considered that the proposed Plan Change is well located for pedestrian connectivity and encourage alternatively travel modes such as walking and cycling.

The report provides an assessment of the proposed Plan Change against the traffic provisions under the Auckland Plan 2050, Government Policy Statement on Land Transport Funding, Auckland Regional Land Transport Plan, Auckland Regional Public Transport Plan, and the AUP(OP). The report notes that the proposed Plan Change will be generally in alignment with the strategic direction of these policies and plans.

Overall, based on the expert analysis provided, it is clear that the Plan Change area is well located in terms of its access and connectivity to Kaukapakapa and Whangarei to the north, the Auckland central city to the south, coastal areas to the west and the Hibiscus Coast to the east.

The report concludes that the development is well located in terms of accessibility for private vehicles, due to its close proximity and connections with the State Highway networks which provide connectivity to Kaukapakapa and Whangarei in the north, and Helensville and the wider Auckland region to the south. In addition, capacity of the current roading network and residential development

The report concluded that traffic impacts resulting from residential development of the Plan Change area would not require upgrades to the roading network in order to accommodate the additional traffic demand. In addition, it was noted that the proposed Plan Change would be generally in alignment with the overarching themes and strategic priorities of the relevant transport plans and policies.

Based on the findings of the expert analysis, it is evident that there is no traffic justification for declining the Plan Change proposal and the Request represents an efficient use of the land resource and existing infrastructure.

9.7 INFRASTRUCTURE

An Engineer Design Report prepared by Aspire Consulting Engineers dated 5 July 2021 is attached as **Appendix 8**.

A Wastewater Assessment prepared by GWE Consulting Engineers dated July 2021 is attached as **Appendix 9**.

These reports address how residential development of 787 Kaipara Coast Highway as enabled through the proposed Plan Change will be serviced in terms of water supply, wastewater management and stormwater management.

9.7.1 Water Supply

No Council reticulated water supply is available to the Plan Change area.

Residential development of 787 Kaipara Coast Highway enabled by the proposed Plan Change will utilise on site water tanks for the collection of roof water for potable and non-potable water supply.

Detailed design of the water supply for each residential lot will be detailed, designed and approved through the building consent stage for a residential dwelling on the site.

Dedicated fire-fighting water supply tanks will be provided as part of the residential development as detailed in **Appendix 8**.

Based on the expert information provided, it is evident that residential development enabled through the proposed Plan Change will have adequate provision for water supply for private and fire-fighting usage.

9.7.2 Wastewater Management

The Plan Change area is situated outside of the Auckland area serviced by Watercare Services Limited wastewater collection network. Wastewater from residential development enabled by the Request will require appropriate on-site treatment and disposal, consistent with the existing subdivision and Residential – Rural and Coastal Settlements zoned sites.

The report notes that subject to specific design which will be undertaken at building consent stage for development on each proposed lot, the on-site wastewater treatment and disposal can be undertaken as a permitted activity under E5 of the AUP(OP). This assessment is based on an assessment of effluent from a 5-bedroom main dwelling.

The report additionally notes that insignificant adverse environmental effects are anticipated, and that the on-site wastewater treatment and disposal will adequately protect groundwater, surface water, public health, and amenity. The report notes that overall, the proposal to discharge domestic wastewater from residential development via land disposal is considered to have less than minor adverse effects that can be contained within the boundaries of the site.

Based on the expert information provided, it is evident that residential development enabled through the proposed Plan Change will have adequate provision for on-site wastewater management.

9.7.3 Stormwater Management

The Engineering Design Report prepared by Aspire Consulting assesses stormwater management for 787 Kaipara Coast Highway which informs the Plan Change proposal and subdivision consent.

The report notes that stormwater at 787 Kaipara Coast Highway currently discharges via an existing 450mm diameter public stormwater pipe in the southern corner of the site and to the existing roadside swales. Future residential development will utilise the roof water collection and storage in water tanks with overflow discharge to the stormwater network.

The report notes that overland flowpaths will generally remain unchanged as a result of residential development of land at 787 Kaipara Coast Highway.

Healthy Waters have been consulted as part of the development of the Plan Change to determine whether the Auckland Council Regionwide Stormwater Network Discharge consent would apply to the rezoning sought and the subsequent residential development of the Plan Change Area. The correspondence noted that regionwide network discharge consents only authorises diversion and discharge of stormwater from the public stormwater network. The Plan Change area does not have the ability to connect to an Auckland Council reticulated stormwater network and therefore the Plan Change proposal will not trigger consideration of the proposal against the regionwide network discharge consent. Discharge of stormwater will be assessed in accordance with the provisions set out in chapter E8 of the Auckland Unitary Plan.

751 Kaipara Coast Highway does not have access to the Auckland Council's reticulated stormwater network. Therefore, future residential use of this property will be assessed using the provisions set out in Chapter E8 of the Auckland Unitary Plan.

Based on the expert analysis provided, it is evident that stormwater generated by residential development of 787 Kaipara Coast Highway as enabled through the proposed Plan Change can be effectively managed. To conclude, future development of 751 Kaipara Coast Highway enabled by the Plan Change will be assessed against the provisions of the Auckland Unitary Plan relating to stormwater management.

9.8 GEOTECHNICAL

A Preliminary Geotechnical Appraisal has been prepared by CMW Geosciences dated 9 April 2021 and is **Appendix 10**.

The findings of this report state that the Plan Change land is suitable for residential development. It was noted that other residential developments in the area have been completed utilising standard construction processes and foundation solutions, and that any potential soft soils or existing uncertified fill can be remediated during residential development of the sites through a site-specific geotechnical investigation and assessment. The gentle gradients of site and the expectation that minimal earthworks will be required, will mean that slope stability is not considered a significant geotechnical risk to the development.

The findings of the report clearly demonstrate that the Plan Change land is suitable for residential development which will be enabled by the proposed Residential - Rural and Coastal Settlement zoning. The proposed Plan Change would therefore be consistent with the NPS-UD which is focused on residential development within land suitable for residential development.

9.9 SUMMARY OF EFFECTS

The actual and potential effects of the proposed Plan Change have been considered above. The analysis undertaken demonstrates that the Plan Change area is suitable for residential development, and that development of the Plan Change area can be adequately serviced.

10. Notification and Affected Persons

10.1 Affected Persons

Section 5A(2) of Schedule 1 of the RMA provides for the Council to consider limited notification of a Plan Change where all persons directly affected by a Plan Change Request are able to be identified.

The following persons are identified as being directly affected by the proposed Plan Change:

- All owners and occupiers of sites in the Riverview subdivision accessed from MacLennan Farm Lane.
- Owners and occupiers of adjacent land accessed off South Avenue (7, 19 South Avenue).
- Owners and occupiers of 741 and 799 Kaipara Coast Highway, 5 Henley Road, 10 Henley Road.
- Waka Kotahi.
- Auckland Council - Parks as owners of land (Lot 43 DP 523159, Lot 39 DP 523159, Lot 40 DP 523159, Lot 43 DP 523159 and Lot 56 DP 449408).
- Kaukapakapa Area Residents and Ratepayers Association.

The reasoning for considering these persons as directly affected by the Request is outlined below.

Owners/Occupiers of sites within the Riverview subdivision accessed from MacLennan Farm Lane

These properties are situated immediately north of the Plan Change area. Residential development enabled by the Request will intensify the development potential for the subject land and will give rise to increased traffic movements to Awatiro Drive and MacLennan Farm Lane. Therefore, the owners and occupiers of properties within the Riverview subdivision are considered directly affected by the Request.

Owners/occupiers of 7 and 19 South Avenue, 741 and 799 Kaipara Coast Highway, and 5 and 10 Henley Road

These properties are situated immediately east, south and west of the Plan Change area. Residential development enabled by the Request will intensify residential development and result in a visual change to the subject land when viewed from these properties. Therefore, these properties are considered directly affected by the Request.

Waka Kotahi

The Plan Change area has frontage to the Kaipara Coast Highway which is a state highway managed by Waka Kotahi / New Zealand Transport Agency. Residential development enabled by the Request will increase the volume of traffic utilising the intersection of Kaipara Coast Highway / MacLennan Farm Lane, noting that the intersection is suitably designed to accommodate all additional traffic that may be associated with the rezoning and subsequent residential development. On this basis, it is considered that Waka Kotahi will be directly affected by the Plan Change proposal.

Auckland Council - Parks

The Auckland Council owns and manages the local purpose reserve accessways and recreation reserves legal described as Lot 39 DP 523159, Lot 40 DP 523159, Lot 42 DP 523159, Lot 43 DP 523159 and Lot

56 DP 449408. These sites provide pedestrian connections between the Riverview subdivision and the wider Kaukapakapa township and Kaukapakapa River. Residential development enabled by the Request will intensify use of these reserve areas, and therefore it is considered that the Auckland Council - Parks Department are directly affected by the Plan Change proposal.

Kaukapakapa Area Residents and Ratepayers Association

As outlined in the preceding sections of this report, the Kaukapakapa Area Residents and Ratepayers Association (KARRA) were involved in the preparation of the Kaukapakapa Structure Plan (KSP) which provides an integrated development framework for Kaukapakapa. A copy of the KSP is in **Appendix 12**.

The Plan Change proposal will enable the intensification of the subject land which was identified for countryside living use in the KSP. However, it is noted that the Plan Change proposal is reflective of the existing character of the southern township of Kaukapakapa. The KARRA have an interest in development within Kaukapakapa and are therefore considered to be directly affected by the proposed Plan Change. As outlined in the preceding sections of this report, consultation has been undertaken with the KARRA who have provided a letter of support for the proposed Plan Change which has been included in **Appendix 3** of this report.

No other persons are considered to be directly affected by the Request for the following reasons:

- The wider surrounding properties within Kaukapakapa are not considered to be directly affected by the Plan Change proposal given that the residential development enabled by the Request will be consistent in residential character with the adjacent residential properties and will therefore not appear out of character when viewed from the wider sites present within Kaukapakapa.
- The subject land is not connected to Watercare Services reticulated wastewater network and therefore residential development enabled by the Request will not require additional connections this service. On this basis, Watercare Services Limited is not considered to be directly affected by the Plan Change proposal.
- The subject land does not have connections to the Auckland Council's reticulated stormwater network, and therefore residential development enabled by the Request will not require connections to this service. On this basis, Healthy Waters are not considered to be directly affected by the Plan Change proposal.

10.2 Limited Notification

Pursuant to section 5A(2) of Schedule 1 of the RMA, the above assessment identifies all the persons directly affected by the proposed Plan Change, and provides the Council with sufficient justification to limited notify the Request to those persons identified as being directly affected by the proposed Plan Change.

11. Section 32 Analysis

11.1 APPROPRIATENESS OF THE PROPOSAL TO ACHIEVE THE PURPOSE OF THE ACT

Section 32(1)(a) of the RMA requires an evaluation to examine the extent to which the objectives of the proposed Plan Change are the most appropriate way to achieve the purpose of the RMA.

11.1.1 Objectives of the Plan Change

The overarching objective of the Request is to utilise the existing land resource efficiently to provide for additional housing within Kaukapakapa in order to meet the high demand for quality housing solutions in this location.

No site-specific objectives are proposed. The objectives for the Residential - Rural and Coastal Settlement zoning framework are the most appropriate given the objectives of the Plan Change are to provide for:

- Development that maintains and is in keeping with the character values, landscape qualities and natural features of Kaukapakapa.
- Development that provides quality on-site residential amenity for residents and adjoining sites.
- Development that is appropriate for the physical and environmental attributes of the site and infrastructure constraints⁹.

11.1.2 Assessment of the Objectives Against Part 2

Part 2, Section 5 of the RMA identifies the purpose of the Act as being sustainable management of natural and physical resources. This means managing the use, development and protection of natural and physical resources in a way, or at a rate, that enables people and communities to provide for their social, cultural and economic well-being and for their health and safety while sustaining those resources for future generations, protecting the life supporting capacity of ecosystems, and avoiding, remedying or mitigating adverse effects on the environment.

The Request is consistent with Part 2 of the RMA, because zoning the land Residential – Rural and Coastal Settlement will enable the land to be used efficiently and, in a manner consistent with the land development outcomes of adjoining land. The effects associated with the proposed rezoning are less than minor and the Request will enable a small amount of the demand for residential living opportunities on larger sites, in this location, to be realised.

The natural resources of the site such as the young vegetation planting along the frontage of Kaipara Coast Highway will be maintained for future generations. The provisions of the AUP that will apply to

⁹ Auckland Unitary Plan - Operative in Part - H2.2 Objectives (1), (2) and (3).

future development, and this will ensure that future development also avoids, remedies, or mitigates adverse effects on the environment.

Section 6 of the Act sets out matters of national importance which need to be recognised and provided for in achieving the purpose of the RMA. Matters of national importance include the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins; protection of outstanding natural features and landscapes, the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna; maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers; the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga; the protection of historic heritage; the protection of protected customary rights and the management of significant risks from natural hazards.

There are no relevant Matters of national importance requiring direct assessment in relation to the Request. In particular, the *Assessment of Ecological Effects* confirms that there are no streams or wetlands within the Plan Change area. Additionally, there are no areas of significant indigenous vegetation or significant habitats of indigenous fauna.

Section 7 of the RMA identifies a number of “other matters” to be given particular regard by Council. Specific matters from section 7 that are relevant to the Plan Change include:

- *b) The efficient use and development of natural and physical resources* - The Plan Change will support the efficient use of natural and physical resources by applying the Residential - Rural and Coastal Settlement zoning to the Plan Change area which will be enabling of development and provide for more intensive residential activities reflective of the immediately surrounding environment.
- *c) The maintenance and enhancement of amenity values and f) Maintenance and enhancement of the quality of the environment* - The proposed zoning pattern is coherent; and the proposed zone boundary interface is clear and consistent with physical features. The proposed zoning will enable residential development of a complementary scale and design to the adjoining subdivision. The provisions that would apply to future development under the AUP will ensure that a high quality, built environment is achieved at a site-specific scale.

Section 8 requires the Council to take into account the principles of the Treaty of Waitangi. The principles of the Treaty of Waitangi are acknowledged, and Iwi consultation will occur as part of the notified process and also pre notification process as required by provisions in Schedule 1 of the Act.

The Request is a more efficient and effective means of achieving the sustainable management purpose of the RMA than the current zone or an alternative (as detailed below). It is considered that the objectives of the Plan Change are the most appropriate way to achieve the purpose of the RMA.

11.2 APPROPRIATENESS OF THE PROVISIONS TO ACHIEVE THE OBJECTIVES

11.2.1 The Objectives

Section 32(1)(b) of the RMA requires an evaluation to examine whether the provisions in the proposed Plan Change are the most appropriate way to achieve its objectives by:

- Identifying other reasonably practicable options for achieving the objectives;
- Assessing the efficiency and effectiveness of the objectives;
- Summarising the reasons for deciding on the provisions.

The options considered relate to the proposed zoning of the Plan Change area and the efficiency and effectiveness of the options to achieve the relevant objectives, including those of the Plan Change.

11.2.2 Other Reasonably Practicable Options for Achieving the Objectives

In determining the most appropriate option for achieving the objectives of the Plan Change, consideration has been given to the following:

- Option 1: Do nothing (retain Rural - Countryside Living zoning).
- Option 2: Retain Rural - Countryside Living zoning and seek resource consent for residential development in accordance with the Residential – Rural and Coastal Settlement zone.
- Option 3: Retain the Rural – Countryside Living zone and wait for the Council initiated review of the Auckland Unitary Plan to seek rezoning the site.
- Option 4: Seek rezoning of the land to Residential - Rural and Coastal Settlement Area.

Each of these alternatives is discussed below and a summary of the s32(2) matters for the options has been provided as **Appendix 11** to this report.

- Option 5: Seek a Plan Change or Resource Consent for higher density residential development consistent with the 51 lot Kawaupaka Road development located on the opposite side of the Kaipara Coast Highway. The sites in this development are typically 400m² to 600m² in area.
- Option 6: Seek rezoning of a wider, larger area of land to Residential – Rural and Coastal Settlement to provide for the creation of a greater number of sites to assist in meeting demand.

11.2.2.1 Option 1 - Do Nothing

This option involves retaining the Rural - Countryside Living zoning.

11.2.2.2 Option 2 – Residential Development within Rural – Countryside Living Zone

This option involves retaining the current Rural - Countryside Living zoning and seeking resource consent to subdivide in a manner consistent with the Residential – Rural and Coastal Settlement rules.

11.2.2.3 Option 3 – Retain Existing Zoning and Wait for the Plan Review Process

This option involves retaining the Rural – Countryside Living zone and waiting for the Council initiated review of the Auckland Unitary Plan to seek rezoning the site to Residential – Rural and Coastal Settlement.

11.2.2.4 Option 4 – Rezoning the Land to Residential – Rural and Coastal Settlement

This preferred option involves seeking a Limited Notified plan change to provide the land with a zoning appropriate for the development outcome sought in the subdivision resource consent application being sought concurrently with the Request.

11.2.2.5 Option 5 – Rezoning the Land Residential – Single House

This would enable higher density residential development consistent with the 51 lot Kawaupaka Road development located on the opposite side of the Kaipara Coast Highway. The sites in this development are typically 400m² to 600m² in area, even though the zoning of the land is Residential – Rural and Coastal settlement.

11.2.2.6 Option 6 – Rezone a larger area of land to Residential – Rural and Coastal Settlement

This option would seek to zone a larger area of land Residential; - Rural and Coastal Settlement to provide for the creation of a greater number of 2,500m² sites to assist in meeting demand.

11.2.3 Risk of Acting or Not Acting

In this case, there is sufficient information about the subject matter to determine the range and nature of environmental effects of the options set out in **Appendix 11**. For this reason, an assessment of the risk of acting or not acting is not required.

The only risk of not acting is that there will be pressure for ad hoc development on rural land to meet the demand for residential living opportunities in this location. There is greater merit in acting and seeking a comprehensive and coordinated approach to land development.

11.2.4 Summary of Reasons for Deciding on the Provisions

Compared with other potential zoning options for the Plan Change area, it is considered that the proposal is most efficient and effective and gives effect to the AUP. This is because the land area sought to be rezoned to Residential – Rural and Coastal Settlement is too small and located too close to residential development to enable efficient use of the land for rural productive purposes.

The land is generally flat and of good quality to accommodate residential dwellings with onsite servicing.

In particular, the proposed rezoning recognises and responds to the demand for residential living opportunities in Kaukapakapa area. The land is well serviced by transport networks, there is further opportunity for pedestrian and cycle connectivity to the northern part of Kaukapakapa village; the zoning will enable a development outcome entirely consistent with the surrounding land use character and the effects of the proposal on the environment are less than minor.

12. Conclusion

The report has been prepared in support of Riverview Properties Limited's Request for a Plan Change to rezone 5.6432 hectares of land in Kaukapakapa from Rural - Countryside Living zoning to Residential - Rural and Coastal Settlement. As outlined the Request relates to a defined and discrete area of land. For this, and other reasons as stated, it is sought that the Request be processed with Limited Notification; or as a resource consent and concurrently with the subdivision resource consent lodged at the same time.

The Request has been made in accordance with the provisions of Schedule 1 and Section 32 of the Resource Management Act 1991.

Based on an assessment of environmental effects supported by specialist technical assessment, it is concluded that the Request will have positive effects on the environment in terms of the social and economic well-being of the community. Any potential adverse effects can be managed through the application of the AUP zoning and Auckland-wide provisions.

An assessment against the provisions of section 32 of the Act is provided in section 10 of the report. This includes an analysis with respect to the extent to which the objectives of the proposed Plan Change are the most appropriate to achieve the purpose of the RMA and an examination of whether the provisions of the proposed Plan Change are the most appropriate way to achieve the objectives.

For the above reasons, it is considered that the proposed Plan Change accords with the sustainable management principles outlined in Part 2 of the RMA and should be accepted and approved. In particular, the Request represents a logical, efficient use of the land resource; and is an effective way to alleviate demand for residential housing in this location.

Appendix 1:

Certificates of Title

Appendix 2:

Proposed Zone Map

Appendix 3:

Letter of Support - Kaukapakapa Area Residents and Ratepayers Association (KARRA)

Appendix 4:

Assessment of Ecological Effects - Bioresearches

Appendix 5:

Archaeological Assessment - Clough and Associates Limited

Appendix 6:

Preliminary Site Investigation - 4Sight Consulting

Appendix 7:

Transport Assessment - Stantec

Appendix 8:

Civil Engineering Assessment - Aspire Engineering

Appendix 9:

Wastewater Assessment - GWE Consulting Engineers

Appendix 10:

Preliminary Geotechnical Assessment - GMW Geosciences

Appendix 11:

Section 32(2) Options Assessment

Appendix 12:

Kaukapakapa Structure Plan 30 September 2010

Appendix 13:

Rodney West Local Paths (Greenways) Plan June 2019

End of Report

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