

AUCKLAND UNITARY PLAN OPERATIVE IN PART

PROPOSED PLAN CHANGE 70 (PRIVATE)

751 & 787 KAIPARA COAST HIGHWAY KAUKAPAKAPA

SUMMARY OF DECISIONS REQUESTED

Enclosed:

- **Explanation**
- **Summary of Decisions Requested**
- **Submissions**

Explanation

- You may make a “further submission” to support or oppose any submission already received (see summaries that follow).
- You should use Form 6.
- Your further submission must be received by Thursday, 7 April 2022
- Send a copy of your further submission to the original submitter as soon as possible after submitting it to the Council.

Summary of Decisions Requested

Plan Change 70 - 751 and 787 Kaipara Coast Highway Kaukapakapa

Summary of Decisions Requested

Sub #	Sub Point	Submitter Name	Address for Service	Theme	Summary
01	1.1	Heritage New Zealand Pouhere Taonga c/- Bev Parslow	Bparslow@heritage.org.nz	Support the plan change with amendments	Accept the plan change subject to any amendments required from the heritage assessment and cultural values assessment.
01	1.2	Heritage New Zealand Pouhere Taonga c/- Bev Parslow	Bparslow@heritage.org.nz	Support the plan change with amendments	A heritage assessment is to be made available prior to decision making on the plan change, of the villa and its setting allocated at 751 Kaipara Coast Highway, by a suitably qualified built heritage specialist/conservation architect and archaeologist to establish the age of the villa, its heritage values and confirm that it is not an archaeological site. The assessment should also include any mitigation measures considered appropriate to the proposed subdivision layout, including a proposed subdivision layout for 751 Kaipara Coast Highway, to ensure the retention of the identified values of the villa and its setting.
01	1.3	Heritage New Zealand Pouhere Taonga c/- Bev Parslow	Bparslow@heritage.org.nz	Support the plan change with amendments	A cultural values assessment is to be made available prior to decision making on the plan change for the entire Plan Change project area and any appropriate amendments to the subdivision layout to address any Māori cultural heritage values identified.
02	2.1	Waka Kotahi NZ Transport Agency c/- Ashleigh Peti	ashleigh.peti@nzta.govt.nz	Support the plan change with amendments	Accept the proposed plan change subject to amendments.
02	2.2	Waka Kotahi NZ Transport Agency c/- Ashleigh Peti	ashleigh.peti@nzta.govt.nz	Support the plan change with amendments	That PC70 is not accepted in its current form unless the relief is provided that: addresses provisions for walking, cycling and public transport connectivity; and demonstrates that the effects of state highway noise will not impact human health by way of relief sought in the submission.
03	3.1	Auckland Transport c/- Katherine Dorofaeff	katherine.dorofaeff@at.govt.nz	Decline the plan change	Opposes the plan change and requests that it be declined.
03	3.2	Auckland Transport c/- Katherine Dorofaeff	katherine.dorofaeff@at.govt.nz	Decline the plan change	The plan change does not give effect to the Regional Policy Statement (in the Auckland Unitary Plan (Operative in part)) because of its reliance on the private car for transport, lack of footpaths beyond the existing and proposed Riverview subdivision, its limited access to public transport, and lack of access to the town or village through a range of transport options including walking and cycling.
04	4.1	Riverview Estate Residents	niki@samltd.co.nz	Support the plan change	Approve the plan change without any amendments
05	5.1	Fire and Emergency New Zealand c/- Nola Smart	nola.smart@beca.com	Support the plan change with amendments	Approve the plan change with amendments
05	5.2	Fire and Emergency New Zealand c/- Nola Smart	nola.smart@beca.com	Support the plan change with amendments	If the plan change is approved it is requested that Fire and Emergency's requirements in relation to access to firefighting water supply on Lot 1, Lot 7 and Lot 9 are carried forward into the subdivision approval process.

Submissions



10th March 2022

Attention: Planning Technician
Auckland Council
Level 24
135 Albert Street
Private Bag 92300
Auckland 1142

By email unitaryplan@aucklandcouncil.govt.nz

Dear Sir or Madam,

SUBMISSION OF HERITAGE NEW ZEALAND POUHERE TAONGA

PROPOSED PLAN CHANGE 70 (PRIVATE): 751 & 787 KAIPARA COAST HIGHWAY, KAUKAPAKAPA

To: Auckland Council

Name of submitter: Heritage New Zealand Pouhere Taonga

- 1. This is a submission on the following proposed private change to the Auckland Unitary Plan (Operative in Part) (the proposal):**
- 2. Proposed Plan Change 70 (Private) (PPC 70) 751 & 787 Kaipara Coast Highway, Kaukapakapa is a proposal that seeks to rezone 5.6432 hectares of land at 751 and 787 Kaipara Coast Highway, Kaukapakapa from Rural – Countryside Living to Residential – Rural and Coastal Settlement. The request also seeks to remove the Subdivision Variation Control – Rural, Kaukapakapa Countryside Living from 751 and 787 Kaipara Coast Highway, Kaukapakapa.**
- 3. Heritage New Zealand could not gain an advantage in trade competition through this submission.**
 - Heritage New Zealand is an autonomous Crown Entity with statutory responsibilities under the Heritage New Zealand Pouhere Taonga Act 2014 for the identification, protection, preservation and conservation of New Zealand’s historical and cultural heritage.
- 4. The specific provisions of the proposal that Heritage New Zealand’s submission relates to are:**
 - The proposed plan change as a whole.
- 5. Heritage New Zealand’s submission is:**
 - That additional information is required to be provided prior to decision making to inform the nature of the subdivision layout shown in PPC 70 to ensure the mitigation of potential adverse effects on historic heritage.

6. The reasons for Heritage New Zealand's position are as follows:

Built heritage and Archaeology

6.1 HNZPT is supportive that an archaeological assessment¹ has been undertaken for PPC 70.

With regard the land that is the subject of the proposed subdivision layout at 787 Kaipara Coast Highway, HNZPT considers that the land has been suitably assessed. A field survey has been undertaken and no archaeology was exposed during the subdivision works on land to the north of the area. Therefore, HNZPT considers that a HNZPT archaeological authority is not required for this portion of PPC 70.

HNZPT also supports the recognition within the same assessment² of the need to undertake a heritage assessment of the villa at 751 Kaipara Coast Highway. However, HNZPT considers that this part of the PPC 70 project area requires this assessment now, **prior** to decision making, to be undertaken by a suitably qualified built heritage specialist / conservation architect and archaeologist to establish the age of the villa, its heritage values and confirm that it is not an archaeological site. HNZPT are aware that the land was owned by the Drinnan family from 1864. As early settlers the Drinnan Family will have contributed to the history of Kaukapakapa following 19th century settlement, therefore there is a wider contextual, historical, and cultural values that need assessment in relation to the villa, including the effects the re-zoning and the proposed subdivision layout may have on those values

The heritage assessment is required to establish the heritage values of the villa and its significance and confirm that the plan change can mitigate adverse effects on historic heritage as required. Potentially mitigation measures are required as part of the proposed subdivision layout of PPC 70, to maintain the heritage values of the villa and its setting. It may be that amendments are required to the proposed subdivision layout to accommodate such mitigations. Potentially such an assessment could also address a suitable subdivision plan for 751 Kaipara Coast Highway that maintains the heritage values and setting of the villa, which could become part of PPC 70. Other mitigation measures potentially could include boundary planting between 751 and 787 Kaipara Coast Highway.

If it is an archaeological site, HNZPT would expect to see advice relating to a requirement for an authority for any future work that would affect this site.

Cultural values

6.2 Heritage New Zealand supports mana whenua in the exercising of kaitiakitanga and therefore would have expected that consultation with mana whenua would have occurred prior to notification. While there may not be sites of significance mapped in the Unitary Plan for this project area, there is significant potential that there are cultural values related to the site that require recognition within the project area and any adverse effects of the subdivision should be mitigated. HNZPT would ask that consultation is undertaken with all parties that express an interest in the area as HNZPT are aware that there were competing claims, potentially

¹ Proposed Plan Change, 787 and 751 Kaipara Coast Highway: Archaeological Assessment, Prepared for Riverview Properties, May 2021, Clough & Associates

² Proposed Plan Change, 787 and 751 Kaipara Coast Highway: Archaeological Assessment, Prepared for Riverview Properties, May 2021, Clough & Associates, Pg.20


unmapped areas of cultural interest and cultural narratives within the wider area. This consultation is needed now to address and provide for any Māori cultural heritage values within the PPC 70 project area.

7. Heritage New Zealand seeks that prior to decision making that the following information is provided and used as appropriate to inform historic heritage mapping and mitigation measures within the scheme plan area:

- Accept the proposed plan change subject to any amendments required from the following assessments, which are to be made available prior to decision making on the plan change:
 - heritage assessment of the villa and its setting allocated at 751 Kaipara Coast Highway, by a suitably qualified built heritage specialist / conservation architect and archaeologist to establish the age of the villa, its heritage values and confirm that it is not an archaeological site. The assessment should also include any mitigation measures considered appropriate to the proposed subdivision layout, including a proposed subdivision layout for 751 Kaipara Coast Highway, to ensure the retention of the identified heritage values of the villa and its setting. 1.1
1.2
 - A cultural values assessment for the entire Plan Change project area and any appropriate amendments to the subdivision layout to address any Māori cultural heritage values identified. 1.3

8. Heritage New Zealand does wish to be heard in support of our submission.

Yours sincerely



Sherry Reynolds
Director Northern Region

Address for Service:
Bev Parslow
PO Box 105 291, Auckland
09 307 9920
BParslow@heritage.org.nz

Before you fill out the attached submission form, you should know:

You need to include your full name, an email address, or an alternative postal address for your submission to be valid. Also provide a contact phone number so we can contact you for hearing schedules (where requested).

By taking part in this public submission process your submission will be made public. The information requested on this form is required by the Resource Management Act 1991 as any further submission supporting or opposing this submission is required to be forwarded to you as well as Auckland Council. Your name, address, telephone number, email address, signature (if applicable) and the content of your submission will be made publicly available in Auckland Council documents and on our website. These details are collected to better inform the public about all consents which have been issued through the Council.

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least one of the following applies to the submission (or part of the submission):

- It is frivolous or vexatious.
- It discloses no reasonable or relevant case.
- It would be an abuse of the hearing process to allow the submission (or the part) to be taken further.
- It contains offensive language.
- It is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991
FORM 5



Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

Attn: Planning Technician
Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

For office use only
Submission No:
Receipt Date:

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name) _____

Organisation Name (if submission is made on behalf of Organisation) _____

Address for service of Submitter _____

Telephone: Fax/Email:

Contact Person: (Name and designation, if applicable) _____

Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number

Plan Change/Variation Name

The specific provisions that my submission relates to are:

(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s)

Or
Property Address

Or
Map

Or
Other (specify) _____

Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I **support** the specific provisions identified above

I **oppose** the specific provisions identified above

I wish to have the provisions identified above amended Yes No

The reasons for my views are:

(continue on a separate sheet if necessary)

I seek the following decision by Council:

- Accept the proposed plan change / variation | 2.1
- Accept the proposed plan change / variation with amendments as outlined below
- Decline the proposed plan change / variation
- If the proposed plan change / variation is not declined, then amend it as outlined below.

- I wish to be heard in support of my submission
- I do not wish to be heard in support of my submission
- If others make a similar submission, I will consider presenting a joint case with them at a hearing

Signature of Submitter
(or person authorised to sign on behalf of submitter)

Date

Notes to person making submission:

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

I could /could not gain an advantage in trade competition through this submission.

If you could gain an advantage in trade competition through this submission please complete the following:

I am / am not directly affected by an effect of the subject matter of the submission that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.



WAKA KOTAHI NZ TRANSPORT AGENCY SUBMISSION TO PRIVATE PLAN CHANGE 70 (PC70)

TO: Auckland Council
Private Bag 92300
AUCKLAND 1142

SUBMITTER: Waka Kotahi NZ Transport Agency
Private Bag 106602
Auckland City
AUCKLAND 1143

ATTENTION: Ashleigh Peti
Phone: 09 928 8762
Email: Ashleigh.Peti@nzta.govt.nz

Private Plan Change 70 (PC70) – 751 & 787 Kaipara Coast Highway, Kaukapakapa

This submission is related to Private Plan Change 70 (PC70), notified by Auckland Council on 27 January 2022 and is on behalf of Waka Kotahi NZ Transport Agency (Waka Kotahi).

Summary

Waka Kotahi is **opposed in part** to PC 70 which seeks to rezone land at 751 & 787 Kaipara Coast Highway, Kaukapakapa. In short, Waka Kotahi can only provide its support in part for the following reasons:

- **The proposal, in its current form, does not fully align with the Government Policy Statement on land transport 2021 (GPS) in regard to the strategic priorities;**
- **The proposal depends on existing pedestrian connections which aren't fully and safely established and, in particular, the link between South Avenue to the 128 bus service does not provide a safe option for pedestrians;**

- There are no existing pedestrian or cycle connections to the northern township where the local school, gas station etc are located. The proposal depends on prospective future pedestrian connections which we understand at this stage are either aspirational and/or yet to be finalised;
- There are no proposed measures to address reverse sensitivity, namely those relating to highway noise and associated effects on human health.

The Role of Waka Kotahi NZ Transport Agency

Waka Kotahi is a Crown entity with the sole powers of control for all purposes of all state highways and is also a significant investor in the local road network. The Transport Agency's objective, functions, powers and responsibilities are derived from the Land Transport Management Act 2003 (LTMA), and the Government Rooding Powers Act 1989 (GRPA). The statutory objective of Waka Kotahi is to undertake its functions in a way that contributes to an effective, efficient and safe land transport system in the public interest¹.

Background

The subject site is comprised in two records of title legally described as Lot 1-2 Deposited Plan 523159 and Lot 36 Deposited Plan 523159 with a total land area of approximately 5.64ha.

The proposal seeks to:

- Rezone both lots described above from *Rural – Countryside Living* to *Residential – Rural and Coastal Settlement*;
- Remove the Subdivision Variation Control – Rural, Kaukapakapa Countryside Living; and
- Enable additional residential development, further to what could be undertaken under the current zoning provision.

Waka Kotahi acknowledges the invitation to provide feedback on the proposal in September 2021. Between September and December 2021, we have communicated two matters of concern to the applicant - one of which we understand is actively being dealt with relating to reverse sensitivity, and the other being the limited provision for walking, cycling and public transport connectivity.

For clarity purposes, we are generally supportive of the intent of the plan change and subsequent subdivision outcomes as a way for meeting housing demands however, as we have previously highlighted to the applicant, we are concerned that the proposal does not adequately provide for walking, cycling and public

2.2

¹ LTMA Section 94

transport connectivity or address reverse sensitivity relating to highway noise and associated effects on human health. Therefore, Waka Kotahi cannot provide overall support to the proposal in its current form.

The Waka Kotahi Submission

Waka Kotahi has reviewed the documents associated with PC70 lodged with Auckland Council and cannot provide full support to the proposal as lodged. Waka Kotahi has a responsibility to deliver on the strategic outcomes set by the GPS and best maintain the integrity of the state highway network by ensuring safety and efficiency to all road users and in this context specifically, including those not travelling by private vehicle. By giving full support to the application, it is considered Waka Kotahi would not be exercising its role and duties.

The GPS sets out four strategic priorities, which are:

- Safety: Developing a transport system where no one is killed or seriously injured;
- **Better Travel Options: Providing people with better transport options to access social and economic opportunities;**
- Climate Change: Developing a low carbon transport system that supports emissions reductions, while improving safety and inclusive access;
- Improving freight connections: Improving freight connections for economic development.

By way of addressing the above, Waka Kotahi seeks that the applicant consider implementing multi-modal options as part of PC70. Relief sought could include the likes of a pedestrian facility along State Highway 16 between McLennan Farm Lane and South Avenue (which would capture movements to the 128 bus service). Waka Kotahi is happy to work with the applicant on exploring such options.

By way of addressing the effects of state highway noise on human health, Waka Kotahi understands that the applicant has engaged an acoustic consultant to undertake an assessment to ascertain the noise effects that may be experienced by noise sensitive receivers. In an email dated 5 November 2021, we communicated to the applicant that:

“The best solution is if the developer modifies the existing bund as required to achieve a road traffic noise level less than 57 dB LAeq(24h) outside in all sections. The modifications to the bund could be determined in one of two ways:

1. *The developer engages an acoustics specialist to model noise from the road and over the site. The model would need to include a 3dB allowance for uncertainty; **OR***

2. *A conservative approach could be taken without modelling, by making the barrier at least 3m above the height of SH 16, and extending this perpendicular to SH16 and along the east and west edges of the subdivision. The 3m height could probably be achieved by the addition of a solid fence on top of the existing bund (where it exists).*
- *If this barrier is created, then the only additional controls would be:*
 - *To avoid vibration effects, buildings are to be set back at least 20m from the nearest traffic lane of SH 16 (currently it appears this space is entirely occupied by the bund and road reserve, so this requirement should not have any material impact);*
 - *Buildings should be single level (to avoid rooms overlooking the barrier). We note that the proposed zoning rules include a maximum building height of 8m.*
 - *If the point above about single level only dwellings is not desirable, we would have to investigate conditions for noise/ventilation controls in upper floors”.*

As of yet, Waka Kotahi have not received a copy of the acoustic assessment but is amenable to continuing to work with the applicant on this matter.

Decision Requested

Waka Kotahi seeks, for the reasons provided in this submission that Auckland Council do not accept PC70 in its current form unless relief is provided that:

- addresses provisions for walking, cycling and public transport connectivity; and
- demonstrates that the effects of state highway noise will not impact human health by way of the relief sought above.

Waka Kotahi **does** wish to be heard in support of this submission.

Waka Kotahi **does not** wish to present joint evidence.



Signed by Hannah Thompson

Principal Planner – Environmental Planning / Poutiaki Taiao

Under delegated authority for Waka Kotahi NZ Transport Agency

Date: 10 March 2022

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Ashleigh Peti

Organisation name: Waka Kotahi NZ Transport Agency

Agent's full name: Ashleigh Peti

Email address: ashleigh.peti@nzta.govt.nz

Contact phone number: 099288762

Postal address:
Private Bag 106602
Auckland City
Auckland 1143

Submission details

This is a submission to:

Plan change number: Plan Change 70

Plan change name: PC 70 (Private): 751 and 787 Kaipara Coast Highway, Kaukapakapa

My submission relates to

Rule or rules:
Proposed rezoning and implications - please refer to attached submission.

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:
Please refer to attached submission.

I or we seek the following decision by council: Approve the plan change with the amendments I requested

Details of amendments: Please refer to attached submission.

Submission date: 11 March 2022

Supporting documents
Waka Kotahi NZ Transport Agency Submission PC70_20220311115257.401.pdf

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

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WAKA KOTAHI NZ TRANSPORT AGENCY SUBMISSION TO PRIVATE PLAN CHANGE 70 (PC70)

TO: Auckland Council
Private Bag 92300
AUCKLAND 1142

SUBMITTER: Waka Kotahi NZ Transport Agency
Private Bag 106602
Auckland City
AUCKLAND 1143

ATTENTION: Ashleigh Peti
Phone: 09 928 8762
Email: Ashleigh.Peti@nzta.govt.nz

Private Plan Change 70 (PC70) – 751 & 787 Kaipara Coast Highway, Kaukapakapa

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- **The proposal, in its current form, does not fully align with the Government Policy Statement on land transport 2021 (GPS) in regard to the strategic priorities;**
- **The proposal depends on existing pedestrian connections which aren't fully and safely established and, in particular, the link between South Avenue to the 128 bus service does not provide a safe option for pedestrians;**

- There are no existing pedestrian or cycle connections to the northern township where the local school, gas station etc are located. The proposal depends on prospective future pedestrian connections which we understand at this stage are either aspirational and/or yet to be finalised;
- There are no proposed measures to address reverse sensitivity, namely those relating to highway noise and associated effects on human health.

The Role of Waka Kotahi NZ Transport Agency

Waka Kotahi is a Crown entity with the sole powers of control for all purposes of all state highways and is also a significant investor in the local road network. The Transport Agency's objective, functions, powers and responsibilities are derived from the Land Transport Management Act 2003 (LTMA), and the Government Rooding Powers Act 1989 (GRPA). The statutory objective of Waka Kotahi is to undertake its functions in a way that contributes to an effective, efficient and safe land transport system in the public interest¹.

Background

The subject site is comprised in two records of title legally described as Lot 1-2 Deposited Plan 523159 and Lot 36 Deposited Plan 523159 with a total land area of approximately 5.64ha.

The proposal seeks to:

- Rezone both lots described above from *Rural – Countryside Living* to *Residential – Rural and Coastal Settlement*;
- Remove the Subdivision Variation Control – Rural, Kaukapakapa Countryside Living; and
- Enable additional residential development, further to what could be undertaken under the current zoning provision.

Waka Kotahi acknowledges the invitation to provide feedback on the proposal in September 2021. Between September and December 2021, we have communicated two matters of concern to the applicant - one of which we understand is actively being dealt with relating to reverse sensitivity, and the other being the limited provision for walking, cycling and public transport connectivity.

For clarity purposes, we are generally supportive of the intent of the plan change and subsequent subdivision outcomes as a way for meeting housing demands however, as we have previously highlighted to the applicant, we are concerned that the proposal does not adequately provide for walking, cycling and public

¹ LTMA Section 94

transport connectivity or address reverse sensitivity relating to highway noise and associated effects on human health. Therefore, Waka Kotahi cannot provide overall support to the proposal in its current form.

The Waka Kotahi Submission

Waka Kotahi has reviewed the documents associated with PC70 lodged with Auckland Council and cannot provide full support to the proposal as lodged. Waka Kotahi has a responsibility to deliver on the strategic outcomes set by the GPS and best maintain the integrity of the state highway network by ensuring safety and efficiency to all road users and in this context specifically, including those not travelling by private vehicle. By giving full support to the application, it is considered Waka Kotahi would not be exercising its role and duties.

The GPS sets out four strategic priorities, which are:

- Safety: Developing a transport system where no one is killed or seriously injured;
- **Better Travel Options: Providing people with better transport options to access social and economic opportunities;**
- Climate Change: Developing a low carbon transport system that supports emissions reductions, while improving safety and inclusive access;
- Improving freight connections: Improving freight connections for economic development.

By way of addressing the above, Waka Kotahi seeks that the applicant consider implementing multi-modal options as part of PC70. Relief sought could include the likes of a pedestrian facility along State Highway 16 between McLennan Farm Lane and South Avenue (which would capture movements to the 128 bus service). Waka Kotahi is happy to work with the applicant on exploring such options.

By way of addressing the effects of state highway noise on human health, Waka Kotahi understands that the applicant has engaged an acoustic consultant to undertake an assessment to ascertain the noise effects that may be experienced by noise sensitive receivers. In an email dated 5 November 2021, we communicated to the applicant that:

“The best solution is if the developer modifies the existing bund as required to achieve a road traffic noise level less than 57 dB LAeq(24h) outside in all sections. The modifications to the bund could be determined in one of two ways:

1. *The developer engages an acoustics specialist to model noise from the road and over the site. The model would need to include a 3dB allowance for uncertainty; **OR***

2. *A conservative approach could be taken without modelling, by making the barrier at least 3m above the height of SH 16, and extending this perpendicular to SH16 and along the east and west edges of the subdivision. The 3m height could probably be achieved by the addition of a solid fence on top of the existing bund (where it exists).*
- *If this barrier is created, then the only additional controls would be:*
 - *To avoid vibration effects, buildings are to be set back at least 20m from the nearest traffic lane of SH 16 (currently it appears this space is entirely occupied by the bund and road reserve, so this requirement should not have any material impact);*
 - *Buildings should be single level (to avoid rooms overlooking the barrier). We note that the proposed zoning rules include a maximum building height of 8m.*
 - *If the point above about single level only dwellings is not desirable, we would have to investigate conditions for noise/ventilation controls in upper floors”.*

As of yet, Waka Kotahi have not received a copy of the acoustic assessment but is amenable to continuing to work with the applicant on this matter.

Decision Requested

Waka Kotahi seeks, for the reasons provided in this submission that Auckland Council do not accept PC70 in its current form unless relief is provided that:

- addresses provisions for walking, cycling and public transport connectivity; and
- demonstrates that the effects of state highway noise will not impact human health by way of the relief sought above.

Waka Kotahi **does** wish to be heard in support of this submission.

Waka Kotahi **does not** wish to present joint evidence.



Signed by Hannah Thompson

Principal Planner – Environmental Planning / Poutiaki Taiao

Under delegated authority for Waka Kotahi NZ Transport Agency

Date: 10 March 2022

11 March 2022

Plans and Places
Auckland Council
Private Bag 92300
Auckland 1142

Attn: Planning Technician

Email: unitaryplan@aucklandcouncil.govt.nz

Proposed Private Plan Change 70 - 751 & 787 Kaipara Coast Highway

Please find attached Auckland Transport's submission on Proposed Private Plan Change 70 751 and 787 Kaipara Coast Highway proposed by Riverview Estates Limited.

If you have any queries in relation to this submission, please contact me at katherine.dorofaeff@at.govt.nz or on 09 447 4547.

Yours sincerely



Katherine Dorofaeff
Principal Planner, Land Use Policy and Planning North / West

cc:
Burnette O'Connor, The Planning Collective 2021 Ltd
by email Burnette@thepec.co.nz

Submission by Auckland Transport on Private Plan Change 70: 751 and 757 Kaipara Coast Highway, Kaukapakapa

To: Auckland Council
Private Bag 92300
Auckland 1142

Submission on: Proposed Private Plan Change 70 from Riverview Estates Limited for land at 751 and 787 Kaipara Coast Highway, Kaukapakapa.

From: Auckland Transport
Private Bag 92250
Auckland 1142

1. Introduction

- 1.1 Riverview Properties Limited (**the applicant**) is applying for a private plan change (**PC70 or the plan change**) to the Auckland Unitary Plan – Operative in Part (**AUP(OP)**) to rezone approximately 5.43 hectares of land at Kaukapakapa from Rural - Countryside Living to Residential - Rural and Coastal Settlement. PC70 also proposes to remove the Transferable Development Rights layer from the plan change area (**the site**).
- 1.2 Auckland Transport is a Council-Controlled Organisation of Auckland Council (**the Council**) and the Road Controlling Authority for the Auckland region. Auckland Transport has the legislated purpose to contribute to an 'effective, efficient and safe Auckland land transport system in the public interest'.¹ In fulfilling this role, Auckland Transport is responsible for the following:
- a. The planning and funding of most public transport.
 - b. Promoting alternative modes of transport (i.e. alternatives to the private motor vehicle).
 - c. Operating the roading network.
 - d. Developing and enhancing the local road, public transport, walking and cycling networks.
- 1.3 Auckland Transport notes that Kaipara Coast Highway forms part of State Highway 16 (**SH16**), for which Waka Kotahi New Zealand Transport Agency is the Road Controlling Authority.
- 1.4 Auckland Transport is not a trade competitor for the purposes of section 308B of the Resource Management Act 1991.

2. Strategic context

- 2.1 The proposed rezoning provides for subdivision of the land into approximately 20 sites for residential development, with a minimum site size of 2500m². The location

¹ Local Government (Auckland Council) Act 2009, section 39.

is semi-rural in nature with limited provision for walking, cycling and public transport. Transport is expected to be predominantly by private car.

2.2 In evaluating accessibility for this proposal, the applicant's Request for Information (**RFI**) response relies on existing pedestrian footpaths along the eastern side of Awatiro Drive to provide pedestrian access between the site and the southern Kaukapakapa township². However, the pedestrian access from Awatiro Drive to South Avenue does not connect to a formed pedestrian network. Reliance is also placed on future pedestrian linkages along the Kaukapakapa River intended to provide connection between the northern and southern parts of Kaukapakapa. The Rodney West Local Paths (Greenways) Plan 2019 does include improved pedestrian connections between northern and southern Kaukapakapa. However, the plan is aspirational with timing and funding uncertain. It outlines the long-term greenways plan for Rodney West, with a view to outlining priority projects for funding and implementation over the coming years.

2.3 The applicant's RFI response concludes that the site has good accessibility to public transport due to the existing bus routes east of the plan change area³. Auckland Transport considers accessibility to public transport to be limited for the following reasons:

- the lack of safe pedestrian access to the bus stops given the absence of formed footpaths and pedestrian crossings, particularly on SH16. Pedestrian safety along SH16 is of particular concern given the higher traffic speeds and heavier vehicle types using that route.
- the 128 bus service between Helensville and Hibiscus Coast is not frequent. It is a weekday service running hourly between 5am and 8pm.
- none of the bus stops have shelters or seating.
- funding for the bus service relies on the Rodney targeted transport rate. The service has not achieved sufficient patronage to be included within Auckland Transport's regular funded services.

2.4 Due to the reliance on private car, and lack of good alternatives, subdivision and development in this location is unlikely to support reductions in greenhouse gases.

Regional Policy Statement

2.5 Section B2.6 of the Regional Policy Statement (**RPS**) in the AUP(OP) sets out the objectives and policies applying to growth and form in rural and coastal towns and villages such as Kaukapakapa. Policy B2.6.2(1) sets out requirements for the establishment of new or expansion of existing rural and coastal towns and villages. In the view of Auckland Transport, PC70 does not meet the requirements set out below in Policy B2.6.2(1)(b) and (g):

'(1) Require the establishment of new or expansion of existing rural and coastal towns and villages to be undertaken in a manner that does all of the following:

...

(b) incorporates adequate provision for infrastructure;

...

² p4/92, Response to Clause 23 Request for Further Information, applicant's response to Council request P2, September 2021

³ *ibid*

(g) provides access to the town or village through a range of transport options including walking and cycling.’

2.6 The plan change does not incorporate adequate provision for infrastructure because it does not provide access to the town or village through a range of transport options including walking and cycling. There are no separated walking or cycling facilities along the portion of SH16 adjacent to the plan change area. The pedestrian access from Awatiro Drive to South Avenue does not connect to a formed pedestrian network. The limited local services in Kaukapakapa South (a church, a vet and cattery, and a meat processing operation) do not have footpath access. Most local facilities (such as a primary school, retail and commercial services, community hall, children’s playground) are located in Kaukapakapa North further along SH16 and cannot be accessed from the site by formed footpaths or safe cycling facilities.

2.7 Section B3.3 of the RPS sets out the objectives and policies applying to transport. Policy B3.3.2(5) addresses approaches to improve the integration of land use and transport. Auckland Transport is not satisfied that (5)(b), which is set out below, is met:

‘(5) Improve the integration of land use and transport by:

...

(b) encouraging land use development and patterns that reduce the rate of growth in demand for private vehicle trips, especially during peak periods;

...’

2.8 Given the location of the proposal, and the poor access to walking, cycling, and public transport, development is likely to rely on private vehicle trips. It does not encourage land use development and patterns that promote use of walking, cycling and public transport.

2.9 The concerns expressed above are also supported by B2.3 of the RPS which sets out the objectives and policies relating to a quality built environment. Policy B2.3.2(1) and (2) contain criteria that relate to walking and cycling, and a range of travel options including reduced vehicle use, as follows:

‘(1) Manage the form and design of subdivision, use and development so that it does all of the following:

...

(b) contributes to the safety of the site, street and neighbourhood;

(c) develops street networks and block patterns that provide good access and enable a range of travel options;

(d) achieves a high level of amenity and safety for pedestrians and cyclists;

...

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

...

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

...’

Kaukapakapa Structure Plan

- 2.10 The Kaukapakapa Structure Plan adopted by the Rodney District Council in 2010 has been discussed in the applicant's Section 32 Assessment Report and is included in the supporting documents. This is a non-statutory strategic policy document which was taken into account as part of developing the Auckland Unitary Plan. The Rural - Countryside Living zoning currently applying to the site is consistent with the recommendations of the structure plan which noted a demand for lifestyle blocks in this location.
- 2.11 The Structure Plan identified the need to reduce sole reliance on SH16 as the route for day-to-day movement between the northern and southern Kaukapakapa townships. It recommended that a 'dedicated cross-river pedestrian / cycle / bridle path' be provided. Plan 1 of the structure plan shows land use proposals and identifies walkway connections between the northern and southern townships along SH16 as well as via a reserve along Kaukapakapa River. However, as outlined above, these walkway connections do not currently exist.

3. Decisions sought

- 3.1 Auckland Transport **opposes** the plan change and requests that it be declined. | 3.1
- 3.2 Auckland Transport reasons for opposition are set out (2) above. In summary, the plan change does not give effect to the RPS because of its reliance on the private car for transport, lack of footpaths beyond the existing and proposed Riverview subdivision, its limited access to public transport, and lack of access to the town or village through a range of transport options including walking and cycling. | 3.2

4. Appearance at the hearing

- 4.1 Auckland Transport wishes to be heard in support of this submission.
- 4.2 If others make a similar submission, Auckland Transport will consider presenting a joint case with them at the hearing.

Name: Auckland Transport

Signature:



Christina Robertson
Group Manager: Growth and Urban Planning Integration

Date: 11 March 2022

Contact person: Katherine Dorofaeff
Principal Planner: Land Use Policy and Planning North / West

Address for service: Auckland Transport
Private Bag 92250
Auckland 1142

Telephone: 021 932 722

Email: katherine.dorofaeff@at.govt.nz

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Riverview Estate Residents

Organisation name:

Agent's full name:

Email address: niki@samltd.co.nz

Contact phone number:

Postal address:
24 Awatiro Drive
26 Awatiro Drive
14 Awatiro Drive
22 Awatiro Drive etc
Kaukapakapa
Auckland

Submission details

This is a submission to:

Plan change number: Plan Change 70

Plan change name: PC 70 (Private): 751 and 787 Kaipara Coast Highway, Kaukapakapa

My submission relates to

Rule or rules:
Submission on a notified proposal for policy statement or plan, changes or variation

Property address: 751 and 787 Kaipara Coast Highway, Kaukapakapa

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we support the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:
Please refer to the table attached. Full names and details are set out on the attachment of the residents supporting the Proposed Plan Change.

I or we seek the following decision by council: Approve the plan change without any amendments

4.1

Details of amendments:

Submission date: 11 March 2022

Supporting documents
Riverview Consents - StgII_11032022_094739.pdf

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

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Clause 6 of Schedule 1, Resource Management Act 1991

To: Auckland Council

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We support the Stage 2 subdivision of Riverview Properties Ltd as we believe it will add to the community being developed at Riverview, where we enjoy close friendships with our neighbours, and a safe and unique neighbourhood within easy reach of the amenities at Kaukapakapa and Silverdale.

The scale, form and character of the proposed development is entirely consistent with, and in keeping with the current and surrounding development.

We ~~do~~/do not wish to be heard in support of this submission.

*If others make a similar submission, I/~~we~~ will consider presenting a joint case with them at the hearing.

Your sincerely

Full Name: Andrew Thomson
Address: 24 Awatiro Drive Kaukapakapa
Phone: 0273595144
Email: thomsonab@xtra.co.nz
Date: 10 March 2022.

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Your sincerely



Full Name: STEVEN & LYNNE THOMAS
 Address: 26 AWATIRO DR. RD1 Kaukapakapa 0871
 Phone: 021-425-123
 Email: steven.lynne@outlook.com
 Date: 10/3/2022

* This is the perfect Micro-Community – There should be more of these. Sus

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Your sincerely



Full Name

JAN HENDRIK LE ROUX

Address:

14 AWATIRO DRIVE, KAUKAPAKAPA

Phone:

021 886 409

Email:

henkleroux73@gmail.com

Date:

10/03/2022

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Your sincerely



Full Name Rhys and Andra Brown

Address: 22 Awatiro Drive, Kaukapakapa

Phone: 0211540439

Email: roosterhys@yahoo.co.nz

Date: 10-03-2022.

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Your sincerely

B. Watson

Full Name

Address:

Phone:

Email:

Date:

Brett Watson
 39 Awatiro Drive, Kaukapakapa 0871
 021 899-6116
 brett@brechon.nz
 10/03/22

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Your sincerely



Full Name *Nigel + Holey Johnson*
 Address: *32 Awata Drive, Kaukapakapa*
 Phone: *021828433*
 Email: *hjn3je@gmail.com*
 Date: *10/3/22*

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Your sincerely

Lambert Lambert

Full Name JON AND VICKI LAMBERT

Address: 41 AWATIRO DRIVE, RD1 KAUKAPAKAPA

Phone: 0211 999990

Email: JAG-LAMBERT@GMAIL.COM

Date: 10-MAR-22

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Your sincerely



Full Name Katrina Shaw

Address: 34 Awahio Dr, Kaukapakapa, 0871

Phone: 021924750

Email: ~~katrina.shaw@gmail.com~~ Katrina.Shaw@westpac.com

Date: 10/3/22

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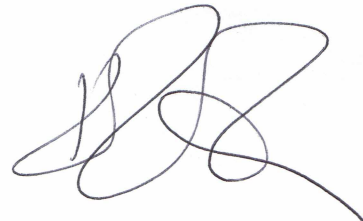
*If others make a similar submission, ~~I~~/ we will consider presenting a joint case with them at the hearing.

Your sincerely

Full Name: DARRYL JOHN GRIFFITHS
Address: 20 AWATIRO DRIVE
Phone: KAUKAPAKAPA
Email: 0274784029.
Date: djg1963@gmail.com.
10/3/22



KAYE VANDERVELDEN
20 AWATIRO DRIVE
KAUKAPAKAPA
0212677112
Kaye.vandervelden@gmail.com.
10/3/22



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Your sincerely

R McCall

Full Name

Rebekah McCall

Address:

1 Awatiro Drive, Kaukapakapa

Phone:

0211608676

Email:

rebekah.mccall@waimauku.school.nz

Date:

10th March 2022

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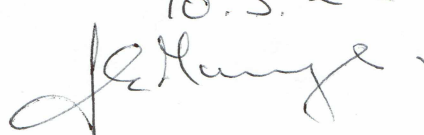
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Your sincerely

Full Name NICK MUNNINGS
 Address: 28 AWATIARO DRIVE
 Phone: 0220752389
 Email: munnet@hotmail.co.uk
 Date: 10.3.22

JANET MUNNINGS
 28 AWATIARO DRIVE
 022 163 0379.
 10.3.22


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Your sincerely



Full Name JOHN & LIZ WOODYARD
 Address: 6 AWATIRO DRIVE KAUKAPAKAPA
 Phone: 0274770478
 Email: john.woodyard@outlook.co.nz
 Date: 10 MARCH 2022

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Your sincerely

D. Tanner
 Full Name: Daniel Murray Tanner
 Address: 16 Awatiro Drive Kaukapakapa
 Phone: 027 591 8527
 Email: tannerfive@xtra.co.nz
 Date: 10/03/2022

We would like to keep the peace & tranquility we already have after leaving the noise & overcrowded Auckland, & also the subdivision that was advertised & promised.

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Your sincerely

[Handwritten signature], J.B. ROBINS.

Full Name

PETER & JUNE ROBINS

Address:

36 ANATIRO DRIVE RIVERVIEW KAUKAPAKAPA

Phone:

021 730059

Email:

robam@xtra.co.nz

Date:

6th MARCH. 2022.

THIS WILL FURTHER ENHANCE A LOVELY COMMUNITY, A HOPEY SORT AFTER SUBDIVISION AS PROVED WITH STAGE 1.

[Handwritten signature]

TABLE OF SUBMITTERS

Name	Address for service	Email	Phone	Support / Do Not Support / Neutral	Reasons	Wish to be heard at the hearing? Yes/No	Signed
SWA L J THOMAS	26 Awairu Drive	stereu.lyne@outlook.com	021-425123	Support	This is the perfect Micro-community - there should be more of these	No	✓
P & J ROBINS	36 Awairu Dr	robjfm@xtra.co.nz	021 730069	Support	This will further enhance a lovely community, a highly sort after subdivision as proved with Stage I.	No	✓
D. TANNER	16 Awairu Dr	tannerfive@xtra.co.nz	027 591 8527	SUPPORT	We moved to Riverview for the reasons stated in Paragraphs 3 & 4	No	✓
J & E WOODYARD	6 Awairu Dr	John.Woodyard@outlook.co.nz	(09) 420-4493	SUPPORT		No	✓
A. Thomson	24 Awairu Dr	thomsonab@xtra.co.nz	027 3595144	SUPPORT		No	✓
NET MUMMINS	28 Awairu Dr	munvet@hotmail.co.nz	0220752389	SUPPORT		No	✓
R. McCall	1 Awairu Dr	rebekah.mccall@waimarua.school.nz	0211008676	SUPPORT		No	✓
D. GARFISHS	20 Awairu Dr	djg1963@gmail.com	0274784029	SUPPORT		No	✓

Name	Address for service	Email	Phone	Support / Do Not Support / Neutral	Reasons	Wish to be heard at the hearing? Yes/No	Signed
K. VANDERVELDEN	20 Awatiro Dr	kaye.vandervelden@gmail.com	0212677112	Support		No	✓
K. SHAW	34 Awatiro Dr	KATRINA.SNAW@WESTAC.CO.NZ	021924750	Support		No	✓
J + V CAMIBERT	41 Awatiro Dr	JACCAMBERT@gmail.com	0211999990	Support		No	✓
NIGEL + HALEY JOHNSON	32 Awatiro Dr	HJNSJTGMAIL.COM	021828433	Support		No	✓
BRETT HOUSTON	39 Awatiro Dr	brettebiechow.nz	021899616	Support		No	✓
RHYS AND ANORA BROWN	22 Awatiro Dr	roosterhys@yahoo.co.nz	0211540439	Support			✓
JAN HENDRIK LE ROUX	14 Awatiro Dr	henker73@gmail.com	021886409	Support		No	✓

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Nola Smart on behalf of Fire and Emergency New Zealand

Organisation name:

Agent's full name:

Email address: nola.smart@beca.com

Contact phone number:

Postal address:

21 Pitt Street

Auckland 1010

Submission details

This is a submission to:

Plan change number: Plan Change 70

Plan change name: PC 70 (Private): 751 and 787 Kaipara Coast Highway, Kaukapakapa

My submission relates to

Rule or rules:

Please see attached letter

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we support the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

Please see attached letter

I or we seek the following decision by council: Approve the plan change with the amendments I requested

5.1

Details of amendments: Please see attached letter

Submission date: 11 March 2022

Supporting documents

Submission - Auckland Council - PC 70 Kaipara Coast Highway.pdf

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

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Form 5

Submission on private plan change to Auckland Unitary Plan

Clause 6 of Schedule 1, Resource Management Act 1991

To: Auckland Council

Submission on: Proposed Private Plan Change 70: 751 and 787 Kaipara Coast Highway, Kaukapakapa

Name of Submitter: Fire and Emergency New Zealand

This is a submission on the following proposed plan change (the **proposal**):

Proposed Private Plan Change 70: 751 and 787 Kaipara Coast Highway, Kaukapakapa

Fire and Emergency New Zealand (Fire and Emergency) could not gain an advantage in trade competition through this submission.

The specific provisions of the proposal that Fire and Emergency's submission relates to are:

- Firefighting water supply volume
- Access to firefighting water supply

Fire and Emergency's submission is:

In achieving the sustainable management of natural and physical resources under the Resource Management Act 1991 (RMA), decision makers must have regard to the health and safety of people and communities. Furthermore, there is a duty to avoid, remedy or mitigate actual and potential adverse effects on the environment. The risk of fire represents a potential adverse effect of low probability but high potential impact. Fire and Emergency has a responsibility under the Fire and Emergency New Zealand Act 2017 to provide for firefighting activities to prevent or limit damage to people, property and the environment. As such, Fire and Emergency has an interest in the land use provisions of the District Plan to ensure that, where necessary, appropriate consideration is given to fire safety and operational firefighting requirements.

In order for Fire and Emergency to achieve their principle objective which includes reducing the incidence of unwanted fire and the associated risk to life and property, protecting and preserving life, and preventing or limiting injury, damage to property land, and the environment, Fire and Emergency requires adequate water supply be available for firefighting activities; and adequate access for new developments and subdivisions to ensure that Fire and Emergency can respond to emergencies.

The provision for adequate water supply is therefore critical. It is important to Fire and Emergency that any new subdivision or land use has access to adequate water supply (whether reticulated or non-reticulated). This essential emergency supply will provide for the health, safety and wellbeing of people and the wider community, and therefore contributes to achieving the purpose of the RMA.

The proposed firefighting water supply solution is three sets of twin firefighting water tanks located on Lot 1, Lot 7 and Lot 9 with a minimum storage of 45m³. Fire and Emergency considers the volume and location of firefighting water supply to be adequate.

The firefighting water supply must be accessible to Fire and Emergency at all times without fences or other obstructions as per New Zealand Fire Service Fire Fighting Water Supplies Code of Practice. The subsequent subdivision to realise this Plan Change will be subject to this rule under E39.6.1.3 Services.

Fire and Emergency seek the following decision from the local authority:

If the Consent Authority is minded to approve this Plan Change, it is requested that Fire and Emergency's requirements in relation to access to firefighting water supply on Lot 1, Lot 7 and Lot 9 are carried forward into the subdivision approval process.

5.2

Fire and Emergency does not wish to be heard in support of its submission.



Signature of person authorised to sign on behalf of
Fire and Emergency

Date:	11.03.22
Electronic address for service of person making submission:	Nola.Smart@beca.com
Telephone:	09 300 3278
Postal address:	C/- Beca Limited 21 Pitt Street Auckland 1010
Contact person:	Nola Smart