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Town Planning & Resource Consent Solutions

PRIVATE PLAN CHANGE REQUEST

STATUTORY ASSESSMENT

50 WESTNEY ROAD, MĀNGERE



ROKOKOHU INVESTMENTS LIMITED

4 OCTOBER 2024



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1. EXECUTIVE SUMMARY

- 1.1 Rotokohu Investments Limited intends to develop the land at 50 Westney Road in Mangere for Light industrial activities. To enable this, a private plan change is sought to rezone this 4.0468ha parcel of land from Residential - Mixed Housing Suburban to Business Light Industry and to remove the existing Māngere 1 Precinct.
- 1.2 This Report has been prepared in support of a Private Plan Change Request (“PPC”) to the Auckland Unitary Plan (Operative in Part) (“AUP”) on behalf of Rotokohu Investments Limited (“the requestor” or “the applicant”)
- 1.3 Under Clause 21 of Schedule 1 of the Resource Management Act 1991 (“RMA”), any person may request a change to a district or regional plan (including a regional coastal plan). Clause 22 of Schedule 1 of the RMA states that the plan change request must be made to the appropriate local authority in writing and:
- Explain the purpose of and reasons for the plan change request;
 - Contain an evaluation report prepared in accordance with section 32 of the RMA for the plan change request; and
 - Where environmental effects are anticipated, the plan change 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.
- 1.4 The proposal is assessed as being consistent with sound resource management practice and Part 5 of the Resource Management Act (RMA).
- 1.5 A section 32 evaluation has been completed, and it concludes that the PPC Request will be an efficient and effective method of enabling the land to be developed for light industrial purposes whilst meeting the objectives of the AUP, and the purpose of the RMA.
- 1.6 Following a thorough assessment, the proposed rezoning of the Plan Change area to Business Light Industry:
- is the most appropriate way to achieve the purpose of the RMA and the proposal would give effect to the Regional Policy Statement (s32)(1)(a)).
 - gives effect to the relevant National Policy Statements and the Regional Policy Statement (s75).



- is appropriate given that the actual and potential effects of the rezoning and associated rules on the environment would be acceptable and any adverse effects would be less than minor (s76(3)).
- Supports the integrated management of the use and development of land (s31).

1.7 The proposed rezoning is considered to achieve the high-level objectives and policies of the Regional Policy Statement as it will enable the development of additional Light Industrial activities within an area experiencing continued demand for such land. The specialist reports submitted as part of this plan change assess the relevant urban design, economic, acoustic, transport and infrastructure matters associated with the proposed rezoning and confirm that it is appropriate within the context of the wider area.

1.8 An evaluation of the proposal has been undertaken in accordance with Section 32 of the Resource Management Act (1991) and concludes that the proposed rezoning of the site will achieve the objectives and policies of the Auckland Unitary Plan (Operative in Part) and the purpose of the Resource Management Act (1991) in an effective and efficient manner.



2. INTRODUCTION

- 2.1 Rotokohu Investments Limited is the purchaser of 50 Westney Road and requests a change to the AUP to apply a Business Light Industry zoning to the land (in place of the current Residential – Mixed Housing Suburban zoning) and to remove the existing Māngere 1 Precinct.
- 2.2 Under Clause 21 of Schedule 1 of the Resource Management Act 1991 (“RMA”), any person may request a change to a district or regional plan (including a regional coastal plan). Clause 22 of Schedule 1 of the RMA states that the plan change request must be made to the appropriate local authority in writing and:
- Explain the purpose of and reasons for the plan change request;
 - Contain an evaluation report prepared in accordance with section 32 of the RMA for the plan change request; and
 - Where environmental effects are anticipated, the plan change 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.
- 2.3 This report is submitted in support of a private plan change request by Rotokohu Investments Limited for the rezoning of land at 50 Westney Road in Māngere (“the plan change area” or “plan change land”). Figure 1 overleaf shows the location of the plan change area.
- 2.4 The plan change land is currently used primarily by the Society for the Prevention of Cruelty to Animals (SPCA) for its main Auckland base and animal shelter. This facility is located on the northern two-thirds of the site with the rear third having been recently developed into an open-air car park which is being used in conjunction with the adjacent site at 5 Verissimo Drive (also owned by the requestor).
- 2.5 The SPCA, who have agreed to sell the land to the requestor, intend to move out of the site in 2026 as they are building a new facility in Puhinui Road. The requestor therefore reviewed and now seeks to amend the planning framework for the site (which is specifically tailored for the SPCA use via the Māngere 1 Precinct). This assessment considers the appropriate zoning for the site on the basis that the land is no longer required for the activities set in the precinct and is to be developed for light industrial purposes.



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Figure 1 – Plan Change Area (Source – Council GIS)

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Figure 2 – Plan Change Area (Source – Googlemaps)

2.6 This private plan change request contains the following specialist reports and input:

- Urban Design Assessment prepared by Jason Evans ET Urban Design (**Appendix 1**);
- Infrastructure Assessment prepared by Envelope Engineers (**Appendix 2**);
- Stormwater Management Plan prepared by Envelope Engineers (**Appendix 3**);
- Integrated Transport Assessment prepared by Flow Transportation Consultants (**Appendix 4**);
- Acoustic Assessment prepared by SLR Consulting (**Appendix 5**)
- Economic Assessment prepared by Property Economics (**Appendix 6**)



3. THE REQUESTOR AND PROPERTY DETAILS

Site Address:	50 Westney Road, Māngere
Legal Description:	Pt Allot 74 Parish of Manurewa (Record of Title in Appendix 7)
Site Area:	4.0468ha
Applicant's Name:	Rotokohu Investment Limited
Statutory Plan:	Auckland Unitary Plan (Operative in Part)
Zoning	Residential – Mixed Housing Suburban
Precinct:	Māngere 1 Precinct
Overlays:	Natural Resources: High-Use Aquifer Management Areas Overlay [rp] - Manukau Southeast Kaawa Infrastructure: Aircraft Noise Overlay - Moderate aircraft noise area (MANA (part) and Aircraft noise notification area (ANNA), Auckland Airport (part)
Controls:	Emergency Management Area Control - New Zealand Refining Pipeline, Infrastructure Macroinvertebrate Community Index – Rural (part) Urban (part)
Designations:	6501, Petroleum Pipeline - Urban Section, Channel Terminal Services Limited Airspace Restriction Designations - ID 1102, Protection of aeronautical functions - obstacle limitation surfaces, Auckland International Airport Ltd
Hazards:	Flood Prone Area Overland Flow Paths -several on site.
Address for Service:	Mt Hobson Group PO Box 37964 Parnell Auckland 1151 ATTN: Mark Benjamin

markb@mhg.co.nz 09 950 5107

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4. THE PLAN CHANGE AREA AND LOCALITY DESCRIPTION

Plan Change Land

- 4.1 The plan change land is located on the south/eastern side of Westney Road, some 380m south of Westney Road's intersection with Kirkbride Road in Māngere. The 4.0468ha site is essentially rectangular in shape with a 140m frontage to Westney Road and a depth of 280m on its northern side and 300m on the south. The land is shown in Figure 1 above and with the location and wider context included below.

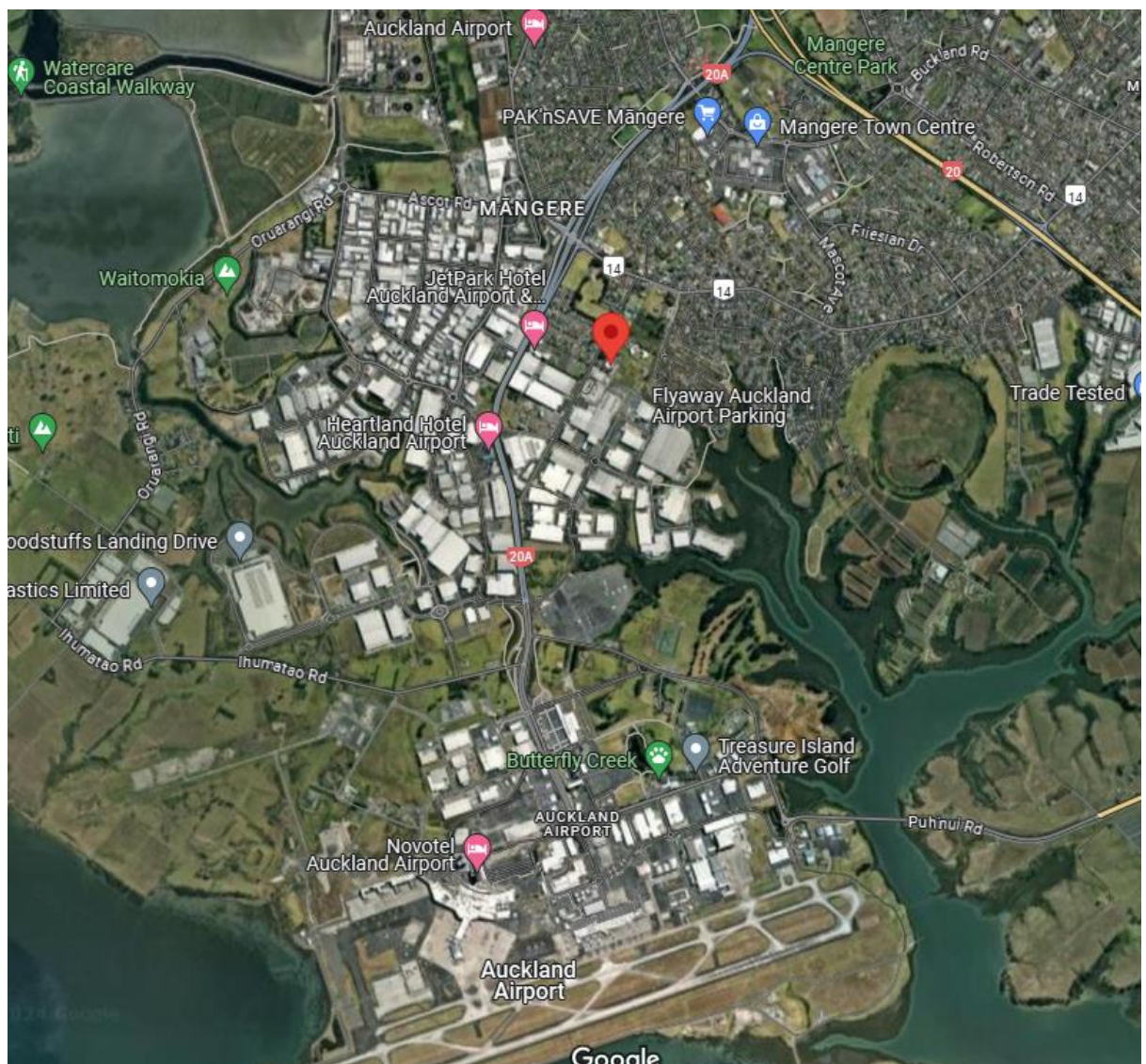


Figure 3 – Plan Change Land Area and Surrounds (site shown by red marker)

- 4.2 The land is contained in Record of Title NA570/201 and legally described as Part Allotment 74 Parish of Manurewa. There is one existing instrument on the title (5681639.1) which is an markb@mhg.co.nz 09 950 5107 www.mhg.co.nz



easement in favour of Vector which relates to an existing electricity transformer located at the southern end of the road frontage. **Appendix 7** contains a copy of the Record of Title and the easement instrument.

- 4.3 Westney Road runs from Kirkbride Road in the north to George Bolt Memorial Drive in the south (but there is no vehicle access direct to George Bolt Memorial). Connection to George Bolt Memorial is via Timberley and then Verissimo Drive.
- 4.4 Māngere Town centre is located 1km north-east of the land and Auckland International Airport terminals are located circa 3km to the south-west of the land. It is noted that the Auckland Airport Gateway Precinct is located circa 600m south of the site.
- 4.5 The plan change area is located at the northern edge of the Auckland Airport Light Industrial area which is some 14km south of the Auckland City Centre.
- 4.6 Currently, the site contains a substantial number of generally single-level buildings and structures in use as part of the SPCA's main Auckland centre. The SPCA website notes that the site accommodates several SPCA teams and around 120 staff altogether as well as:
- a veterinarian hospital
 - a farm area, where large animals can be housed and cared for.
 - Feline, small animal and canine rehabilitation facilities and adoption areas.
 - a specialised call centre as well as a fundraising office.
 - a Canine Confidence Course.
- 4.7 The buildings associated with the SPCA are generally located on the northern half of the site with open space areas and other animal enclosures and shelters behind that.
- 4.8 The rear 1/3 of the site (approximately 1.35ha) has recently been metalled and is being used for the temporary storage of vehicles associated mainly with the Flyaway Auckland Airport parking facility on the adjacent land at 5 Verissimo Drive. A resource consent is currently being prepared to authorise this activity in the interim.
- 4.9 In terms of topography, the site is relatively flat with only slight 1%-2% grades in any direction. It is noted that the front of the site is around 1-2m higher than the rear of the site with slight falls to the north-east in parts but mainly to the south east across the majority of the site.



- 4.10 Vehicle access to the land is currently provided from three existing access points on the road frontage of the site, two at the northern end and one at the southern end. The northern most entry is single width (circa 3.5m) and provides access to the rear portion of the site with the other two are double width providing two-way access to the site from Westney Road.
- 4.11 A topographical plan of the land is contained within the Engineering Report in **Appendix 2**.
- 4.12 In terms of reticulated services, they are available on the site with stormwater and wastewater connections generally located at the north-western corner of the site and a further wastewater manhole located midway along the eastern boundary. The potable water connection appear to be located midway along the road frontage.
- 4.13 A private SW line is located in the south-eastern corner of the which discharges to a private outfall within 3 Verissimo Drive. A copy of this discharge consent (which expires in December 2025) is included within the Stormwater Management Plan in **Appendix 3**.
- 4.14 Of note is the Marsden to Wiri RNZ Liquid Fuels Pipeline which runs parallel to the southern boundary around 7m into the neighbouring land at 60 Westney Road and 5 Verissimo Place.
- 4.15 The existing and proposed servicing of the site is covered in more detail within the Infrastructure Assessment in **Appendix 2**.
- 4.16 With regard to natural hazards such as flooding and overland flow paths on the site, there are several minor overland flow paths existing, some flowing to the north and one flowing to the south-eastern corner, where Council GIS indicates a small flood prone area. There does not appear to be any major overland flow paths or flooding affecting the site.

Immediately surrounding sites

- 4.17 The site is bound to the west by Westney Road itself which is a 20m wide road reserve with one lane of general traffic in each direction and a flush median. Parking is provided for on both sides of the road and both sides has a footpath. Westney Road is not an arterial road but is likely to function as a collector as it provides access between Kirkbride Road in the north and George Bolt Memorial Drive in the south (via Timberly and Verissimo Drive).
- 4.18 To the north of the site is the Zayed College for Girls at 44 Westney Road. This is a state integrated special character Islamic secondary school for girls Year 7 – 13 with modern one- and two-level buildings and fields.



- 4.19 To the east of the site are residential properties located on Jaylo Place and Naylor's Drive. These are generally single level detached dwellings.
- 4.20 The southern boundary is formed by 60 Westney Road and 5 Verissimo Place which are both industrial uses. 60 Westney Road contains a single level warehouse/industrial building (circa 2000m²) with a canopy on the northern side. The building is surrounded by hard stand areas in use for parking, access and storage of various containers and vehicles.
- 4.21 5 Verissimo is an L shaped site which is currently occupied by Flyaway vehicle storage. The site has an existing consent for a two lot subdivision. It is owned by the applicant.

Transport environment

- 4.22 The site is accessed from the 140m long Westney Road frontage (Westney is considered as a collector road under the AUP, with a posted speed limit of 50 km/h. It is a north south route that connects Kirkbride Road in the north to George Bolt Memorial Drive in the south (via Timberly Road and Verissimo Drive). Outside the subject site, the road is characterised by a single lane of traffic in either direction, with a centralised flush median. Pedestrian footpaths are provided on both sides of the road.
- 4.23 The closest public transport access is via bus with stops located at the Māngere Central Community Hall which is on Kirkbride Road some 600m from the site buses from here travel to the Airport and Onehunga via Māngere Town Centre. A more detailed description of the surrounding transport network is provided within the Integrated Transport Assessment in **Appendix 4.**

Zoning and AUP Context

- 4.24 Under the AUP, the plan change land is zoned as Residential – Mixed Housing Suburban and subject to the following additional matters:

Precinct: Māngere 1, Precinct

Overlays: Natural Resources: High-Use Aquifer Management Areas
Overlay [rp] - Manukau Southeast Kaawa



Infrastructure: Aircraft Noise Overlay - Moderate aircraft noise area (MANA), Auckland Airport - moderate aircraft noise area

Infrastructure: Aircraft Noise Overlay - Aircraft noise notification area (ANNA), Auckland Airport - aircraft noise notification area

Controls:

Emergency Management Area Control - New Zealand Refining Pipeline, Infrastructure

Macroinvertebrate Community Index - Rural

Macroinvertebrate Community Index - Urban

Designations:

6501, Petroleum Pipeline - Urban Section, Designations, Channel Terminal Services Limited

Airspace Restriction Designations - ID 1102, Protection of aeronautical functions - obstacle limitation surfaces, Auckland International Airport Ltd

4.25 The land is bordered by the following zoned land:

- Special Purpose Zone – School to the north (Zayed College as well as Al-Madinah School further north;
- Business Light Industry to the south and west;
- Residential Single House Zone to the east
- Residential areas to the north-west and further north zoned Residential Mixed Housing Suburban.
- There is an area of Open Space – Community Zone land to the north-east on the corner of Naylor's Drive and Kirkbride Road. House Park is located to the north and is zoned Open Space – Sport and Active Recreation.

4.26 Figure 4, below, shows the existing zoning of the site and surrounding area under the AUP.

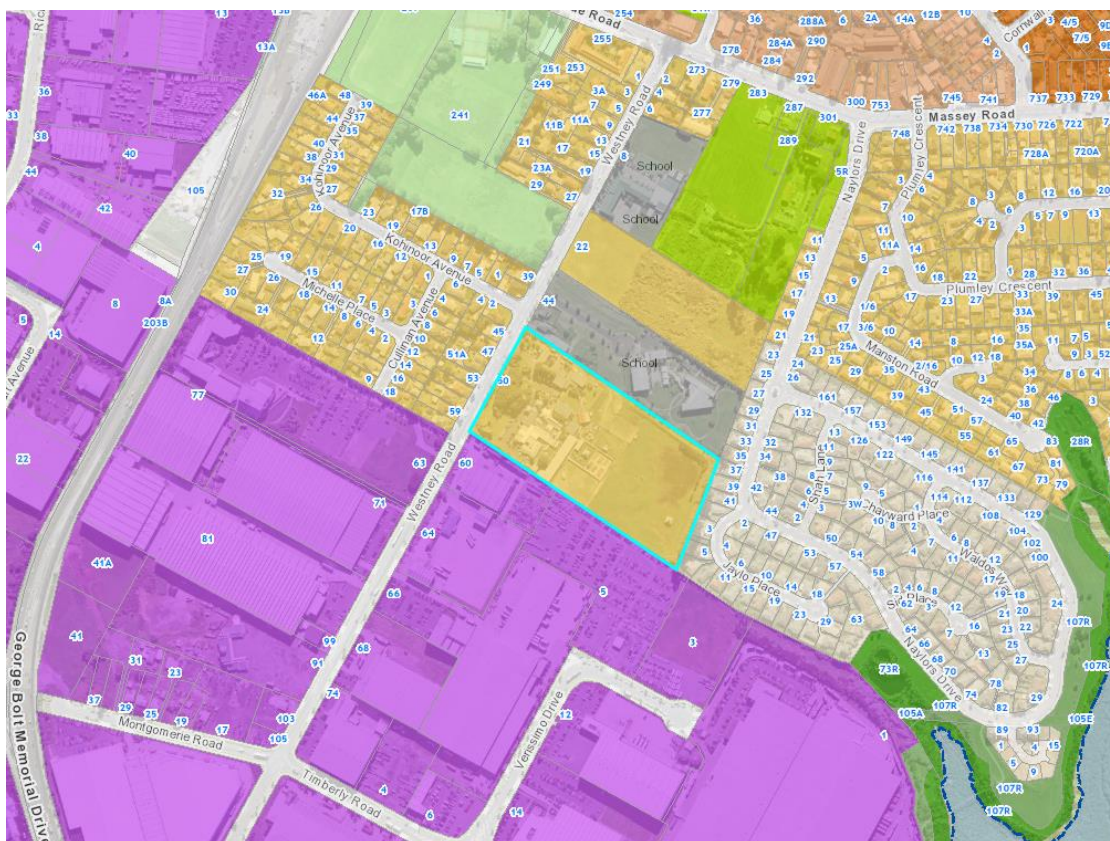


Figure 4: Existing zoning of the area under the AUP

Zoning

- 4.27 The Residential – Mixed Housing Suburban Zone is the most widespread residential zone covering many established suburbs and some greenfields areas. Much of the existing development in the zone is characterised by one or two storey, mainly stand- alone buildings, set back from site boundaries with landscaped gardens.
- 4.28 The zone enables intensification, while retaining a suburban built character. Development within the zone will generally be two storey detached and attached housing in a variety of types and sizes to provide housing choice. The height of permitted buildings is the main difference between this zone and the Residential – Mixed Housing Urban Zone which generally provides for three storey predominately attached dwellings.
- 4.29 Generally, the R-MHS zone allows, as permitted activities, a range of residential type activities including dwellings, low intensity visitor accommodation, boarding houses, care homes and supported living. More than three dwellings or other residential activities with more than 10 occupants require a resource consent.



- 4.30 In regard to the plan change land, however the activities provided for by the Māngere 1 Precinct totally replace the activity table in the R-MHS. This is discussed further below but essentially none of the permitted residential type activities are allowed on the site with any application for those type of activities having to be considered as a Discretionary Activity.
- 4.31 The Precinct does not replace the zone building standards however, which must be considered in addition to the Precinct Standards. The key development controls for the R-MHS zone are shown in the table below.

STANDARD	REQUIREMENT
Maximum height	Buildings must not exceed 8m in height except that 50 per cent of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1m, where the entire roof slopes 15 degrees or more
Height to boundary	2.5m + 45° (alternative height to boundary within 20m of the site frontage)
Yard setbacks	Front – 3m Side and rear – 1m
Maximum impervious coverage	60%
Maximum building coverage	40%
Minimum landscaped area	40% 50% of the front yard must be landscaped

I420 Māngere 1 Precinct

- 4.32 As noted, the subject land is identified in the AUP as being within the I420 Māngere 1 Precinct which is stated to provide for the ongoing use and development of the site for the SPCA Auckland Animal Village. The precinct sets out specific plan provisions which replace most of the provisions of the Mixed Housing Suburban zone on the site. A full copy of the Precinct is contained in **Appendix 8**.
- 4.33 The precinct sets specific yard requirements with a 10m front yard setback, a 5m setback from the northern boundary and a 30m setback from the eastern boundary. 50% of the 5m northern yard must be landscaped. There is no yard required on the southern boundary.
- 4.34 The Precinct states that the minimum landscape coverage is 35% of the net site area.
- 4.35 The precinct also contains specific noise limits as shown in the table below:



Activity	Average maximum level		Maximum
	dBLAeq		dBLAFmax
	Monday to Sunday 7am-8pm	All other times	10pm-7am
Within Residential zones	55	45	75
Within Industrial zones	65	65	90

4.36 The Precinct provides for a Sub-precinct A and a Sub-precinct B with specific activities and standards for each area. The location of the sub-precincts are shown in **Figure 5** overleaf.

Sub-precinct A

4.37 Sub-precinct A applies to the existing area of the land occupied by the SPCA and allows the following as permitted activities:

- Animal breeding or boarding
- Farming
- Restaurants and Café's
- Clubroom
- Offices
- Retail Sales
- Veterinary Clinics
- Animal welfare (includes keeping of animals, animal adoption services, education and training of people about animal welfare);
- Educational facilities
- Tertiary education facilities
- Workers accommodation unit (one only).
- New buildings, additions and alterations to existing buildings.



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Figure 5 – Māngere 1 Precinct Plan

Sub-precinct B

4.38 Sub-precinct B applies to the rear part of the site which is not occupied/used by the SPCA and allows the following permitted activities

- Animal breeding or boarding
- Farming
- Retail Sales
- Animal welfare (includes keeping of animals, animal adoption services, education and training of people about animal welfare);
- Educational facilities
- Tertiary education facilities
- Alterations to buildings

4.39 The following activities are permitted in sub-precinct A but Discretionary in sub-precinct B:

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- Restaurants and Café's (one only)
- Clubroom
- Offices
- Veterinary Clinics
- Workers accommodation unit (one only).
- New buildings, additions alterations to buildings.

4.40 Objectives and Policies below are noted to totally replace the R-MHS zone objectives and policies on the land.

1420.2. Objectives

(1) Animal welfare activities are enabled within the Māngere 1: Precinct plan.

(2) Adverse effects associated with the animal welfare activities within the Māngere 1 Precinct are recognised and managed.

1420.3. Policies

(1) Require current and future animal welfare activities to align with the Māngere 1: Precinct plan.

(2) Protect the amenity of adjoining residential and education land uses through appropriate built form, scale and location and the implementation of best practice noise management.

(3) Recognise the significance of the animal welfare facility by avoiding competing land uses within the site.

4.41 Overall, the precinct allows a wide range of activities in buildings of a R-MHS scale across the site. On the sub-precinct A part of the site there appears no specific link required between the current animal welfare use and development of retail, restaurants and cafes and office uses, with education facilities also permitted.

Plan Change 78

4.42 Under Plan Change 78, the land is within the Auckland Light Rail corridor excluded area for which no rezoning proposals have been notified. The long-term RMA process and nature of



any potential rezoning of this land in line with the NPS-UD is unclear at the time of this report due to the recent cancellation of the Light Rail project.

Natural Resources: D1 High-Use Aquifer Management Areas Overlay [rp] - Manukau Southeast Kaawa

- 4.43 This overlay indicates that the site is within the Manukau Southeast Kaawa aquifer area and imposes additional controls on development. As these aquifers require careful management of water availability to meet user needs and at the same time maintain base flows for surface streams which seek to use or take groundwater will normally require a resource consent.

D24 Aircraft Noise Overlay - Moderate aircraft noise area (MANA), Auckland Airport - moderate aircraft noise area and Aircraft noise notification area (ANNA), Auckland Airport - aircraft noise notification area.

- 4.44 These two overlays apply to the site with the Moderate Aircraft Noise Overlay (MANA) applying to the southern 1/3 of the site as shown in red in Figure 6 below. The Aircraft Noise Notification Area applies to the rest of the site.
- 4.45 The purpose of the Aircraft Noise Overlay is to manage the subdivision of land and location of activities sensitive to aircraft noise in areas of high cumulative noise around the region's airports and airfields, so that the continued operation of the airports and airfields is not compromised, and reverse sensitivity issues are addressed.
- 4.46 Plan provisions applicable to the MANA essentially restrict the intensity of residential development to less than 1 dwelling per 400m² and require additional noise sound attenuation and related ventilation and/or air-conditioning measures to ensure specific internal noise levels.
- 4.47 We also understand that Council's normal procedure is that Auckland Airport would be considered an affected party for any residential development at intensities of greater than 1 unit per 400m² and for any other noise sensitive activity seeking to establish in the MANA.
- 4.48 The ANNA is a notification mechanism to advise that the area experiences an average noise (in decibels or dB) over a 24-hour period of 55db Ldn. The land within the MANA experiences 60dB Ldn.

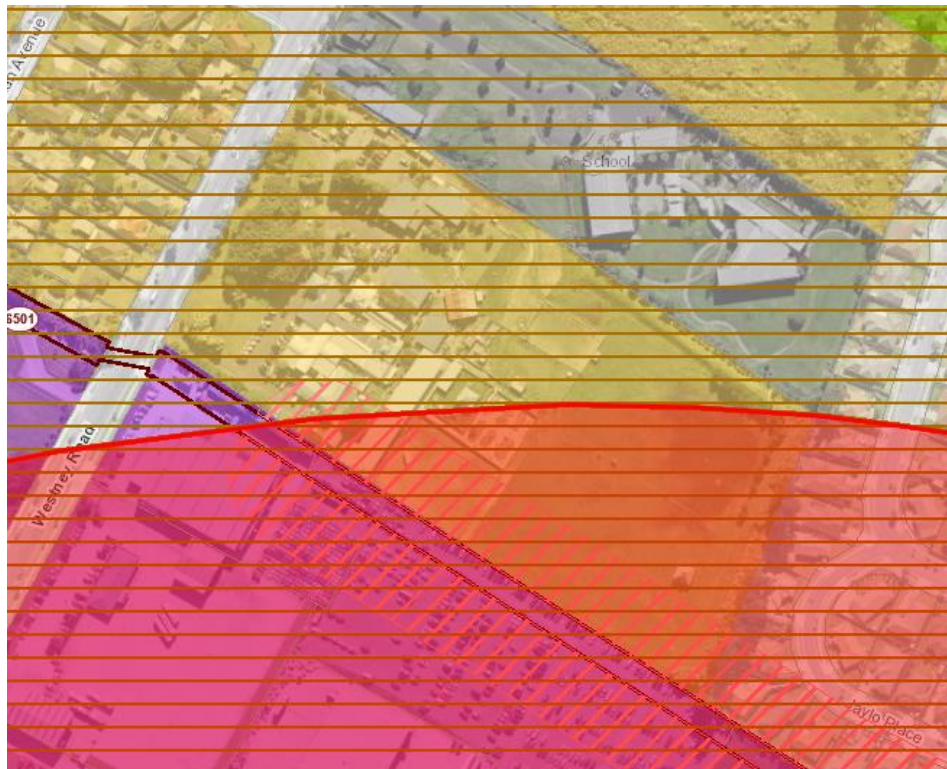


Figure 6 – MANA Overlay location

- 4.49 It is noted that Appendix 19 of the AUP contains the Auckland Airport Future Aircraft Noise Contours (FANC) with Map 2 showing the MANA consistent with where noise levels of 60db and above will be expected. An extract of Map 3 is shown below.

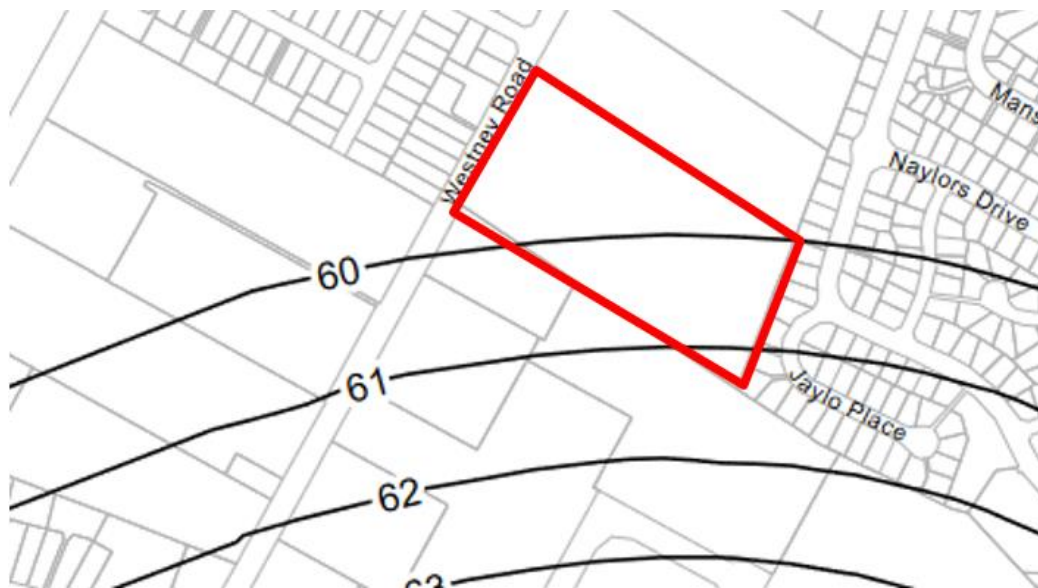


Figure 7 – Extract from AUP Appendix 19 showing FANC 60-61 on the land



E29 Emergency Management Area Control - New Zealand Refining Pipeline, Infrastructure & Designation 6501, Petroleum Pipeline - Urban Section, Designations, Channel Terminal Services Limited

- 4.50 The E29 Emergency Management Area Control relates to the high-pressure petroleum pipeline which runs from Marsden Refinery to Wiri (Designation 6051 on the site/adjacent site). This pipeline itself is located approximately 7m from the southern boundary of the site with the Emergency Management Area Control applying a 34m buffer from the line. The provisions seek that the risk to activities sensitive to hazardous facilities and infrastructure is considered. The location of the pipeline designation and Emergency Management Control area is shown in Figure 8 below.



Figure 8 – Designation 6501 and Pipeline Emergency Management Area Control

Macroinvertebrate Community Index – Rural and Urban

- 4.51 The Macroinvertebrate Community Index is used as a guideline for freshwater ecosystem health associated with different land uses within catchments. It is not particularly relevant for development of the site as there are no streams present.



Airspace Restriction Designations - ID 1102, Protection of aeronautical functions - obstacle limitation surfaces, Auckland International Airport Ltd

- 4.52 This Designation relates to building and structure height limits to protect the operation of the Airport and is not considered relevant based on heights above the adjacent zoned land height limit (20m) not being proposed.



5. PROPOSED PLAN CHANGE REQUEST

Overview

- 5.1 Rotokohu Investments :Limited request a private plan change to rezone the land from R-MHS to Business Light Industry (B-LIZ) to facilitate its development for light industrial activities.
- 5.2 The site will remain subject to the other existing controls identified on the AUP planning maps as noted in Section 4. All Auckland-Wide and zone provisions of the AUP will apply to the rezoned land.
- 5.3 The altered zoning is shown in Figure 9 overleaf with the existing and amended planning maps version contained in **Appendix 9**.

Reasons for the Private Plan Change

- 5.4 Clause 22(1) of the RMA requires that a plan change request explains the purpose of, and reasons for, the proposed plan change. The purpose of the Plan Change, or the objective of the Plan Change, is to allow the land to be developed for light industrial activities to take advantage of the location of the site near the airport and employment centres. To do this it is proposed to apply a Business Light Industry zoning to the land which is the appropriate AUP zone for this type of activity.
- 5.5 The reason for this Plan Change request is that the applicant, who is the owner of the Plan Change area, intends to develop the landholdings for light industry in a manner consistent with the adjacent land to the south, which this Plan Change request will enable.
- 5.6 This report provides an assessment of effects of the Plan Change and an evaluation of the Plan Change prepared in accordance with section 32 of the RMA. Supporting expert assessment reports are appended to the application The evaluation of the Plan Change concludes that the rezoning to B-LIZ and removal of the Mangere 1 Precinct is the the most appropriate way to achieve the purpose of the RMA.

Proposed zoning

- 5.7 The Figure overleaf shows the zoning of the site under this proposed plan change request.

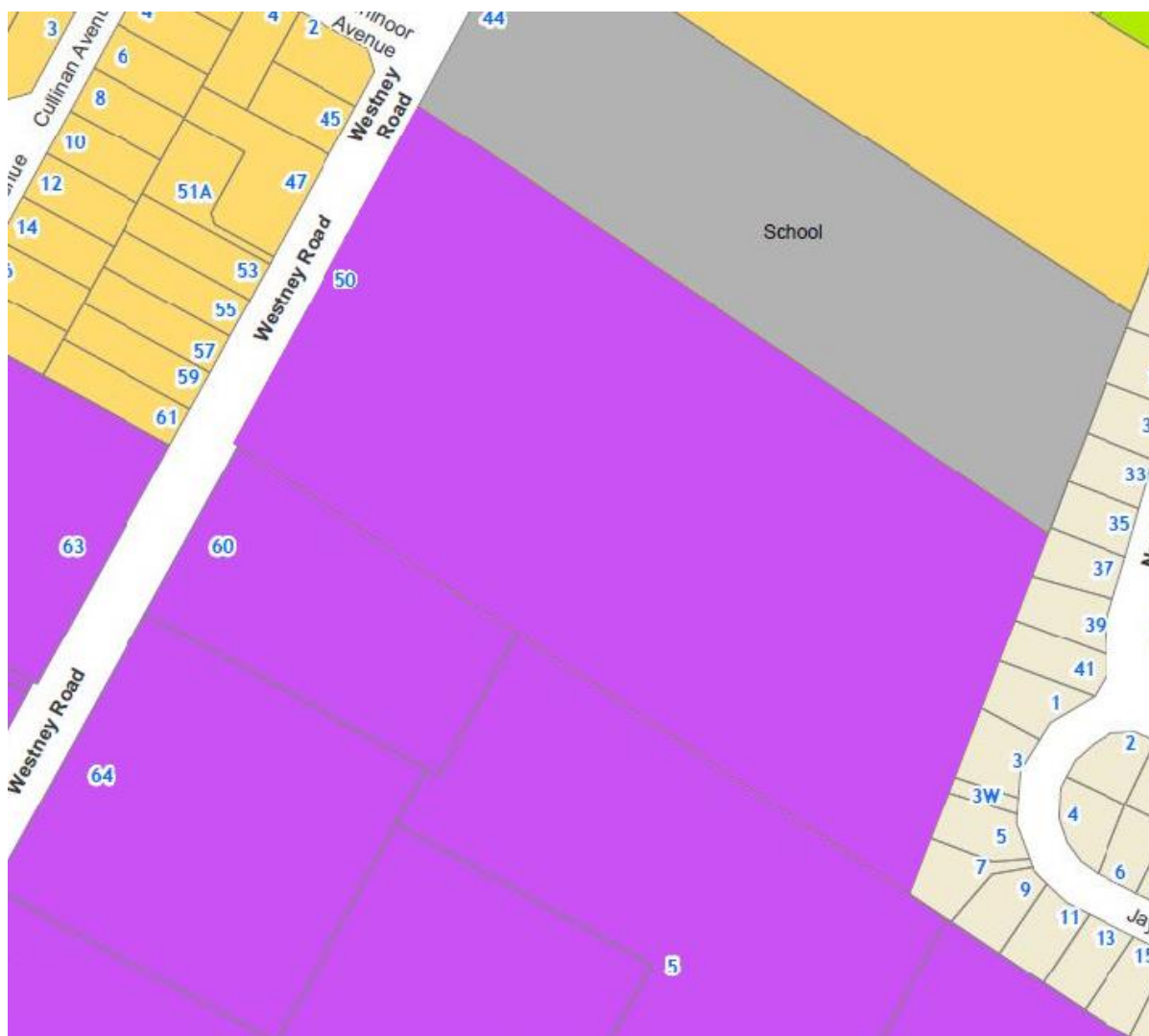


Figure 9 Requested Zoning: Business - Light Industry

- 5.8 The proposal does not seek to alter or amend the existing Controls, Overlays or Designations applying to the land and relies on the full suite of existing Auckland-wide provisions and B-LIZ provisions to apply within the plan change land area.



6. STATUTORY PLANNING FRAMEWORK

Statutory Context

6.1 Schedule 1 of the Resource Management Act (RMA) sets out the process for changes to district and regional Plans. Clause 21 of that schedule states that any person may request a change to a district or regional plan and Clause 22 requires that the request to change a plan must be made to the appropriate local authority in writing. A request for a plan change shall explain:

- The purpose of, and reasons for, the proposed plan change (see section 5);
- Contain an evaluation report prepared in accordance with section 32 (refer **Appendix 10**); and
- 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 correspond with the scale and significance of the actual or potential environmental effects anticipated from the implementation of the plan change (see section 7).

Section 32 Analysis

6.2 Section 32 of the Act requires any proposed plan change to provide an assessment of the effectiveness, efficiency, costs, benefits and risks of the requested plan change including alternative options. A full section 32 analysis is provided in **Appendix 10** to this report, with a summary of the analysis outlined in Section 9.

Accepting the Plan Change Request - Clause 25 Evaluation

6.3 Clause 25 (4) of Schedule 1 of the Act states that a local authority may reject a private plan change request based on the following:

- (a) *Whether 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—*
 - (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.”*

6.4 An assessment of these matters is provided below.

Whether the request is frivolous or vexatious

- 6.5 Based on the analysis contained within the attached specialist assessments, and within this report, the private plan change request is not considered frivolous or vexatious. The land subject to the private plan change request is already zoned for urban development and is suitable for the proposed amended zoning. The current zoning will soon be no longer fit for purpose (once the SPCA no longer occupy the land) and required amendment to allow its reasonable development.
- 6.6 The request is supported by a range of assessments that indicate light industrial is feasible and achievable without undue adverse effects which cannot be managed by the provisions of the AUP and other relevant planning documents. The purpose of and reasons for the private plan change request are considered to be aligned in principle with the strategic directions of the relevant planning documents and with the intentions of the owner.
- 6.7 This application for the plan change request also contains a section 32 evaluation and is supported by a range of specialist assessments in relation to key matters considered to be material to the request, including economics, transport, infrastructure and urban design.
- 6.8 Initial feedback received from stakeholders (Council, Auckland Transport, Watercare, Mana Whenua groups, infrastructure providers) is that the plan change is supportable and appropriate given the site's use and surrounding environment.
- 6.9 On this basis, the proposed plan change request is not considered to be either frivolous or vexatious.



Whether the request has been considered within the last two years

- 6.10 The AUP has now been almost fully operative for more than 2 years and the substance of the request has not been considered within the last two years.
- 6.11 It is noted that the Auckland Council excluded this land from the PC78 process as it was in the 'Light Rail Corridor.'

Whether the request is in accordance with sound resource management practice

- 6.12 The term 'sound resource management practice' is not defined in the RMA but has become a common term within the planning discipline. Overall, the consideration of this should involve a coarse assessment of the merits of the private plan change request – "at a threshold level" – and take into account the RMA's purpose and principles – noting that the full merits assessment will be undertaken if/when the request is accepted.
- 6.13 In the recent Environment Court decision *Orakei Point Trustee v Auckland Council* [2019] NZEnvC 117, the Court stated: "

[13] What not in accordance with sound resource management practice means has been discussed by both the Environment Court and High Court in cases such as Malory Corporation Limited v Rodney District Council (CIV-2009-404-005572), dated 17 May 2010, Malory Corporation Limited v Rodney District Council (Malory Corporation Ltd v Rodney District Council [2010] NZRMA 1 (ENC)) and Kerikeri Falls Investments Limited v Far North District Council (Kerikeri Falls Investments Limited v Far North District Council, Decision No. A068/2009) .

[14] Priestley J said in Malory Corporation Limited v Rodney District Council (CIV-2009-404-005572, dated 17 May 2010, at 95) that the words sound resource management practice should, if they are to be given any coherent meaning, be tied to the Act's purpose and principles. He agreed with the Environment Court's observation that the words should be limited to only a coarse scale merits assessment, and that a private plan change which does not accord with the Act's purposes and principles will not cross the threshold for acceptance or adoption (CIV-2009-404-005572, dated 17 May 2010, at 95).

[15] Where there is doubt as to whether the threshold has been reached, the cautious approach would suggest that the matter go through to the public and participatory process envisaged by a notified plan change (Malory Corporation Ltd v Rodney District Council [2010] NZRMA 1 (ENC), at para 22)."



- 6.14 As will be assessed further within this report, the rezoning of the application site to B-LIZ is considered to make a positive contribution to the supply of light industrial land within Auckland, particularly within the established light industrial context of the immediately surrounding environment. Adverse effects of future development proposals can be suitably managed through the standard provisions of the Auckland Unitary Plan (Operative in Part).
- 6.15 This request is supported by a range of specialist reports, who all conclude that the proposed plan change is an appropriate outcome that will result in sustainable management of natural and physical resources. Consultation has been had with Auckland Transport, Watercare and Mana Whenua. Overall, the proposed rezoning of the site contained within this plan change request is considered to be made in accordance with sound resource management practice.

Whether the request would make the plan inconsistent with Part 5 of the RMA

- 6.16 Part 5 of the RMA sets out the role and purpose of planning documents created under the RMA, including that they must assist a local authority to give effect to the sustainable management purpose of the RMA. As assessed within the contents of this report, the proposed plan change is considered to be entirely consistent with the sustainable management of the natural and physical resources of the application site and the surrounding environment. The proposed plan change seeks to amend the zoning of the application site to enable use and development to provide for increased business land supply while avoiding, remedying or mitigating adverse effects on the environment.

Whether the plan has been operative for less than 2 years

- 6.17 The district plan provisions of the Auckland Unitary Plan relevant to this request were made operative on 15 November 2016. The relevant provisions have therefore been operative for more than two years.

Section 25 conclusion

- 6.18 As outlined above, the assessment under section 25 of Schedule 1 of the RMA confirms that the proposed plan change should not be rejected based on the tests stated and therefore can be accepted.



7. STRATEGIC PLANNING POLICY FRAMEWORK

- 7.1 A range of strategic and statutory planning documents have informed the Plan Change process and a summary and assessment of those documents relevant to the proposed Plan Change is set out below.

National Policy Documents

- 7.2 Section 74(1)(ea)¹ states that a Territorial Authority must prepare and change its District Plan in accordance with a national policy statement, a national planning standard and any regulations. Section 75(3)(a)-(ba)² states that a District Plan must give effect to any National Policy Statement or National Planning Standard.

National Policy Statement on Urban Development 2020 -Updated May 2022

- 7.3 The National Policy Statement on Urban Development 2020 (NPS-UD) came into effect on 20 August 2020 and was updated in May 2022. The NPS-UD and sets out the objectives and policies for planning for well-functioning urban environments under the Resource Management Act 1991.
- 7.4 The NPS-UD contains objectives and policies that require councils to carry out long term planning to accommodate growth and ensure well-functioning cities. There is an emphasis on allowing for growth ‘up’ and ‘out’ in a way that contributes to a quality urban environment, and to ensure their rules do not necessarily constrain growth. Councils are directed to enable higher density development in areas close to employment, amenity, infrastructure and demand. The NPS includes objectives and policies that seek to allow for the diverse and changing needs of communities and future generations and ensure that New Zealand’s urban environments enable all people to provide for their social, economic and cultural wellbeing.
- 7.5 The NPS contains a number of objectives and policies that are of particular relevance when considering the proposed plan change and these are listed below:

¹ RMA

² RMA



Objective 1: *New Zealand has 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.*

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

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

Objective 4: *New Zealand's urban environments, including their amenity values, develop and change over time in response to the diverse and changing needs of people, communities and future generations.*

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

- (a) integrated with infrastructure planning and funding decisions; and*
- (b) strategic over the medium term and long term; and*
- (c) responsive, particularly in relation to proposals that would supply significant development capacity.*

Objective 8: *New Zealand's urban environments: support reductions in greenhouse gas emissions; and are resilient to the current and future effects of climate change.*

Policy 1: *Planning decisions 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*



(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

(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.

Policy 2: Tier 1, 2, and 3 local authorities, at all times, provide at least sufficient development capacity to meet expected demand for housing and for business land over the short term, medium term, and long term.

Policy 6: When making planning decisions that affect urban environments, decision-makers have particular regard to the following matters:

(a) the planned urban built form anticipated by those RMA planning documents that have given effect to this National Policy Statement

(b) that the planned urban built form in those RMA planning documents may involve significant changes to an area, and those changes:

(i) may detract from amenity values appreciated by some people but improve amenity values appreciated by other people, communities, and future generations, including by providing increased and varied housing densities and types; and

(ii) are not, of themselves, an adverse effect.

(c) the benefits of urban development that are consistent with well-functioning urban environments (as described in Policy 1)

(d) any relevant contribution that will be made to meeting the requirements of this National Policy Statement to provide or realise development capacity

(e) the likely current and future effects of climate change.

7.6 The Plan Change area is located within an existing urban environment and is also highly accessible to a range of transport options. The rezoning will provide for an increased supply of light industrial land of a large size (4ha) therefore ensuring the efficient use of the land.

7.7 The Plan Change will not adversely affect the environment as any effects can be appropriately mitigated and managed during the consent and development process.



- 7.8 It is considered that the proposed plan change will give effect to the NPS-UD through enabling business development on existing urban zoned land in an appropriate location near transport corridors and residential areas. In this way it will assist in creating a well-functioning urban environment that will 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.

National Policy Statement for Indigenous Biodiversity (NPS-IB).

- 7.9 In August 2023, the Ministry for the Environment released the National Policy Statement for Indigenous Biodiversity (**NPS-IB**). The NPS-IB contains objectives and policies that require Council's to provide for the long-term protection and management of indigenous biodiversity in the terrestrial environment. In this case, there are no protected trees or significant flora or fauna on the subject site. Any future resource consent applications would be assessed against the NPS-IB as necessary. The SMP provides for NDC compliant treatment of stormwater from the site.
- 7.10 As such, the NPS-IB whilst not directly relevant to the assessment of this Plan Change application is considered to be met via the SMP and future treatment of stormwater discharges from the site (which would be the case irrespective of any change in zoning).

National Policy Statement for Freshwater Management

- 7.11 The National Policy Statement for Freshwater Management 2020 ('NPS-FM') sets a national policy framework for managing freshwater quality and quantity. Of relevance to the PPC, the NPS-FM seeks to:
- Manage freshwater in a way that 'gives effect to Te Mana o te wai through involving tangata whenua, and prioritising the health and wellbeing of water bodies, then the essential needs of people, followed by other uses.
 - Improve degraded water bodies.
 - Avoid any further loss or degradation of wetlands and streams.
 - Identify and work towards target outcomes for fish abundance, diversity and passage and address in-stream barriers to fish passage over time.



- 7.12 A Stormwater Management Plan has been prepared for the PC land and is contained in **Appendix 3**. The SMP outlines the measures proposed to manage the increase in stormwater discharge to the wider environment (including the sensitive downstream CMA environments of the Pūkaki inlet). An integrated stormwater management approach has been proposed and a number of best practicable options have been identified in the SMP to manage potential effects on water quality and quantity associated with the proposed change in land use .
- 7.13 The AUP provisions regarding lakes, rivers and streams (E1 and E3) give effect to this NPS and any future development within the Plan Change area would need to comply with those provisions. In reality the urbanisation will allow for enhanced outcomes in terms of freshwater quality through the upgrade of the existing stormwater system for the site with a treatment train approach to stormwater treatment and disposal, as outlined in the SMP, will ensure that the proposal delivers environmental benefits in this regard.

New Zealand Coastal Policy Statement

- 7.14 The New Zealand Coastal Policy Statement 2010 ('NZCPS') contains objectives and policies relating to the coastal environment to achieve the purpose of the RMA. The NZCPS is relevant to this Plan Change as the additional stormwater runoff from the site will flow to Pūkaki inlet to the south east of the land.
- 7.15 Future development on the site will need to comply with the Auckland-wide stormwater quality and stormwater management provisions which will manage sediment and contaminant runoff, which could make its way into the coastal environment. The Plan Change will give effect to the NZCPS in that any future land use activities will need to be undertaken in accordance with relevant resource consent processes. Further mitigation measures can be considered as set out in the SMP and as part of a future resource consent process via the certification requirements of the Council's region-wide Network Discharge Consent.

National Policy Statement for Highly Productive Land

- 7.16 The National Policy Statement for Highly Productive Land ('NPS-HPL') came into effect on 17 October 2022. The NPS-HPL does not apply to existing urban areas and therefore the provisions of the NPS-HPL do not apply



National Planning Standards

- 7.17 The National Planning Standards came into effect on 5 April 2019. These codify the structure, mapping, definitions and noise/vibration metrics of District, Regional and Unitary Plans. The Auckland Council has 10 years to implement these changes and it is noted that this proposed plan change adopts the standard AUP zones which are broadly consistent with the planning standards.

National Environmental Standards

- 7.18 The National Environmental Standards (NES) that could be considered relevant to this Plan Change are:
- NES for Air Quality;
 - NES for Sources of Human Drinking Water;
 - NES for Assessing and Managing Contaminants in Soil to Protect Human Health.
- 7.19 These NES documents are not considered relevant for this rezoning proposal, given that the B-LIZ is a zone that does not anticipate objectional odour or dust so not likely to engage the Air Quality NES, nor is the urbanisation of the land going to affect sources of human drinking water.
- 7.20 The existing activities within the Plan Change area are unlikely to trigger any requirements under the NES for Assessing and Managing Contaminants in Soil to Protect Human Health, with these matters more suitably addressed during future land use consents, once the overall development of the land, and the nature and extent of earthworks is known.

Strategic Planning Documents

Auckland Plan 2050 and Auckland Future Development Strategy

- 7.21 The Auckland Plan is the key strategic document which sets the Council's social, economic, environmental and cultural objectives. A key component of the Auckland Plan is the Development Strategy which sets out how future growth will be accommodated up to 2050. This was recently revised by adoption of the Future Development Strategy which is a requirement of the NPS-UD and effectively forms the spatial and growth planning for Auckland. The Auckland Plan and Future Development Strategy focusses new development in

markb@mhg.co.nz 09 950 5107

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existing urban areas and provides for 'managed expansion' in future urban areas. This rezoning delivers integrated and managed development within the existing urban area albeit for a business not residential use.

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

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

7.23 As noted in addition to the Auckland Plan, the NPSUD requires Council to prepare a Future Development Strategy (FDS) every 6 years. The purpose of the FDS is:

a) to promote long-term strategic planning on how Council intends to:

- achieve well-functioning urban environments in its existing and future urban areas
- provide at least sufficient development capacity over the next 30 years to meet expected demand.

b) assist the integration of planning decisions under the RMA with infrastructure and funding decisions

7.24 The Auckland Plan and the FDS 2023-205312 work together to set the high-level direction for Auckland over the long-term for how growth and change will be provided for in the region. The FDS encourages a quality compact city approach with development:

- a) in areas that are easily reached by public transport, walking and cycling
- b) within reasonable walking distance of services and facilities including centres, community facilities, employment opportunities, and open spaces.



- 7.25 The FDS identifies that infrastructure, services, and local amenities to support growth within existing urban areas is required and that the private sector can play an important role in their delivery.
- 7.26 In relation to the Auckland Plan and the FDS, the rezoning proposed is an existing area of urban zoned land which is within walking and cycling distance of public transport and other amenities. The proposed zoning supports maximising the efficient use of land to enhance the development of light industrial activities in a suitable location near the airport. The development can be serviced by existing and extended infrastructure with necessary upgrades considered feasible as set out in the Engineering Report.
- 7.27 The land is subject to several site specific constraints including the adjacent fuel pipeline and Auckland Airport Moderate Aircraft Noise Area overlay which indicate that residential development of the land would be less consistent with the FDS than light industrial activity.
- 7.28 The strategic objectives of the Auckland Plan and FDS are reflected in the AUP objectives and policies with the rezoning utilising the standard B-LIZ provisions as well as the Auckland wide provisions including the RPS as discussed below.

Regional Policy Statement and Plans

- 7.29 Section 75(3)(c) of the RMA states that a District Plan must give effect to any Regional Policy Statement and Section 75(4)(b) states that a District Plan must not be inconsistent with a Regional Plan for any matter specified in Section 30(1).

Regional Policy Statement

- 7.30 The Regional Policy Statement (RPS) is contained within the Auckland Unitary Plan (Operative in Part) and outlines the significant resource management issues for the Auckland Region. The RPS broadly gives effects to the strategic direction of the Auckland Plan / FDS and provides the policy framework guiding development in Auckland to achieve integrated management of the region's natural and physical resources.
- 7.31 Of particular relevance to this Plan Change are the provisions in Chapter B2 of the RPS relating to urban growth and form. There is strong direction to provide for Auckland's growing population in an integrated manner within the urban area. There is an emphasis on the need

markb@mhg.co.nz 09 950 5107

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to provide for integrated land use, development and the provision of infrastructure with a preference that this optimises the efficient use of the exiting urban area.

- 7.32 A comprehensive assessment of the proposed rezoning against the relevant objectives and policies of the RPS are provided below, this demonstrates that the proposed rezoning will give effect to the RPS.
- 7.33 The RPS at B1.4 identifies nine key issues and of relevance to this application are the following:
- B2 Urban growth and form;
 - B3 Infrastructure, transport and energy;
 - B6 Mana Whenua;
 - B7 Natural resources; and
 - B10 Environmental risk.
- 7.34 The provisions of the AUP must give effect to the RPS and therefore, the proposed plan change will be assessed against the relevant objectives and policies below.

B2 Urban growth and form

- 7.35 The relevant objectives and policies of Part B2 aim to achieve the outcome of sustained urban growth in order to create and maintain compact urban form through residential and commercial growth in appropriate locations within close-proximity to amenities such as centres, transportation nodes and public open spaces.
- 7.36 The proposed plan change seeks to rezone the application site to enable it to be developed for light industrial purposes consistent with land to the south. The proposed change is considered appropriate given the site's location adjacent to existing zoned and serviced B-LIZ land. As outlined within this report and the Urban Design Assessment in **Appendix 1**, the surrounding character of the area is mixed in nature and, as assessed under s32 of the RMA in **Section 9** and **Appendix 10** of this report, the B-LIZ enabled development on the land will be of a suitable design and appearance making efficient use of existing zoned and serviced land.
- 7.37 In line with the Objectives in B2.5.1, by rezoning to B-LIZ the land can be developed in a way that promotes economic development and the efficient use of land and infrastructure. Existing AUP noise, building setback and height to boundary provisions can manage zone interface relationships appropriately.



- 7.38 The rezoning is consistent with Policy B2.5.2(7) as it will enable the supply of land for industrial activities, in particular for land-extensive industrial activities (due to the site size and shape) in an area where the character, scale and intensity of the effects from those activities can be appropriately managed. Policy B2.5.2(8) is met as the land is relatively flat, has efficient access to freight routes (SH20A) and the airport, and can be efficiently served by existing or extended infrastructure networks.
- 7.39 In light of the above, the proposed rezoning is consistent with the relevant objectives and policies of Part B2 of the ARPS.

B3 Infrastructure, transport and energy

- 7.40 With regard to infrastructure, the plan change will ensure that development on the land is adequately serviced with infrastructure which ensures that infrastructure planning and land use planning are integrated to service the proposed growth efficiently (B3.2.1(5)). The Infrastructure Assessment and discussions with Watercare have confirmed that there is or can be sufficient capacity to service the land.
- 7.41 In terms of transport, the relevant objectives and policies of Part B3 seek an efficient and safe transport network that integrates with a quality compact urban form and locating high trip generating activities close to key public transport services. The plan change land has direct access to Westney Road which will provide transport access to SH20A. In the future Westney Road is understood to become a part of an extended bus route to the Airport from Mangere. The Māngere Town Centre and bus station are also an easy 1-2km bike ride away. The Integrated Transport Assessment (**Appendix 4**) prepared for the proposed plan change has demonstrated that future light industrial activities can be accommodated without significant adverse effects to the road network.
- 7.42 While resource consent applications for future development on the site will determine more specific detail of the infrastructure effects and servicing, the proposed rezoning of the land under this plan change request is generally consistent with the relevant objectives and policies of Part B3 of the ARPS.



B6 Mana Whenua

- 7.43 The relevant objectives and policies of Part B6 recognises the principles of the Treaty of Waitangi, the relationship of Mana Whenua with Treaty Settlement Land and the values of Mana Whenua during the resource management decision making process. In addition, the values of Mana Whenua heritage is protected, and Maori economic, social and cultural well-being is supported.
- 7.44 All relevant Mana Whenua groups have been contacted prior to the lodgement of this formal plan change request and discussions are ongoing which is considered consistent with the relevant objectives and policies of Part B6. Through the notification of the plan change any additional groups can provide feedback on the proposal.
- 7.45 Future development of the land will be subject to normal Accidental Discovery Protocols to ensure suitable management of effects from land disturbance in the event of the uncovering of any items of significance.

B7.3 Freshwater Systems

- 7.46 Under Part B7.3 of the Regional Policy Statement, the relevant objectives and policies seek to minimise the loss of freshwater systems, the enhancement of degraded freshwater systems and the integrated management of development to ensure provisions for stormwater, wastewater and water supply are adequately provided for, avoiding discharges or runoff into freshwater systems. There are limited existing overland flow paths on the site but no freshwater features (streams, wetland etc) present. All future development on the site will be connected to existing or extended/upgraded wastewater and stormwater networks (following necessary upgrades and with the required stormwater detention and treatment as set out in the Stormwater Management Plan), which will enhance the quality of the freshwater systems.
- 7.47 Future development of the land will be subject to normal consent processes and compliance with the SMP and Engineering Standards to ensure suitable management of effects to freshwater systems.
- 7.48 The rezoning proposal is consistent with B7.3.



B10.2 Natural Hazards and Climate Change

- 7.49 The land does contain areas of overland flow paths and potential for flooding however the area and nature of these is limited and able to be catered for in the design and layout of any future development of the land. The current Stormwater Management Plan proposals will provide for a direct overland flow path to the south of the site and to the CMA which will ensure that the objectives and policies are suitably met. The SMP confirms no downstream flooding is exacerbated by the proposed rezoning.

B10.4 Land – Contaminated

- 7.50 The relevant objectives and policies of Part B10.4 seek to protect human health and the quality of the environment from effects arising from contamination, to identify land which may be contaminated and to remediate land where the level of contamination present is unsuitable.
- 7.51 Reviews of historic aerial photographs for the site have not indicated any former large scale horticultural use which may have resulted in any contamination on the site. Notwithstanding this, a full assessment as part of future resource consent applications will ensure that these effects are suitably addressed.

Conclusion

- 7.52 Overall, the proposed plan change request is considered to give effect to the relevant objectives and policies of the Auckland Regional Policy Statement through enabling light industrial development of the land.

Auckland Unitary Plan

- 7.53 The Auckland Regional Plan provisions control the use of land for the purpose of soil conservation, water quality and managing natural hazards. There are no particular environmental constraints within the Plan Change area relating to soils, water or natural hazards that would impact rezoning as set out in Section 8 of the report below.
- 7.54 Development within the Plan Change area will be regulated by the standard B-LIZ zone provisions and the Auckland-wide provisions within the AUP, which will ensure the effects of



development on the natural environment will be appropriately managed and will achieve the objectives and policies of the District and Regional Plan.

H17 Business Light Industry Provisions

- 7.55 The Business – Light Industry Zone anticipates industrial activities that do not generate objectionable odour, dust or noise. This includes manufacturing, production, logistics, storage, transport and distribution activities. The anticipated level of amenity is lower than the centres zones, Business – General Business Zone and Business – Mixed Use Zone. Due to the industrial nature of the zone, activities sensitive to air discharges are generally not provided for.
- 7.56 There are four key objectives of the B-LIZ as set out below:

H17.2. Objectives

(1) Light industrial activities locate and function efficiently within the zone.

(2) The establishment of activities that may compromise the efficiency and functionality of the zone for light industrial activities is avoided.

(3) Adverse effects on amenity values and the natural environment, both within the zone and on adjacent areas, are managed.

(4) Development avoids, remedies or mitigates adverse effects on the amenity of adjacent public open spaces and residential zones

- 7.57 The rezoning will allow the land to deliver the above objectives as the size, shape and location of the plan change land is suitable for the establishment of light industrial activities.
- 7.58 Any adverse effects, including on neighbouring land, can be suitably managed via the zone and Auckland wide plan provisions as well as the NDC in terms of stormwater.
- 7.59 The above Objectives are supported by eight policies noted below:

H17.3. Policies

(1) Enable light industrial activities to locate in the zone.

(2) Avoid reverse sensitivity effects from activities that may constrain the establishment and operation of light industrial activities.

(3) Avoid activities that do not support the primary function of the zone.

(4) Require development adjacent to open space zones, residential zones and



special purpose zones to manage adverse amenity effects on those zones.

(5) In identified locations enable greater building height than the standard zone height, having regard to whether the greater height:

(a) is an efficient use of land; and

(b) can be accommodated without significant adverse effects on adjacent residential zones; considering the size and depth of the area.

(6) Avoid reverse sensitivity effects from activities within the Business – Light Industry Zone that may constrain the establishment and operation of heavy industrial activities within the Business – Heavy Industry Zone.

(7) Require activities adjacent to residential zones to avoid, remedy or mitigate adverse effects on amenity values of those areas.

(8) Restrict maximum impervious area within the riparian yard in order to ensure that adverse effects on water quality, water quantity and amenity values are avoided or mitigated.

In regard to the Policies – these will be met as future development will need to be carried out in accordance with the zone provisions around activities and bulk and location of buildings.

Proposed Plan Changes

7.60 There are a number of proposed Plan Changes currently in process which require assessment. These include:

- o Plan Change 78 – Council’s Intensification Planning Instrument Plan change giving effect to the NPS-UD;
- o Plan Change 79 – Amendments to the Transport Provisions
- o Plan Change 80 – RPS Well-Functioning Urban Environment, Resilience to the Effects of Climate Change and Qualifying Matters

Plan Change 78

7.61 PC78 is Auckland Council’s Intensification Planning Instrument (‘IPI’) which is prepared under S80F of the RMA to give effect to the NPS-UD, and to incorporate the MDRS into relevant residential zones. The site has been excluded from PC78 as it was expected to be within the walkable catchment of the proposed Auckland Light Rail. As this project has been cancelled it

markb@mhg.co.nz 09 950 5107

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is understood that the Council intends to prepare and notify a variation to seek to amend the zoning of the Light Rail corridor. If and when that occurs it is expected, based on surrounding properties to the east, that the land would be zoned as Mixed Housing Urban. However, the continuation of the compulsory statutory requirement for Council to include the MDRS may be subject to change, as signalled by the Government, and it is currently uncertain at this time what effect this will have on PC78 and the plan change land.

7.62 The Mangere 1 Precinct would remain in any event.

7.63 As the objective of the rezoning is to enable the development of the land for light industrial purposes, and Schedule 1 allows this request to be made, it is not considered that PC78 is of direct relevance to the request or that the rezoning would be inconsistent with it.

Plan Change 79

7.64 Plan Change 79 makes amendments to the Auckland Unitary Plan including requiring accessible parking, addressing safety issues for on-site loading/un-loading, catering for greater use of bicycles and enabling on-site electric vehicle charging. It also prioritises pedestrian access and safety along shared driveways in residential zones (including providing adequate lighting) and ensuring heavy vehicles can safely enter and exit shared driveways. It also enables assessments of the trip generation effects of development/land uses on the function and efficient operation of the transport network.

7.65 This plan change was recently decided by Hearing Commissioners (31 July 2024) and results in a number of changes to the provisions of the District Plan elements of the AUP (including E24 Lighting, E27 Transport, E39 Subdivision – Urban).

7.66 The decision has been appealed by a number of parties and the outcome of those appeals is not known.

7.67 PC 79 primarily affects residential zones and development and so it is limited relevance to future light industrial development on the plan change land. Any future resource consents for development of the land will be assessed in line with whatever amended provisions arise from the appeal process. On that basis the Plan Change raises no matters of concern in terms of PC79.



Plan Change 80

- 7.68 PC80 is a Council plan change which amends the RPS in line with concepts and terms from the under the NPS-UD. A decision was issued in August 2023 but has been appealed and so is not operative.
- 7.69 Amendments to sections B2.2 Urban Growth and Form and B2.3 A Quality Built Environment seek to include the concepts of a well-functioning urban environment, competitive land market and urban resilience to the effects of climate change into the objectives and policies of the RPS.
- 7.70 The Plan Change is consistent with the concepts of well-functioning urban environment as identified via the assessment of the NPS-UD above. It will contribute to urban resilience to the effects of climate change and also enhance and support the operation of a competitive land market by creating additional light industrial land in a suitable location near air and road freight routes.
- 7.71 The rezoning to B-LIZ will be in keeping with the amendments to the RPS proposed under PC80.

Iwi Planning Documents

- 7.72 The Auckland Council website and information confirms that there are 11 mana whenua groups which have an interest in this area. detail of consultation with iwi groups is set out in Section 10 with the requestor consulting with Ngati Tamaoho and Ngaati Te Ata Waiohua who have expressed an interest in the proposal. Ngati Tamaoho have provided a memo (**Appendix 11**) which seeks that the following recommendations are included in the plan change / development of the land:
- accidental discovery protocols for any artefacts, features, or koiwi that may be found in the area.
 - water tanks for the reuse of the rainwater off the roofs.
 - Enviropods for stormwater treatment.
 - sediment and silt controls for this project that go over and above GD05 requirements.

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- a planting palette that reflects the original flora and fauna of the area.

- 7.73 The applicant accepts these recommendations and intends to include them in development proposals for the site. The SMP provides additional detail on the stormwater treatment that is proposed.
- 7.74 No other mana whenua groups have expressed an interest in the plan change.
- 7.75 Consultation with these iwi groups is on-going and the outcome of any further discussions will be provided to Council in due course.
- 7.76 It is noted that the proposal is for the rezoning of an existing developed and urban zoned area from Residential to a Light Industrial which reduces the potential for outcomes inconsistent with iwi planning documents at a broader strategic level.

Management Plans and Strategies

- 7.77 Section 74(2)(b)(i) of the RMA states that a Territorial Authority must have regard to any management plans and strategies prepared under other Acts. In this case, the relevant plans include the Auckland Plan 2050 and the Future Development Strategy (FDS) – both assessed above – as well as the Māngere-Ōtāhuhu Area Plan (including the 2022 update) and the Māngere-Ōtāhuhu Local Board Plan and the Māngere-Ōtāhuhu Greenways Refresh, which are considered below.

Māngere-Ōtāhuhu Area Plan

- 7.78 The Māngere-Ōtāhuhu Area Plan (MOAP) was adopted in 2013 and outlines how the Māngere-Ōtāhuhu area is envisaged to change over the next 30 years. It sets out the key moves, desired outcomes and supporting actions to assist in achieving the vision for Auckland and Māngere-Ōtāhuhu, as set out in The Auckland Plan and by the Māngere-Ōtāhuhu Local Board within their local board plan (discussed below).
- 7.79 The Area Plan focuses on six key moves.
- Revitalising and enhancing Māngere-Ōtāhuhu's centres (Māngere Bridge, Favona, Māngere East, Māngere and Ōtāhuhu).



- Providing for a multi-modal rapid transport corridor and improved public transport network to the airport, CBD and the local and wider region.
- Improving the water quality of the Manukau Harbour and promoting opportunities for appropriate public access to the coast.
- Promoting Māngere-Ōtāhuhu businesses and Auckland Airport as local and regional employment, tourism and recreation destinations and the gateway to Auckland.
- Progressively enhancing Māngere and Ōtāhuhu's residential areas through comprehensive redevelopment, planning and partnerships with major landowners.
- Recognising the kaitiaki role of Mana Whenua, while conserving, supporting and celebrating Māngere- Ōtāhuhu's rich heritage resources and its distinctive Pasifika, European, Asian and multicultural identity.

7.80 The key moves are supported by:

- an Area Plan Framework Map that identifies where people will live and work, and proposes a direction for future growth
- three theme maps identifying local outcomes and actions in relation to economic and community development; transport and network infrastructure; and natural environment, heritage and character
- a 10-year Project Prioritisation Schedule, outlining the projects that will assist in implementing the local outcomes and actions.

7.81 The MOAP was then partially updated in 2022 with the updated plan stating:

Parts of the Māngere-Ōtāhuhu and Ōtara-Papatoetoe local board areas are expected to see much more residential intensification, growth and development than was expected when the existing Māngere-Ōtāhuhu Area Plan (2013) and the Ōtara-Papatoetoe Area Plan (2014) were developed.

Two key factors are contributing to the residential intensification, growth and development:

- *A neighbourhood development programme for the Māngere area being undertaken by Kāinga Ora (formerly Homes Land and Community, Housing New Zealand and KiwiBuild).*
- *Increased residential growth opportunities enabled by the Auckland Unitary Plan (operative in part).*



To respond to the proposed growth, both the Māngere-Ōtāhuhu and Ōtara-Papatoetoe area plans have been reviewed and updated to focus on what the existing and new communities will need in the next 30 years. The outcomes, actions and projects identified in this updated area plan will support and guide future decision making over the next 30 years. This includes helping to prioritise investment in physical and social infrastructure, while building on the area's cultural and historical values and landscapes.

7.82 The plan change land is located within the area which was reviewed in 2022 and the reviewed plan has four key themes for the area being :

1. Climate Change/Resilience /Sustainability

- *Resilience is needed to adapt the physical environment for climate change.*
- *Resilience is also needed for the people in the community to deal with the physical and social changes which occur with residential intensification.*

2. Children and Young People

- *This area has a high number of children and young people. It is important both for the future of these children and young people and the future of the area that Children and young people feel that they belong to the community and that their range of needs is met.*

3. Connected Communities and Pasifika

- *Connected Communities and Pasifika is about:*
 - o How people relate to each other*
 - o How people feel about and interact with a place*
 - o How people get around.*

4. Māori Identity and wellbeing (Taha Māori)

- *Sense of pride, uniqueness, visibility and belonging.*
- *Oranga - Te Whare Tapa Whā (the four walls of the house): wellbeing consists of taha tinana (physical wellbeing), taha wairua (spiritual wellbeing), taha hinengaro (emotional/mental wellbeing) and taha whānau (whānau health and wellbeing)*

7.83 The update outlines several outcomes across five key areas:



1. Natural Environment and Open Space:

- *Restoration and protection of waterways, wetlands, and biodiversity using a Te Ao Māori approach.*
- *Enhancing green spaces, increasing tree canopy cover, and improving climate resilience through sustainable land use and design.*
- *Supporting mana whenua's role as kaitiaki (guardians) and promoting Māori cultural landscapes and narratives in public spaces.*

2. Community and Economic Development:

- *Creating a thriving, resilient local economy by ensuring sufficient business-zoned land, promoting local workforce skills, and encouraging entrepreneurship, including Māori economic opportunities.*
- *Supporting education and training programs tailored to the area's diverse population, particularly Māori and Pasifika youth.*

3. Transport and Network Infrastructure:

- *Enhancing transport connections, especially active transport options (walking, cycling), and improving access to public transport.*
- *Prioritizing infrastructure upgrades in line with residential growth, focusing on efficient and sustainable service delivery.*

4. Built Environment:

- *Supporting medium and high-density residential development in alignment with the Auckland Unitary Plan, ensuring that new housing meets diverse community needs.*
- *Incorporating Māori design principles and cultural narratives in the built environment.*

5. Identity and Sense of Place:

- *Fostering a strong sense of belonging by celebrating the area's unique Māori and Pasifika identities through public art, cultural events, and community engagement.*

7.84 The plan seeks to ensure that the Māngere-Ōtāhuhu area grows sustainably, supports its diverse communities, and enhances its environmental and cultural assets over the next 30 years. The rezoning will assist in achieving the relevant outcomes as it will allow the already urban zoned land to be efficiently and sustainably developed for light industrial activities which will encourage economic growth in the area, offer increased employment opportunities for local people and result in enhanced environmental outcomes (via the proposed stormwater management and treatment as set out in the SMP).

Māngere-Ōtāhuhu Local Board Plan 2023

7.85 The main issues addressed in the *Māngere-Ōtāhuhu Local Board Plan 2023* are centered around five key areas:



- **People:** The plan recognizes the diversity of the population, including significant Māori, Pacific, and ethnic communities. A key challenge is ensuring that services are tailored to support different groups, such as youth, elderly, and disabled residents. The plan emphasizes inclusive engagement and empowering these communities to contribute to decision-making processes.
- **Environment:** The region faces significant environmental challenges, such as vulnerability to coastal flooding and low tree coverage. The plan focuses on addressing climate change, enhancing natural habitats, and promoting community-led conservation efforts, including waste reduction, pest control, and increasing urban green space.
- **Community:** There is a strong emphasis on providing flexible and accessible community spaces. A major concern is funding and maintaining community facilities while balancing affordability with rising costs. The plan seeks to build resilience through partnerships with community groups, maximizing the use of existing facilities, and promoting inclusivity in local spaces.
- **Places:** Safety, connectivity, and accessibility in neighborhoods are highlighted as ongoing issues. The plan proposes improvements to local infrastructure, focusing on active transport options (e.g., walking and cycling) and upgrading public spaces to enhance community well-being.
- **Economy:** The local economy is recovering from economic shocks, with a need for job creation and business retention. The plan prioritizes supporting young people and Māori/Pacific communities in gaining employment. It also advocates for investment in town centers and the industrial areas to ensure they can attract and retain businesses, fostering economic resilience.

7.86 The **main outcomes** sought include:

- Increased community participation and inclusion, with a focus on supporting Māori and Pacific communities.
- Enhanced climate resilience and environmental protection through community engagement and sustainable initiatives.
- Improved safety, accessibility, and connectivity in neighborhoods.
- A vibrant local economy with better employment opportunities, particularly for youth, and strong business retention in key areas.
- Strong partnerships between the community, council, and local organizations to ensure effective delivery of services and projects.

markb@mhg.co.nz 09 950 5107

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- 7.87 This holistic approach ensures that Māngere-Ōtāhuhu can meet the needs of its growing and diverse population while fostering sustainability and resilience.
- 7.88 The proposed rezoning from R-MHU to B-LIZ will be consistent with the outcomes as it will:
- boost local employment, attract investment, and enhance the local economy.
 - The Stormwater Management Plan includes robust stormwater management strategies to comply with the Plan's environmental goals.
 - industrial development could contribute positively to providing employment opportunities for local Māori and Pacific communities, aligning with the board's focus on reducing barriers to employment and promoting equitable outcomes;
- 7.89 Overall, the rezoning is consistent with the outcomes sought and will not prevent them being achieved.

Summary

- 7.90 Overall, the proposed Plan Change is consistent with the strategic and statutory planning documents including the vision and key outcomes sought in the more local plan's given the existing urban zoning and location next to existing light industrial zoned land. The size and shape as well as the proximity to public transport, open space, amenities and housing demonstrates that light industrial zoning will be consistent with relevant planning documents.



8. ASSESSMENT OF EFFECTS ON THE ENVIRONMENT

8.1 Clause 22(2) Schedule 1 of the Act requires an assessment of the anticipated environmental effects of any private plan change in accordance with Schedule 4 of the Act. The following assessment is an analysis of both positive and adverse actual and potential effects arising from the proposal, including:

- Economic Effects
- Built Environment Effects / Urban Design;
- Acoustic Effects;
- Transportation;
- Infrastructure;
- Mana Whenua Values;
- Natural Resources;
- Geotechnical and;
- Heritage

8.2 These matters are addressed below, with reference to specialist reports where relevant.

Economic Matters

8.3 An Economic Assessment Report has been prepared by Tim Heath of Property Economics. The Report assess the high-level economic costs and benefits for the rezoning of the plan change land from R-MHS to B-LIS. Regarding this, the assessment states:

ECONOMIC BENEFITS

- *Provision of industrial land to satisfy demand for industrial locations in the wider Manukau – Airport industrial area:* The HBA 2023 indicates that even though the region as whole has more than sufficient capacity to accommodate industrial growth over the next 30 years, specific business activities, particularly land extensive ones such as light industry will need additional land provision to meet their specific suitability requirements practicably. This suggests that additional industrial land capacity provided by the PPC would contribute to accommodating the future LIZ land demand,



ensuring a continuous growth of the local and regional industrial economy over the long term.

- *Enablement of greater economies of scale and industrial agglomeration effects:* The PPC site directly adjoins the wider Māngere – Airport existing industrial business areas and would perform as a natural extension of the Westney Road LIZ environment. This means that future industrial activities within the PPC site would gain benefits and efficiencies working with the existing operations in the wider Māngere – Airport industrial areas. The broader range of light industrial activities enabled in the PPC site, the more agglomeration benefits, efficiencies, and improved business performance can be generated.
- *Mitigation of adverse environmental effects (or reverse sensitivity effects) by containing the activities within a defined area:* Many industrial activities generate reverse sensitivity issues in urban environments. The PPC land would provide a location where any reverse sensitivity issues can be mitigated.
- *Improved land use efficiency of the site:* Given the existing industrial environment in the surrounds, the PPC site has the natural advantage to be used for light industrial activities. Therefore, in contrast to other land uses such as residential, which are underrepresented and classified as “discretionary” on this site, the proposed LIZ provision would enable a more practical, compatible, and efficient use of the land resources.
- *Increased industrial employment and greater economic profile:* The PPC would directly promote Auckland’s industrial economy by providing more industrial employment opportunities to the local market near an existing industrial area and zone. The PPC site has the potential to increase the industrial market of Māngere – Airport by attracting industrial activity to that may not have been attracted to an alternative location. In this regard the PPC would increase the market size and not simply redistribute industrial activity from the market. This would increase the local profile of as an industrial location and improve the local business location competitiveness.

markb@mhg.co.nz 09 950 5107

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- *Reduction in marginal cost of infrastructure provision:* Additional development that is proximate to the existing industrial activities would enable infrastructure investment to be more efficiently utilised and lower marginal infrastructure cost. This would also provide the opportunity for Auckland to accommodate industrial growth without the requirement duplicate investment and resources in new infrastructure by the community.
- *Potential for mitigation of industrial land prices:* With additional industrial land supply to the local market, the average industrial land price within the region would fall and make the region a more competitive location to establish an industrial business. Additional industrial land capacity within the region would also reduce the likelihood of industrial land banking and one developer controlling industrial land prices given the limited industrial location choices in the region and vacant zoned land supply.
- *Increased flexibility for industrial growth and new entrants:* Industrial land supply does not have to match the projected industrial land demand exactly. However, in contrast to the adverse impacts caused by a shortfall of industrial land capacity (e.g., limited industrial economic growth, and less competitive industrial land price), additional industrial land supply would significantly enhance the industrial land use flexibility and location choice, facilitating the growth of the local businesses.

ECONOMIC COSTS

- *Minor reduction of MHS residential zoning provision and capacity:* Despite its underlying MHS residential zoning, these rules and objectives are overridden by the Māngere 1 Precinct which was specifically prepared to allow SPCA to use the site. These provisions enable commercial activities such as retail, office, and hospitality business as a permitted activity in Sub-Precinct A but make residential activities a Discretionary Activity and therefore an unanticipated activity. This implies that the reduction in residential provision resulting from the PPC would not compromise the overall “practical” residential capacity of the local market in the event that the Precinct provisions remain the same.

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Furthermore, the HBA 2023 shows no shortage of residential capacity across Auckland or for the Māngere / Auckland South market. Specifically, the HBA 2023 projected a substantial surplus of residential capacity for Auckland, amounting to approximately 967,330 dwellings over the long term (30 years). This considerable surplus strongly suggests that the probability of this specific site being required to accommodate Auckland's future residential growth is not plausible

Even if this land is required for residential purposes in the future, albeit highly unlikely, the use of this land for industrial purposes as an industrial zone does not preclude a future upzoning to residential. As such, Property Economics foresees no significant issues arising from the use of this land for light industrial purposes.

- *Impact on existing industrial zoned areas:* A potential concern for the regional economy in rezoning additional business land is the potential to redirect demand from capacity in existing industrial areas (both new growth areas and potential brownfield redevelopment). This potential cost is primarily measured by both the above costs associated with infrastructure duplication and underutilisation and the potential economic benefits associated with aggregated industrial and employment activities.

It is important, when considering these potential costs in this instance, to recognise that in this context the potential costs are likely to be limited to the period of time prior to their requirement to meet growth, while the impetus to create additional growth has long-term term impacts.

The robust industrial market growth of the wider region in recent years (as shown in Section 6 of this report) indicates that any minor impact on other established industrial areas would not be substantial and can be adequately mitigated by the overall market expansion and increasing demand within the local market



- 8.4 In Property Economics' view, balancing all the economic considerations, the PPC has the potential to generate significantly more economic benefits for the local and regional economy and communities than economic costs.
- 8.5 Relying on the assessment carried out by Mr Heath, it is considered that the proposed rezoning will result in overall positive economic effects in terms of the creation of new industrial land supply in a suitable location.

Built Environment Effects / Urban Design

- 8.6 An Urban Design Assessment has been prepared by Jason Evans of ET Urban Design Limited (see **Appendix 1**). This report reviews the site and neighbourhood context and contains a detailed site analysis and comparison of the effects of developing of the site under the B—LIZ provisions compared to the R-MHS or R-MHU / MDRS provisions. The UDA provides '*a thorough analysis of the site and its surroundings, exploring existing and preferred zoning options, assessing the built form and massing implications, and considering the impact on the public realm and connectivity. Additionally, landscaping and open space strategies will be examined to determine whether additional provisions to those provided by the preferred zoning are necessary to enhance the site's integration with its context.*'

Character and amenity

- 8.7 As outlined in the Urban Design Assessment, the plan change land and surrounding environment comprise a mix of uses and characteristics with the report noting:

"the immediate surroundings include a mix of residential properties, educational institutions, and industrial uses, creating a diverse urban fabric, with the site sitting at the transition point between residential and business activities. The site is bordered to the north by Zayed College for Girls, a state-integrated Islamic secondary school, to the east by residential properties on Jaylo Place and Naylor's Drive, and to the south and west by light industrial zones. This diverse context highlights the need for a thoughtful transition between residential and industrial uses



- 8.8 The zoning of the site proposed under this plan change would result in a change in character from the current two storey development enabled by the current zoning to a larger and taller built context enabled by the B-LIZ zoning. However, the UDA concludes that:

The visual character and 'identity' of the surrounding area is complex and not uniform. The transition point of the site between residential and commercial uses presents a built environment of varied visual character, encompassing both larger footprint built forms with smaller domestic scaled buildings. The introduction of a further BLIZ use to the area will not therefore, in my opinion, adversely affect the present character nor is it likely to result in adverse uses incompatible with the neighbouring uses and land use zones.

- 8.9 Future development on the site would be subject to the provisions of the B-LIZ zone including height, height to boundary and yard requirements from the residential and school boundaries.
- 8.10 Overall, the nature of the surrounding area is such that the proposed B-LIZ plan change is appropriate and will not unreasonably detract from the character of the neighbourhood and the amenity onsite and on adjacent sites.

Bulk, location and dominance

- 8.11 The proposed rezoning of the site to B-LIZ will allow the site to be redeveloped in a manner consistent with surrounding land to the south and south and west.
- 8.12 Built form enabled by the rezoning will be required to comply with the relevant B-LIZ standards which include a 20m height limit and a specific interface controls for the northern (School Zone) and eastern (Residential zone) boundaries of the site. The relevant zone standards for both of these boundaries require a building setback of minimum 5m (H17.6.4(1)) and that at least 3m of this yard is planted with a mixture of trees, shrubs or ground cover plants within and along the full extent of the yard to provide a densely planted visual buffer for a depth of at least 3m. This planted yard must be appropriately maintained thereafter.
- 8.13 There is also a height to boundary control for the zone interface which requires compliance with a recession plane starting 6m above the boundary and then with a 35° angle. This results in a maximum building height of 9.5m at the edge of the 5m yard and a total setback of 20m before the zone height of 20m can be achieved. As set out in the UDA both of these setbacks



are consistent with allowing reasonable daylight and sunlight to habitable rooms of adjacent properties. The Daylight standard in the residential zones limits the height of a wall opposite a habitable rooms window to a height of twice the horizontal distance (2V:1H) which is more relaxed than the zone interface standards of the B-LIZ (essentially the height to boundary creates a 1.9V to 1H at a distance of 5m and a 1V:1H at 20m from the boundary where the maximum zone height is able to be achieved.

- 8.14 In terms of additional shading effects to residential neighbours as a result of the rezoning, this is assessed within the UDA based on the theoretical concept layouts prepared by FORMis and contained in the Urban Design Report. These concept layouts and massing diagrams were prepared to inform the UDA and provide an indication of potential shading impacts from B-LIZ enabled development compared with a R-MHS or R-MHU built form. The diagrams show that in the event of development to zone standards, there will be additional shading but that the adjacent properties will continue to receive adequate sunlight and daylight to their habitable rooms and rear yard areas. The shading diagrams demonstrate that equinox shading from B-LIZ enabled buildings will not affect residential properties to the east until after 2pm and that the majority of the additional shading from the rezoning would fall to the south and onto other light industrial land.
- 8.15 Overall whilst the rezoning will result in additional shading to adjacent land because of larger built form being enabled, these effects are considered to be acceptable with the interface yard and height to boundary controls ensuring that adjacent properties will continue to receive a reasonable amount of daylight and sunlight in line with AUP residential zone intended outcomes.
- 8.16 The effects of the built form and massing is assessed further in Section 5 of the UDA with the assessment making the following key points:
- HIRB controls together with other mitigating standards such as yard and landscaping are key standards in mitigating possible effects on neighbours.
 - Regarding shading it is evident that the time of effect will not result in unreasonable loss of amenity to neighbouring sites i.e. they will still have access to at least 4 hours of sunshine between 9 am and 4pm



- 8.17 The applicant does not seek any changes to the development standards of the proposed zone, or to any other controls of the Auckland-wide provisions of the AUP. The development controls under the B-LIZ provide sufficient control to enable future development to be of an acceptable scale in terms of the existing residential and school environments to the east and north respectively as well as to meet the planned outcomes of the AUP. The interface of B-LIZ with residential zones is commonplace within the immediate environment and across Auckland so there is nothing unusual in terms of having these zones adjacent to one another.

Conclusion

- 8.18 The rezoning of the site and the future built form enabled by the rezoning is considered to have urban design and visual effects that are acceptable. The urban design analysis undertaken by Mr Evans concludes the following key points:

- *The proposed rezoning offers a strategic opportunity to support Auckland's growing demand for industrial land, particularly in areas with close proximity to significant transport infrastructure such as Auckland Airport and State Highway 20.*
- *The site's location, combined with its existing access and connectivity, established infrastructure, and flat topography, makes it well- suited for light industrial activities. The proposed rezoning is therefore logical within the broader urban fabric of Mangere, where industrial land offers an important employment generator. The proposed change of use therefore aligns with the current zoning patterns to the south and west and is consistent with the Auckland Unitary Plan's objectives for urban growth and economic development.*
- *While careful consideration must be given to the sensitive boundary relationships with Zayed College for Girls and residential properties on Jaylo Place and Naylor's Drive, the urban design response outlined in this report demonstrates that potential adverse effects such as visual impact can be effectively managed. Mitigation strategies, including building setbacks, landscaping buffers, and height-to-boundary controls, ensure that any*



development under the proposed Business - Light Industry Zone will have minimal impact on the amenity of neighbouring residential and educational uses.

- In addition to addressing these sensitivities, the proposed rezoning brings several urban design benefits. The integration of high-quality landscaping, improved public realm interfaces, and the provision of industrial spaces that respect surrounding land uses can enhance the character and functionality of the area. The flexibility of the Business - Light Industry Zone allows for a variety of building forms and uses that will contribute positively to the economic vitality of the area.*
- In conclusion, the proposed rezoning is appropriate from an urban design perspective. The site's strategic location, combined with thoughtful mitigation of boundary sensitivities, ensures that the rezoning will support sustainable growth while maintaining the character and amenity of the surrounding area. The plan change represents a balanced response to Auckland's industrial land needs, providing a foundation for future development that can coexist harmoniously with its residential and educational neighbours.*

8.19 I rely on and agree with the findings of Mr Evans and consider that the proposed rezoning will not give rise to any unexpected or unacceptable adverse effects in term of urban design, visual amenity or neighbourhood character.

Acoustic Effects

8.20 The change to the zoning will result in a different range of activities on the site and potential for more or different noise effects to be experienced by neighbouring land. To assess the acoustic effects of the proposed plan change, SLR were engaged to review the current provision applying to the land as well as those which would apply for the rezoning to B-LIZ.

8.21 Their report is contained in **Appendix 5** and confirms the following:

- The proposed noise Standards (E25.6.5 and E25.6.19 of Chapter E25 of the Auckland Unitary Plan) contain the same noise limits at the adjacent land uses*

markb@mhg.co.nz 09 950 5107

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as those currently applicable (Māngere 1 Precinct requirements). Therefore the proposed change in standards would not result in a material change to the permitted baseline of noise effects at the surrounding Business – Light Industry, School and Residential land.

- *There is no change to the implementation of the ANNA/MANA Aircraft Noise Overlays. However, that they exist is relevant as they require a level of acoustic treatment in buildings containing activities sensitive to noise (i.e., the school and surrounding residential developments). Further the land within the MANA overlay is required to control aircraft noise levels which are higher than activity noise levels permitted under the existing and proposed Standards. This means that, whilst not intended to control noise from Business zoned land, the requirement to control aircraft noise would also by default control other noise sources reducing potential impacts at surrounding noise sensitive receivers.*
- *The existing noise environment is controlled by a mixture of activity on adjacent land (the operation of the school to the north, the subject site and the sites in the business zone to the south) with measured noise levels in consistent with the proposed noise limits. For this reason the character of the noise in the surrounding is not expected to materially change as a result of the proposed rezoning.*

8.22 SLR has assessed the relevant noise performance standards applicable to the site under the existing and the proposed zoning. This assessment confirms that, as the land and future activities will be subject to essentially the same overall noise limits which currently apply to the land, changes in noise effects to neighbouring land as a result of the rezoning are not expected. Future activities on the rezoned land will need to comply with the business zone interface standard and noise effects from the proposed rezoning would therefore be negligible.

8.23 Accordingly, based on the assessment undertaken by SLR the noise amenity of surrounding land would be maintained by the proposed rezoning with no/negligible change in effects.



Transport

8.24 The rezoning and development of the site will result in changes to the transport demands of the site within the context of the existing roading network. An Integrated Transport Assessment (ITA) has been prepared for the proposed plan change by Flow Transportation Consultants and is attached to this report in **Appendix 4**. The ITA includes the following:

- A description of the proposed PPC, focussing on the transport related matters.
- A description of the surrounding transport environment and planning provisions as it relates to the Site, including site location, surrounding land use activities, existing zoning and precinct provisions, the surrounding road network, and road safety.
- An assessment of existing and future accessibility by all transport modes.
- An assessment of potential vehicle traffic generation and effects, and safety effects.
- Consideration of planning outcomes, including an assessment of whether planning provision will be adequate to manage future development enabled.
- A summary of consultation undertaken with Auckland Transport.
- An assessment of how the proposed PPC aligns with relevant transport policies and strategies.

Existing Transport Environment

8.25 Under the Auckland Unitary Plan (Operative in Part), Westney Road is not identified as an arterial road but is a local road that functions as a collector road route which (via Verissimo Drive) provides access from George Bolt Memorial Drive / SH20A in the south to Kirkbride Road in the north. Near the site, the road has a single lane of traffic in each direction, with a flush median and parking and footpaths on both sides of the road.

8.26 Westney Road in front of the site has a road reserve width of approximately 20m and a sealed carriageway of approximately 10m with a 2m wide flush median. To the south the carriageway widens out to 11.5m. Westney Road has a posted speed limit of 50km/hr adjacent to the site.



- 8.27 The intersection with Kirkbride Road in the north is signalised. The intersection with Montgomerie Road and Timberly Road in the south is Give Way controlled.
- 8.28 There are no cycling facilities provided on Westney Road.
- 8.29 It is noted that there is a heavy vehicle ban on Westney Road from the southern boundary of the Site up to Kirkbride Road. It is understood that this ban was put in place when the industrial land to the south was first zoned. The purpose of this ban was to restrict heavy vehicle access on the existing section of Westney Road which was already developed with non-industrial activities.
- 8.30 The ITA includes details of Kirkbride Road in the north, noting that this is a key east west arterial road connection in the area. The Kirkbride Road layout is a 10m wide carriageway with a traffic lane in each direction, a flush median and protected cycles lanes (west of Westney Road only).
- 8.31 In the south, Timberly and Verissimo have been designed to accommodate heavy industrial traffic with an 11.5m wide carriageway with a lane each way and parking and footpaths on both sides of the road.

Accessibility

- 8.32 The Plan Change area is well located with regards to road connectivity to the wider Auckland Region. Westney provides a collector road connection to the arterial links of Kirkbride Road in the north and George Bolt Memorial / SH20A in the south.
- 8.33 The site is located 800m south of the SH20A /Kirkbride Road interchange and 1.6km north of the access to SH20A at Verissimo Drive.
- 8.34 The South Western Motorway (SH20) northbound can be accessed 2.5 km to the north. SH20 southbound can be accessed via Massey Road 3 km to the east, or via SH20B 8 km to the south east. The journey via SH20B is less than 2 km/5 minutes longer for general trips to the south, and would be the route heavy vehicles need to take.



Public Transport

- 8.35 The ITA finds that the site has good access to the current public transport with the closest bus stops located within a 500m walk on Kirkbride Road . These closest bus stops provide access to service #38 with access to the #32 located some 900m walk away. It is understood that Westney Road will likely be included in future route changes which will provide bus service links to the airport.
- 8.36 The 38 bus route connects the Site to Mangere where various other southern services can be connected to, and to Onehunga where various central services can be connected to, as well as the Onehunga Line of the rail network.

Walking / Cycling

- 8.37 The roads surrounding the plan change area have good accessibility for pedestrians with footpaths on both sides of the road, and pedestrian crossings in key locations such as the Westney Road/Kirkbride Road intersection.
- 8.38 An indicative 10 minute (800 m) walking catchment from the Site frontage on Westney Road is shown in Figure 17 in the ITA. This includes some of the residential areas to the north, bus stops, and some of the industrial areas to the south.
- 8.39 There are no dedicated cycling facilities on Westney Road, with cyclists having to share the road with general traffic. However, there is a network of protected cycle lanes in Māngere that provide for some connectivity in the area. This includes some facilities on Kirkbride Road and a separated pathway along SH20.
- 8.40 Future enhancements are likely to the wider cycling network.

Proposed Transport Network

- 8.41 The proposed transport network serving the plan change area would be Westney Road itself along with any future new public road servicing development of the plan change land should it be developed in a manner that required a new public road.



- 8.42 Should a new intersection with Westney be required that would be easily accommodated as part of future development and consenting on the land.

Trip Generation

- 8.43 The Integrated Transport Assessment in **Appendix 4** has assessed potential trip generation for two scenarios being a residential development of around 200 dwellings on the land or industrial development of up to 22,000m² floor area. The ITA has also assessed a scenario of development which included a level of commercial and retail development (as these are permitted under the current precinct) which results in the potential for significantly higher traffic flows from the site compared to future light industrial.
- 8.44 This trip generation has reviewed in terms of effects on the road network and Flow confirm that Westney Road is able to operate within acceptable parameters without any specific mitigation requirements.
- 8.45 In terms of heavy vehicle movements, Flow note that the increase in heavy vehicles generated by industrial development may have noticeable effects when considering the schools and residential land use in the area but that the existing north bound heavy vehicle ban on Westney Road mitigates this potential effect. They note that the existing ban would restrict any additional heavy vehicle traffic generated by development enabled by the proposed PPC from travelling along the northern section of Westney Road past the schools and residential activity.
- 8.46 The ITA notes that the roads to the south are already designed for and accommodate heavy vehicle traffic associated with industrial activity and provide a connection to SH20A. Additional heavy vehicle traffic generated by development enabled by the proposed PPC is unlikely to have any noticeable effect on these industrial streets. Flow consider that the overall volume of traffic generated is not likely to be noticeable beyond the volume of traffic that could be generated under current zoning and precinct provisions.



Safety

8.47 Flow confirm their assessment that the proposed PPC is not considered to generate any adverse safety effects on the surrounding road network. They state:

- There is no evidence of any existing crash trends that indicate the surrounding roads are unsafe. The low volume of additional vehicle traffic will not create any new issues.
- Any additional heavy vehicle traffic generated will be required to travel via the existing industrial area to the south where the roads are designed for this. There will not be additional heavy vehicle traffic travelling past schools or dwellings.
- The volume of traffic generated by development enabled by the proposed PPC is likely to be similar or less than traffic generated under current zoning and precinct provisions. As such the proposed PPC will not generate adverse safety effects by way of increase traffic volumes.

Parking and loading

8.48 The future development of the plan change land will be undertaken in accordance with the requirements of Chapter E27 of the AUP with vehicle and cycle parking able to be provided in accordance with relevant standards.

Conclusion

8.49 The Integrated Transport Assessment in **Appendix 4** concludes that transportation effects of the proposed plan change are acceptable and states:

Based on the analysis described in this report, we conclude that the proposal to rezone 50 Westney Road from Residential - Mixed Housing suburban to Business – Light Industry will result in no noticeable effects relating to the function, capacity, and safety of the surrounding transport network.



- *The Site has good access via all transport modes and is particularly well located for freight related traffic.*
- *The potential vehicle traffic generated by development enabled by the proposed PPC would be similar to or less than vehicle traffic generated by development enabled under the current zone and Precinct. As such the traffic effects will be negligible.*
- *There is an existing heavy vehicle ban on Westney Road which will limit any heavy vehicle traffic legally traveling past the residential activities and schools to the north of the Site. We do not anticipate that there will be any adverse safety issues generated by the proposed PPC.*
- *The current Auckland Unitary Plan rules and standards relating to transport are adequate to ensure good outcomes for development on the Site enabled by the proposed PPC. Specific transport provisions for the Site are not necessary.*

It is therefore considered that there is no transportation planning or traffic engineering reason to preclude the implementation of the proposed PPC

8.50 Auckland Transport have been consulted and have not raised any particular concerns in relation to transportation effects, with the applicant expecting and accepting that heavy vehicle traffic is only allowed south from the site. The appropriate resolution process will be undertaken when the site is developed.

8.51 Overall, there are considered to be no potential adverse effects on the surrounding transport network that would make the proposed plan change inappropriate or unsupportable, with local transportation effects (onsite loading, parking and manoeuvring, vehicle crossing access points etc) suitably addressed at resource consent stage.

Infrastructure

8.52 An Engineering Infrastructure Design Report has been prepared for the proposed plan change, following consultation with Healthy Waters and Watercare, and is attached to this

markb@mhg.co.nz 09 950 5107

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report in **Appendix 2**. The primary aspect for assessment relates to connections to the wastewater network and proposals for the treatment and discharge of stormwater from the plan change land. A summary of the assessment, with comments on additional matters, is provided below.

Electricity, gas, telecommunications

- 8.53 There are existing power, gas and telecommunications (fibre) networks available within the site and/or Westney Road reserve which can be extended and upgraded to service future development of the land. There would be limited changes to this aspect as a result of the rezoning, with any future development proposal needing to be discussed with utility providers and assessed in terms of any necessary extensions or upgrades.
- 8.54 Accordingly, the plan change does not generate any adverse impact in regard to these networks as a result of the proposed rezoning.

Wastewater

- 8.55 The land is currently serviced by a reticulated wastewater system located mainly on the western side of the site (where the existing buildings are). There is also a manhole and connection to the eastern side of the site. These existing on-site networks and connections are assessed in the Engineering Report in **Appendix 2** which finds that, due to flat gradients and smaller (150mm) pipe diameters they are unlikely to have sufficient capacity to service future development of the site (for residential or industrial uses). Watercare have been consulted and have confirmed that the existing network to the south (which ends at 60 Westney next door) has sufficient capacity to service future development and can be extended to service the plan change land. The applicant has undertaken initial review of the potential to extend this line and it is feasible.
- 8.56 Watercare's confirmation that there is (or can be) sufficient capacity in the wider network subject to further review and investigation at the consent stage for future development is accepted and detailed design at resource consent or Engineering Plan Approval stage will confirm the final wastewater solution. Accordingly this approach will suitably avoid, remedy



and mitigate any effects. The initial analysis undertaken indicates that effects will be acceptable, and the land can be suitably serviced in terms of wastewater.

Water Supply

- 8.57 Water supply is available in the Westney Road road reserve (250mm main) and this network can be extended into the land to service future development. Consultation and correspondence with Watercare confirms that there are no capacity constraints in the current water network and that any future development on the site could be adequately serviced (subject to local upgrades as per normal land development proposals).
- 8.58 These detailed design matters would be addressed during resource consent and engineering approval design stages however it is considered that the land can be suitably serviced in terms of reticulated water with no bulk supply upgrades required. Firefighting water supplies can be provided on site as necessary and in line with relevant standards.

Stormwater

- 8.59 As detailed within the Infrastructure Report in **Appendix 2**, the site contains an existing public stormwater connection at the northern corner comprising two manholes on site and a 225mm pipe network which drains to the north. There is an existing 375mm private stormwater network on the site which conveys from the existing buildings/paved areas to the south-west corner of the site onto and through adjacent land at 3 and 5 Verissimo Drive to an outlet on the northern side of 3 Verissimo Drive. This SW discharge consent authorises up to 133L/s and is valid until December 2025.
- 8.60 Due to the size of the site and the development enabled under both the existing and proposed zoning a Stormwater Management Plan (SMP) has been prepared for the site and is included as **Appendix 3**. This confirms that there are solutions available which will be in accordance with the requirements of Auckland Council's Network Discharge Consent. The primary approach is to extend a new SW line from the SW corner of the site to discharge to 3 Verrismo Drive close to where the existing SW outfall is located. SW flows from there will be directed



to the coastal marine area via existing legally protected overland flow paths (which will be recontoured and upgraded as part of the development of the land).

- 8.61 The SMP details the options and proposed methods for addressing the treatment and discharge of stormwater from the site. The SMP overall confirms that suitable provision can be made for the collection, detention/retention and movement of stormwater within the plan change land can and that with some changes to the existing downstream overland flow paths, the stormwater from larger events can be suitably managed.
- 8.62 It is noted that the land is already subject to a live urban zone and that an SMP and suitable provision for the treatment and disposal of stormwater from the site would be necessary irrespective of whether the current zoning and precinct framework applies or with the proposed rezoning. Essentially the increased effect from the proposed B-LIZ zone is the increase in allowance for impervious surfaces from the 60% under R-MHS / R-MHU to around 96% maximum under the B-LIZ provisions³. This is addressed within the SMP with confirmation that suitable treatment and retention/detention can be provided as part of the future development of the land.
- 8.63 On that basis, the plan change is not considered to result in any unacceptable adverse effects in terms of stormwater that cannot be suitably avoided, remedied or mitigated in line with normal development consent processed and the plan change land can be suitably serviced.

Flooding and Overland Flow Paths

- 8.64 The Auckland Council GIS Viewer depicts an area of flood prone land at the SW corner of the site along with a number of overland flow paths flowing generally north from the site. A more detailed assessment of these features has been undertaken by Envelope Engineering, based on a detailed survey of the plan change land and this is contained in the SMP. This indicates that there are several overland flow path catchments on the site.
- 8.65 Future development will need to give consideration to the effects of these features on site, however the SMP and future development of plan change land can make provision for the conveyance of overland flow within the site, as well as its conveyance to the south west which

³ The planted front, side and rear yard requirements of the zone mean that 100% impervious is not achievable.



is where the majority of the stormwater flows under the existing situation already exit the site. The area of land on the northern side of 1 and 3 Verissimo Drive are existing natural overland flow paths which are subject to registered easements in favour of Auckland Council.

- 8.66 The future development on the land will be subject to additional assessment with lot layout and future building floor levels set based on the detailed design and any further necessary modelling.
- 8.67 Therefore, the potential adverse environmental effects of development on the site and the management of overland flow paths will be comprehensively managed under the proposed zoning for the site.
- 8.68 Overall, whilst there will need to be various extensions and upgrades to the existing reticulated networks this is common for large scale land development and there are considered to be no servicing or infrastructure constraints to the proposed zoning change of the site under this plan change request.
- 8.69 There are sufficient existing provisions of the AUP that ensure appropriate assessments are conducted at the time resource consents are sought for future development.

Mana Whenua Values

- 8.70 There are no known archaeological sites or sites of significance to Mana Whenua located on the site. However, consultation with iwi has been undertaken (refer to section 10 below) with no in principle objections to the rezoning being raised (provided recommendations are provided for).
- 8.71 Ngati Tamaoho have provided a memo (**Appendix 11**) which seeks that the following recommendations are included in the plan change / development of the land:
- accidental discovery protocols for any artefacts, features, or koiwi that may be found in the area.
 - water tanks for the reuse of the rainwater off the roofs.
 - Enviropods for stormwater treatment.



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- sediment and silt controls for this project that go over and above GD05 requirements.
- a planting palette that reflects the original flora and fauna of the area.

8.72 The applicant accepts these recommendations and intends to include them in development proposals for the site. The SMP provides additional detail on the stormwater treatment that is proposed.

8.73 Further discussions with Ngati Tamaoho and other mana whenua groups will be undertaken during the processing of the plan change request.

Natural Resources

Trees

8.74 There are no notable trees or significant ecological areas identified in the plan change area. Therefore, there will be no loss of significant vegetation or ecological areas as a result of the proposed plan change.

Streams / Freshwater features

8.75 There are no existing streams or freshwater features on the land which would be affected by the rezoning or future development. The SMP considers the potential impacts of downstream stormwater discharge and overland flow noting that the existing natural drainage patterns of the plan change and surrounding land will be maintained (the area to the northern side of 1 and 3 Verissimo has historically always been an overland flow path). The Auckland Wide provisions of the AUP will ensure that effects are suitably avoided, remedied or mitigated at the time of the eventual development of the land.

Geotechnical

8.76 The site is relatively flat, with limited change in the topography over the site area and on that basis the development within the Plan Change area is not likely to worsen, or result in material

markb@mhg.co.nz 09 950 5107

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damage to the land provided that proper engineering practices are followed. These will be addressed in detail as part of future consenting processes.

- 8.77 Prior to any land development on the site, a detailed geotechnical investigation will be undertaken to confirm the stability of the site and specific engineering requirements for development.
- 8.78 The proposed plan change will not alter the need for an investigation to be undertaken and as such, there are considered to be no reasons from a geotechnical perspective to prevent the proposed plan change.

Heritage

- 8.79 A review of the surrounding area has confirmed that there are no heritage areas scheduled buildings, Heritage New Zealand listed buildings, known archaeological sites, sites of significant to Mana Whenua or notable trees in close proximity to the application site.
- 8.80 Therefore, the proposed plan change will not have any unacceptable effects relating to heritage values.
- 8.81 Any future development applications would include normal Accidental Discovery Protocols which will manage the discovery of any items of heritage value at that time.

Summary of effects

- 8.82 Overall, the proposed rezoning is considered unlikely to generate any unacceptable adverse effects on the environment. The proposed neighbourhood character and amenity of the site will be of a high quality with the proposed plan change supported from an urban design perspective.
- 8.83 There are no in principle traffic safety or capacity reasons that would prevent the zoning change.
- 8.84 While infrastructure on site would need to be upgraded to support the development, there are viable options available. The rezoning of the land to enable future light industrial



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development would result in a social and economic benefit when compared to the current use of the land.

- 8.85 In general, the positive effects of the proposed plan change are significant, and the rezoning of the land will result in a positive environmental outcome on the site.



9. SECTION 32 ANALYSIS

9.1 Clause 22 of Schedule 1 of the RMA states that a request for a plan change must contain an evaluation report prepared in accordance with section 32 of the RMA.

9.2 In brief, section 32 requires that the evaluation report must:

- Evaluate the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of the Act; and
- Evaluate whether the provisions in the proposal are the most appropriate way to achieve the objectives, by: identifying other reasonably practicable options, assessing the efficiency and effectiveness of the provisions; and summarising the reason for deciding on the provisions; and
- Contain a level of detail that corresponds to the scale and significance of the effects that are anticipated from the implementation of the proposal.

9.3 In the context of the above and this plan change request:

- The “proposal” means to rezone the plan change land from R-MHS and the Mangere 1 Precinct to the Business Light Industry Zone with no precinct.
- The “objectives” of the proposal refers to the purpose of the proposal, which is to enable the use and development of the plan change land for light industrial development in close proximity to the Airport.
- The “provisions” refer to the changes to the zoning of the PC area and the removal of the Mangere 1 Precinct.

9.4 The primary matters considered in this section 32 assessment are:

- The extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of the RMA?
- What is the most appropriate zoning for the plan change land in terms of the requirements of section 32?



The extent to which the objective of the proposal being evaluated are the most appropriate way to achieve the purpose of the Act

- 9.5 The objective of the proposal plan change is to enable the land to be developed for light industrial activities. It is considered that rezoning the land to B-LIZ is the most appropriate way to achieve this objective and that this will be consistent with the purpose of the Act.
- 9.6 Part 2 of the RMA sets out the Act's purpose and principles in sections 5 to 8. The overriding purpose of the RMA is to promote the sustainable management of natural and physical resources. As the B-LIZ is an operative AUP zone the zone provisions have already been assessed as part of the formulation of the AUP and on that basis are consistent with the purpose and Part 2 of the RMA.
- 9.7 Auckland Council has notified plan changes to respond to the NPS-UD and the requirements of the RMA, which include some limited amendments to the B-LIZ Zone provisions. A s32 analysis of the B-LIZ provisions was undertaken and the Council concluded that the proposed amendments are the most appropriate way to achieve the purpose of the NPS-UD / RMA.
- 9.8 The changes to the B-LIZ provisions are limited to the inclusion of an Objective, a Policy and a Standard which reflect the NPS-UD direction that buildings up to 6 levels must be enabled within Walkable Catchments. With the cancellation of the Light Rail project it is unlikely that this site will be within the walkable catchment of any confirmed rapid transit networks.
- 9.9 Section 5 of the RMA identifies the purpose of the RMA as being the sustainable management of natural and physical resources. This means managing the use, development and protection of natural and physical resources in a way that enables people and communities to provide for their social, cultural and economic well-being and 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.
- 9.10 It is considered that the objectives of the Plan Change are consistent with Part 2 of the RMA, given that the Plan Change seeks to allow the development of the land for light industrial purposes and will utilise the existing AUP planning provisions to do so. All relevant resource management aspects of the development of the land can be suitably managed via the existing plan provisions with will ensure that the land is sustainably developed while at the same time suitably avoiding, remedying and mitigating any adverse effects.



- 9.11 Section 6 of the RMA sets out a number of matters of national importance which need to be recognised and provided for in achieving the purpose of the RMA. This includes 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 significance 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 Maori 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.
- 9.12 The objectives of the Plan Change (ie B-LIZ rezoning) would not compromise the recognition of, or provision for these matters of national importance for the reasons set out in Section 8 of the report above. In particular, the Applicant is engaging with Mana Whenua on the development and the risks arising from natural hazards (overland flow etc) would be appropriately managed in accordance with detailed design work that would be undertaken at resource consent stage.
- 9.13 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*
- 9.14 The Plan Change will support the efficient use of natural and physical resources by applying a light industrial zoning to the land that is attractive for that type of development and which is in an appropriate accessible location.
- c) The maintenance and enhancement of amenity values and f) Maintenance and enhancement of the quality of the environment*
- 9.15 The proposed zoning will enable an increase in light industrial land close to the workforce and within easy reach of Auckland Airport and the Mangere area. The AUP provisions that would apply to future development would ensure that an integrated, well connected, quality, built environment is achieved.
- 9.16 Section 8 requires Council to take into account the principles of the Treaty of Waitangi. It is considered that this proposal will not conflict with the principles of the Treaty of Waitangi.



- 9.17 The Plan Change is a more 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 rezoning is the most appropriate way to achieve the purpose of the RMA.
- 9.18 In light of the above, it is concluded that the objective of the proposal (being to rezone the land for light industrial use) will provide for the social, economic and cultural well-being of the community by increasing the supply of land available for light industrial development in a suitable location, while avoiding, remedying and mitigating any adverse effects on the environment.

Appropriateness of the provisions to achieve the objectives

- 9.19 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.
- 9.20 The options considered relate to the proposed zoning of the Plan Change area with these options then considered as to the extent to which the options would give effect to the relevant objectives of the RPS (as required by s75(c)).

Other Reasonably Practicable Options for Achieving the Objectives

- 9.21 In determining the most appropriate method for achieving the objectives of the Plan Change, consideration has been given to the following other options:
- Option 1: Do nothing (retain Mixed Housing Suburban zoning and Mangere 1 Precinct)
 - Option 2: Retain Mixed Housing Suburban zone and remove the Mangere 1 Precinct.
 - Option 3: Rezone to Mixed Housing Urban zone and remove the Mangere 1 Precinct
 - Option 4: Rezone to Business General Business and remove the Mangere 1 Precinct
 - Option 5: Rezone the Plan Change area Business Light Industry and remove the Mangere 1 Precinct (*the preferred option*).



- 9.22 These options are discussed below with a more detailed assessment contained in **Appendix 10**.

Option 1 – Do nothing

- 9.23 The do nothing option involves no change to the zoning or precinct and would maintain the current planning framework for the land. There would be no financial costs in terms of changes to the AUP.
- 9.24 As the Mangere 1 Precinct is a bespoke planning framework which was specifically tailored for the SPCA use on the site, it would have the benefit of continuing to provide for this outcome and give certainty to the neighbours in this regard whilst the SPCA occupy the site.
- 9.25 The SPCA has however confirmed plans to leave the site and move to a new facility which is to be constructed nearby and so once they vacate the site it would be unlikely to be utilised for any other activity of this nature. Redevelopment for light industrial activities would require a Discretionary Activity resource consent and would likely be inconsistent with the Precinct objectives and policies (which are noted to entirely replace the zone provision) so securing resource consent would be either unlikely or would require substantial time and monetary investment in a risky and uncertain planning process.
- 9.26 In the meantime, the land could feasibly be developed for a range of permitted activities including restaurants, cafes, offices and retail in buildings up to 9m in height. As the precinct provisions enable upwards of 30,000m² of floor area on the site (two levels of building at 40% site coverage) an ad hoc development of this scale has the potential to result in benefits to the applicant in terms of financially feasible development but costs in terms of adverse impacts on the vitality and vibrancy of surrounding centre zones through the potential development of an unplanned local centre. Traffic and other amenity adverse effect may arise.
- 9.27 A more detailed assessment of the effectiveness, efficiency, costs and benefits of this Option is contained in **Appendix 10**.
- 9.28 Based on the assessment undertaken, maintaining the zoning of the land and the precinct is not considered to be the most efficient or effective option in achieving the objective of the plan change.



Option 2 – Retain the Plan Change Area as Residential - Mixed Housing Suburban and remove the Mangere 1 Precinct.

- 9.29 This option involves retaining the current MHS zoning but removing the precinct. This would essentially enable the development of the land for medium intensity housing in buildings up to 9m in height. Buildings would need to be set 1m back from the north and east boundaries and 3m from the road.
- 9.30 This option would have the benefit of enabling additional residential intensification of the land in a built form that is consistent with that on surrounding land to the east and north.
- 9.31 In terms of the objective of the proposal – being redevelopment for light industrial activities - under the R-MHS activity table this would require a Non-Complying Activity resource consent and would be inconsistent with the relevant objectives and policies so securing resource consent would be either unlikely or would require substantial time and monetary investment in a risky and uncertain planning process (likely notified etc).
- 9.32 This option would enable residential intensification of the land in line with the RPS objectives around quality compact urban form but would also introduce future residents to a land area which is within the E29 Emergency Management Area Control associated with the high-pressure petroleum pipeline which runs from Marsden Refinery to Wiri (Channel Terminal Services Limited Designation 6501, Petroleum Pipeline - Urban Section). The pipeline is located approximately 7m from the southern boundary of the plan change land with the Emergency Management Area Control applying a 34m buffer from the line. The EMA controls provisions seek that the risk to activities sensitive to hazardous facilities and infrastructure is considered. Enabling residential activities would result in increased risk of harm in the event of any pipeline ruptures.
- 9.33 Residential development of the site has the potential to create both adverse amenity effects on future residents as well as reverse sensitivity effects as the plan change land is affected by the D24 Aircraft Noise Overlay - Moderate aircraft noise area (MANA) and Aircraft noise notification area (ANNA), Auckland Airport - aircraft noise notification area. The MANA limits residential intensification across a large part of the site to a density of one unit per 400m².
- 9.34 A more detailed assessment of the effectiveness, efficiency, costs and benefits of this Option is contained in **Appendix 10**.



- 9.35 For these reasons, maintaining the zoning of the land and removing the precinct is not considered to be the most efficient or effective option in achieving the objective of the plan change.

Option 3 – Zone the Plan Change area Residential Mixed Housing Urban and remove the Mangere 1 Precinct.

- 9.36 This option involves applying a Mixed Housing Urban zoning to the site and removing the Mangere 1 Precinct. This would essentially enable the development of the land for medium intensity housing in buildings up to 12m in height. Buildings would need to be setback a minimum of 1m from side and rear boundaries to the north/east and 2.5m from the road.
- 9.37 The effectiveness, efficiency, costs and benefits of this Option are detailed in **Appendix 10** and are similar to Option 2 with the benefits in terms of residential intensification enhanced (as the MHU zone is more intensive than the R-MHS zone) but the costs are also exacerbated including by bring more residential activity within the EMA and the MANA/ANNA.
- 9.38 Whilst this option would achieve Policy B2.2.2(7) of the RPS in terms of quality compact growth in suitable location, the objective of the plan change to enable the land to be developed for light industrial purposes is not met and therefore residential rezoning is not effective or efficient in terms of the proposal's objective.

Option 4 - Zone the Plan Change area Business – General Business and remove the Mangere 1 precinct.

- 9.39 This option involves applying the General Business zone to the plan change land which enable buildings up to 16.5m in height on the land with no setback to the road frontage or north boundary and a 3m setback from the east boundary. This option would be an efficient and effective way to enable light industrial activity on the land as it utilises the existing settled zone provisions of the AUP and provides for light industry as a permitted activity.
- 9.40 The residential and school zone interface controls in terms of building bulk and location would enable buildings contained within a 2.5m + 45 degree recession plane on the eastern boundary and a 6m + 45 degree recession plane on the northern boundary and whilst new buildings



require resource consent, giving some level of design control, the provisions are focussed on street and public space interfaces rather than to neighbouring private land. The effects of this rezoning on the amenity of adjoining sites would be managed by the bulk and location/design controls of the zone, primarily height, HIRTB and yards to existing zone boundaries.

- 9.41 This option would effectively and efficiently provide for the light industrial development of the land but would result in a spot zone of General Business which is inconsistent with the RPS / AUP locational strategy which seeks to locate this zone close to larger centre zones (City/Metropolitan/Town) or identified growth corridors. The zone is therefore not the right fit for the plan change land as, whilst it does provide for light industry, it is not suitably focussed on these activities. It would also result in loss of amenity to the school zone to the north compared to Option 5
- 9.42 This Option is not considered to be the most efficient and effective way of meeting the RPS/RMA.
- 9.43 Further details are contained in **Appendix 10**.

Option 5 - Zone the Plan Change area Business – Light Industry and remove the Mangere 1 precinct.

- 9.44 This option involves applying the B-LIZ zone to the plan change land which enables buildings up to 20m in height on the land with no setback to the road frontage or south boundary and a 5m planted yard to the north and east boundary. This option would be an efficient and effective way to enable light industrial activity on the land as it utilises the existing settled zone provisions of the AUP and provides for light industrial activities and buildings compliant with standards as a permitted activity.
- 9.45 The residential and school zone interface controls in terms of building bulk and location would enable buildings contained within a 6m + 35 degree recession plane and setback a minimum of 5m from the northern and eastern boundaries (with this yard to be substantially planted).
- 9.46 The effects of this rezoning on the amenity of adjoining sites would be managed by the bulk and location/design controls of the zone, primarily height, HIRTB, yards with the impact of this being assessed as acceptable within the Urban Design Assessment in **Appendix 1**.



- 9.47 This option's benefits are that it will allow the land to be developed in line with standard zone and will fully meet plan change objective as it provides a full suite of suitable plan provisions to allow the land to be developed for light industrial activities.
- 9.48 This option increases land available for light industrial activities adjacent to an established light industrial area and transport options with consideration given to protection of neighbours amenity via settled and effective bulk and location controls which, as assessed in the Urban Design report, can maintain suitable and reasonable amenity for neighbours
- 9.49 This option also avoids the potential reverse sensitivity effects of residential activity establishing on the plan change land which is affected by the Aircraft Noise Overlay MANA and ANNA as well as the EMA/Pipeline designation.
- 9.50 This option will enable the land to be developed for the proposed light industrial purposes, in an accessible location, with ability to be serviced with infrastructure and where the adverse effects on the environment can be appropriately mitigated. This will be a zoning pattern consistent with the surrounding area to the south.
- 9.51 This option also enables additional employment via new business development near residential areas.
- 9.52 This Option is considered to be the most efficient and effective way of meeting the RPS.
- 9.53 A more detailed analysis is contained in **Appendix 10**.

Risk of acting or not acting

- 9.54 In this case, there is sufficient information about the subject matter of the provisions to determine the range and nature of environmental effects of the options set out above and in **Appendix 10**.
- 9.55 The risk of not acting is that the land is either not developed at all so land isn't used efficiently / sustainably once the SPCA leave, or it is developed in an ad hoc way for a range of small scale office and commercial activities under the precinct which also does not result in efficient sustainable use of the land resource.



Summary of reasons for deciding on the provisions

- 9.56 When comparing the potential zoning options for the application site, it is considered that the rezoning to B-LIZ and removal of the Māngere 1 precinct is the most efficient and effective way to achieve the objective of developing the land for light industrial purposes and will give effect to the AUP and Auckland Regional Policy Statement.
- 9.57 The provisions of the zone in conjunction with all relevant Auckland-wide rules of the AUP(OP), will ensure environmental effects of future development proposals are avoided, remedied or mitigated in a more effective and efficient manner.
- 9.58 The requested zone and relevant provisions to be applied to the site have been assessed as part of a section 32 analysis process and the requested rezoning of the site to Business – Light Industry is the most appropriate, effective and efficient means of achieving the purpose of the RMA and will meet the objectives and policies of the AUP.



10. CONSULTATION

- 10.1 Prior to the formal preparation and submission of this private plan change request, a number of interested groups and stakeholders were consulted. The details of the consultation with these groups is provided below.

Auckland Transport

- 10.2 A meeting was held with Auckland Transport on 11 December 2023. Initial feedback included matters related to overall traffic generation from the site and the northbound heavy vehicle restriction on Westney Road.
- 10.3 The ITA was prepared and included these matters with agreement that heavy vehicle traffic to and from the site would need to access the plan change land from the south.
- 10.4 No significant objection to the proposed rezoning or concern in terms of transportation matters was raised.

Watercare

- 10.5 Envelope Engineering undertook initial consultation with Watercare with a meeting held on 18th April 2024. Several preliminary water and wastewater design options were discussed, with Watercare subsequently confirming that whilst specific design criteria and network upgrades/extensions can be discussed at resource consenting and engineering approval stage, sufficient water and wastewater servicing could be provided to the plan change area. This is discussed in more detail within the Engineering Infrastructure Design Report in **Appendix 2**.

Mana Whenua

- 10.6 Eleven iwi groups with known interests in the area were consulted via an emailed letter on 27th November 2023. Of these eleven, Ngāti Tamaoho and Ngaati Te Ata Waiohua expressed an interest in engaging regarding the plan change.
- 10.7 No response was received from:
- Ngāi Tai ki Tāmaki,
 - Ngāti Maru,

markb@mhg.co.nz 09 950 5107

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- Ngāti Tamaterā,
- Waikato – Tainui,
- Ngāti Whanaunga,
- Ngāti Whātua Ōrākei,
- Te Ākitai Waiohū,
- Te Kawerau ā Maki,
- Te Ahiwaru – Waiohū

10.8 A meeting was held onsite with Beau White of Ngāti Tamaoho to discuss the proposed plan change on 19th December 2023. Subsequent to this and further discussions, a letter containing recommendations around future development was provided (**Appendix 11**). This seeks that the following recommendations are included in the plan change / development of the land:

- accidental discovery protocols for any artefacts, features, or koiwi that may be found in the area.
- water tanks for the reuse of the rainwater off the roofs.
- Enviropods for stormwater treatment.
- sediment and silt controls for this project that go over and above GD05 requirements.
- a planting palette that reflects the original flora and fauna of the area.

10.9 The applicant accepts these recommendations and intends to include them in development proposals for the site. The SMP provides additional detail on the stormwater treatment that is proposed and includes treatment devices and stormwater reuse.

10.10 Ngaati Te Ata Waiohū have indicated an interest in preparing a Cultural Values Assessment / Cultural Impact Assessment and the applicant intends to consult further with Ngaati Te Ata Waiohū once the plan change is lodged with Council.

10.11 Copies of letters sent to Mana Whenua Groups is contained in **Appendix 12**.



Mangere Otahuhu Local Board

- 10.12 It is understood that the Local Board will provide comments through the standard planning process following formal lodgement of the proposed plan change request.

Neighbouring properties

- 10.13 The applicant has undertaken initial discussions with the owners of the property to the north (Zayed College for Girls). It is acknowledged that the notification of this private plan change request will enable surrounding properties to submit on the proposed plan change and the applicant intends to engage prior to the formal notification of the plan change request.
- 10.14 The requestor is the owner of 5 Verissimo Drive which is located immediately south of the plan change area and shares around half the southern boundary.



11. CONCLUSION

- 11.1 This report has been prepared in support of a request by Rotokohu Investments Limited to Auckland Council for a private plan change to the AUP. The plan change seeks to change the zoning of the land at 50 Westney Road in Māngere from Residential – Mixed Housing Suburban to Business – Light Industry. The removal of the Māngere 1 Precinct is also sought.
- 11.2 The request has been made in accordance with the provisions of Schedule 1 and Section 32 of the Resource Management Act and is considered to provide the necessary level of assessment of the issues relating to the request.
- 11.3 Based on an assessment of environmental effects and specialist assessments, it is concluded that the proposed plan change will have positive effects on the environment in terms of the social and economic well-being of the community. Other potential effects are able to be managed through the application of the standard AUP zone and Auckland-wide provisions.
- 11.4 An assessment against the provisions of section 32 of the RMA has been provided within this report. This includes an analysis with respect to the extent to which the purpose of the proposal is the most appropriate to achieve the purpose of the RMA and an examination of whether the purpose of the proposal is the most appropriate way to achieve the objectives.
- 11.5 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.

Mark Benjamin MNZPI

Principal Planner

4 October 2024



MT HOBSON GROUP

Town Planning & Resource Consent Solutions

APPENDIX 1

URBAN DESIGN ASSESSMENT

markb@mhg.co.nz 09 950 5107

www.mhg.co.nz



MT HOBSON GROUP

Town Planning & Resource Consent Solutions

APPENDIX 2

INFRASTRUCTURE ASSESSMENT

markb@mhg.co.nz 09 950 5107

www.mhg.co.nz



MT HOBSON GROUP

Town Planning & Resource Consent Solutions

APPENDIX 3

STORMWATER MANAGEMENT PLAN

markb@mhg.co.nz 09 950 5107

www.mhg.co.nz



MT HOBSON GROUP

Town Planning & Resource Consent Solutions

APPENDIX 4

INTEGRATED TRANSPORTATION ASSESSMENT

markb@mhg.co.nz 09 950 5107

www.mhg.co.nz



MT HOBSON GROUP

Town Planning & Resource Consent Solutions

APPENDIX 5

ACOUSTIC ASSESSMENT

markb@mhg.co.nz 09 950 5107

www.mhg.co.nz



MT HOBSON GROUP

Town Planning & Resource Consent Solutions

APPENDIX 6

ECONOMIC ASSESSMENT

markb@mhg.co.nz 09 950 5107

www.mhg.co.nz



MT HOBSON GROUP

Town Planning & Resource Consent Solutions

APPENDIX 7

RECORD OF TITLE AND RELEVANT INSTRUMENT 5681639.1

markb@mhg.co.nz 09 950 5107

www.mhg.co.nz



MT HOBSON GROUP

Town Planning & Resource Consent Solutions

APPENDIX 8

MANGERE 1 PRECINCT PROVISIONS

markb@mhg.co.nz 09 950 5107

www.mhg.co.nz



MT HOBSON GROUP

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APPENDIX 9

PROPOSED ZONING MAP

markb@mhg.co.nz 09 950 5107

www.mhg.co.nz



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APPENDIX 10

SECTION 32 ANALYSIS

markb@mhg.co.nz 09 950 5107

www.mhg.co.nz



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APPENDIX 11

NGATI TAMAHOHO LETTER

markb@mhg.co.nz 09 950 5107

www.mhg.co.nz



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Town Planning & Resource Consent Solutions

APPENDIX 12

MANA WHENUA CONSULTATION LETTERS

markb@mhg.co.nz 09 950 5107

www.mhg.co.nz