

Highbrook Private Plan Change Request to the Auckland Unitary Plan (Operative in Part)

Prepared for Highbrook Living Limited

PLANNING REPORT



Job No: 64872

Version: Final

Date of Issue: 19/08/2022

ACKNOWLEDGEMENT

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DOCUMENT APPROVAL AND REVISION HISTORY

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Authors	 Sukhi Singh (Technical Director – Planning) Jono Ryan (Senior Planner) and Lucy Murden (Planner)
Reviewer	 Richard Black Planning Manager

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	Technical Report 10: Ngāti Tamaoho Highbrook Plan Change Cultural Values Assessment.
5	Waka Kotahi’s Assessment of Plan Provisions to Provide for Human Health and Amenity in accordance with section 32 of the Resource Management Act (as submitted in evidence in hearing on Private Plan Change 51 (Drury 2 Precinct).

1 THE APPLICANT AND PROPERTY DETAILS

To:	Auckland Council
Application:	Highbrook Private Plan Change Request to the Auckland Unitary Plan (Operative in Part)
Applicant:	Highbrook Living Limited
Address for Service:	Babbage Consultants Limited Level 4, 68 Beach Road Auckland Central 1010 Attention: Sukhi Singh Email: sukhi.singh@babbage.co.nz
Site Location	8 Sparky Road, Otara, Auckland
Legal Description	Lot 2 DP 209362
Refer to Appendix 3 for AUP(OP) Planning Maps illustrating the key provisions mentioned below applying within the Plan Change area.	
Zoning:	Business - Light Industry Zone Coastal - Coastal Transition Zone
Precinct:	None
Designations:	Designation 6714, State Highway 1: To undertake maintenance, operation, use and improvement to the State Highway network, Designations, New Zealand Transport Agency Designation 1102, Protection of aeronautical functions - obstacle limitation surfaces, Auckland International Airport Ltd
Modifications:	None
Overlays:	Infrastructure: National Grid Corridor Overlay - National Grid Subdivision Corridor (extends marginally into Plan Change area)
Controls:	Coastal Inundation 1 per cent AEP Plus 1m Control - 1m sea level rise Macroinvertebrate Community Index - Exotic Macroinvertebrate Community Index - Native Macroinvertebrate Community Index – Urban
Record of Title:	Refer to Appendix 1

2 INTRODUCTION

2.1 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.

2.2 This Planning Report has been prepared in support of a Private Plan Change Request (“**PC**”) to the Auckland Unitary Plan (Operative in Part) (“**AUP(OP)**”) on behalf of Highbrook Living Limited.

2.3 The PC area is approximately 4ha, forming part of the larger site located at 8 Sparky Road, Ōtara. The full site at 8 Sparky Road is approximately 35ha in area, and was the location of the former Ōtāhuhu Power Station, which is currently being dismantled. The full site is currently zoned Business – Light Industry Zone.

2.4 The PC Request is set out in **Appendix 2**. In brief, it seeks to:

- Rezone 4.4ha of land from Business - Light Industry Zone to Residential - Terrace Housing and Apartment Buildings Zone (“**THAB**”).
- Introduce a new Precinct into Chapter I Precincts (South) of the AUP(OP) to implement bespoke provisions specially to address two resource management matters:

- a) manage adverse transportation effects on the surrounding road network, in particular Highbrook Drive and the Highbrook Drive/State Highway 1 (“**SH1**”) roundabout.
- b) protect activities sensitive to noise from adverse health and amenity effects rising from road traffic noise associated with the operation of SH1 and Highbrook Drive.

2.5 A precinct approach is necessary in this case to ensure the implementation of bespoke objectives, policies and rules framework to appropriately manage transportation effects of residential development on Highbrook Drive and SH1/Highbrook Drive roundabout.

2.6 On 18 August 2022, Auckland Council notified three plan changes to the AUP(OP). The intention of each plan change is as follows:

- *Plan Change 78: Intensification*
 - Implements the Government’s mandatory intensification requirements under the National Policy Statement on Urban Development (“**NPS-UD**”) and the mandatory Medium Density Residential Standards (“**MDRS**”).
- *Plan Change 79: Amendments to the transport provisions*
 - Aims to manage impacts of development on Auckland’s transport network, with a focus on pedestrian safety, accessible car parking, loading and heavy vehicle management, and catering for EV-charging and cycle parking.
- *Plan Change 80: RPS Well-Functioning Urban Environment, Resilience to the Effects of Climate Change and Qualifying Matters*
 - Integrates the concepts and terms, well-functioning urban environment, urban resilience to the effects of climate change and qualifying matters, into the objectives and policies in several chapters of the Regional Policy Statement (“**RPS**”).

2.7 The PC Request does not seek to amend any other provisions in the AUP(OP), instead it relies on the full suite of overlays and Auckland-wide provisions to apply within the PC area and its proximity. It is considered that this Plan Change Request can be processed

concurrently with the above-mentioned Council initiated Plan Changes as the approach of the PC Request is to rely on the implementation of the full suite of provisions in the THAB Zone (all objectives, policies and rules) to delivery high quality residential development within the PC area.

2.8 The PC Request is informed by the following specialist reports (set out in **Appendix 4**):

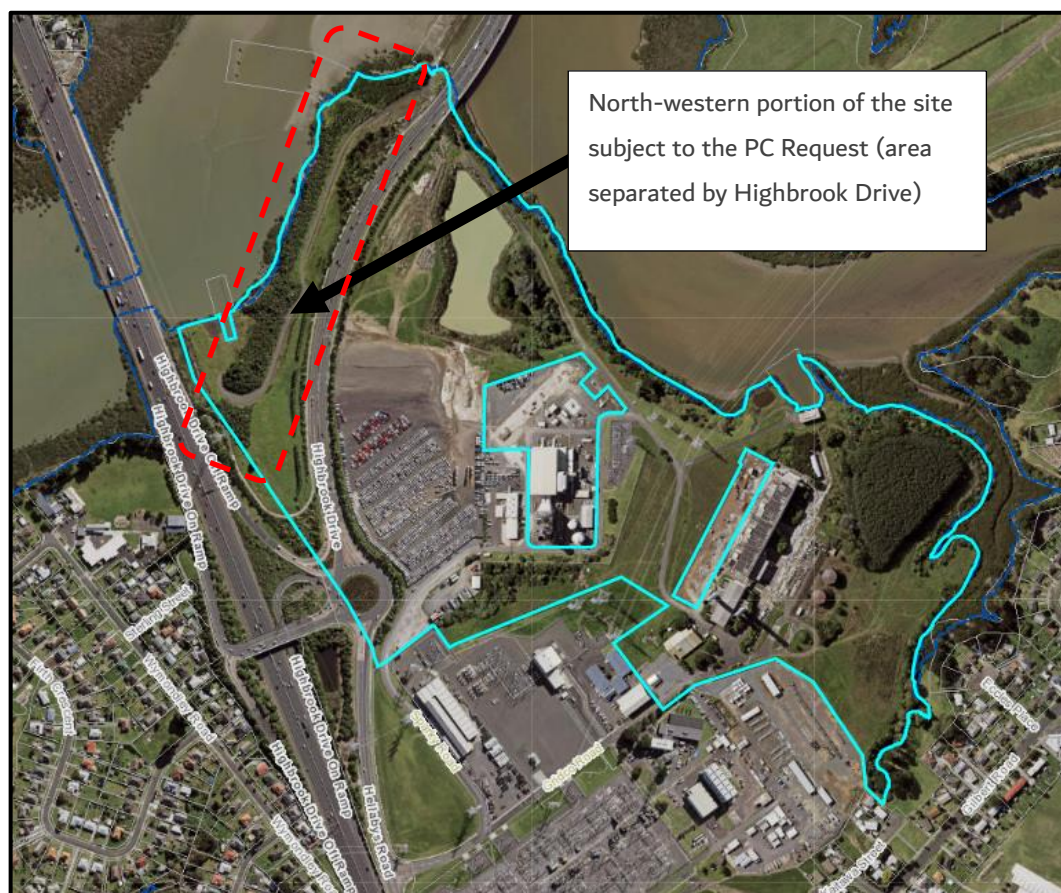
- Technical Report 1: Economic Overview Report, prepared by Property Economics
- Technical Report 2: Integrated Transport Assessment, prepared by Stantec
- Technical Report 3: Geotechnical Appraisal Report, prepared by Babbage
- Technical Report 4: Assessment of Landscape and Visual Effects Report, prepared by LA4
- Technical Report 5: Land Contamination Review, prepared by Babbage
- Technical Report 6: Ecological Assessment, prepared by Bioresearchers
- Technical Report 7: Urban Design Statement, prepared by ET Urban Design Ltd
- Technical Report 8: Infrastructure Report, prepared by Babbage
- Technical Report 9: Stormwater Management Plan, prepared by Babbage
- Technical Report 10: Ngāti Tamaoho Highbrook Plan Change Cultural Values Assessment.

2.9 A section 32 evaluation has been completed, and it concludes that the PC Request will more effectively and efficiently achieve the objectives of the AUP(OP), and the purpose of the RMA, than the current provisions sought to be amended. The statutory assessment (including the section 32 evaluation) set out in this Planning Report will continue to be refined as the PC Request progresses through the various processing stages.

3 BACKGROUND

3.1 The PC area is approximately 4ha, forming part of the larger site located at 8 Sparky Road, Ōtara (refer Figure 3-1). The full site at 8 Sparky Road is approximately 35ha in area.

Figure 3-1: Site at 8 Sparky Road, Otara (Source: Auckland Council Geomaps Aerial Photography 2017)



3.2 Prior to the construction of Highbrook Drive, the site at 8 Sparky Road operated as a single large site, being the location of the former Ōtāhuhu Power Station (refer Figure 3-2). The Ōtāhuhu Power Station was a natural gas-fired power station commissioned in 1968 and was first owned by the New Zealand Electricity Department, then the Electricity Corporation of New Zealand, followed by Contact Energy who took over the

facility in 1996. The facility consisted of two stations known as Ōtāhuhu A (located on the eastern portion of the site) and Ōtāhuhu B (located on the western portion of the site).

Figure 3-2: Ōtāhuhu Power Station Site in 2001 (Source: Auckland Council Geomaps Aerial Photography 2001)



3.3 Figure 3-3 contains photos of Ōtāhuhu Power Station buildings.

Figure 3-3: Photos of Ōtāhuhu Power Station





3.4 The construction of Highbrook Drive in 2007, split the Ōtāhuhu Power Station site into two portions: the area west of Highbrook Drive and the area east of Highbrook Drive (refer Figure 3-4). An underpass vehicle access was constructed below Highbrook Drive to provide a direct link between the two portions of the site, to enable the Ōtāhuhu Power Station facility to continue to operate as a single site.

Figure 3-4: Construction of Highbrook Drive (Source: Auckland Council Geomaps Aerial Photography 2006)



- 3.5 Contact Energy closed the Ōtāhuhu Power Station in September 2015, and subsequently sold the entire site in 2016. As the Ōtāhuhu Power Station was gas-fired power, Contact Energy’s decision to close it reflected the growth in renewable electricity generation at the time. Since 2016, the infrastructure on the site continue to be dismantled.
- 3.6 A Record of Title for the full site at 8 Sparky Road is included in Appendix 1. It sets out a number of interests recorded on the Record of Title NA137B/367. In November 2000, a Deed of Arrangement was signed between Contact Energy Limited and the former Manukau City Council in which Contact Energy agreed to support the then proposed Notice of Requirement for Highbrook Drive. Subsequently in 2004, an Agreement for Sale of Land for Road and Compensation was agreed between Manukau City Council and Contact Energy Limited. One of the matters agreed was to survey the Ōtāhuhu Power Station site to identify the interests to be recorded on the Record of Title, and survey

the area of the proposed Highbrook Drive route. Highbrook Drive was subsequently constructed in 2007.

3.7 In accordance with the above agreement, a Survey Plan SO 403357 was approved by Land Information New Zealand (“**LINZ**”) in 2014. A copy of Survey Plan SO 403357 is included in Appendix 1, and in brief, it identifies:

- Land to be acquired for public road
- Severance lots
- Land to be acquired for motorway purposes
- Easements for various services (water, wastewater, stormwater etc)

3.8 While the Survey Plan SO 403357 was approved by LINZ, the final step to legalise the land for Highbrook Drive has not yet been completed (i.e. the land has not been vested into AT).

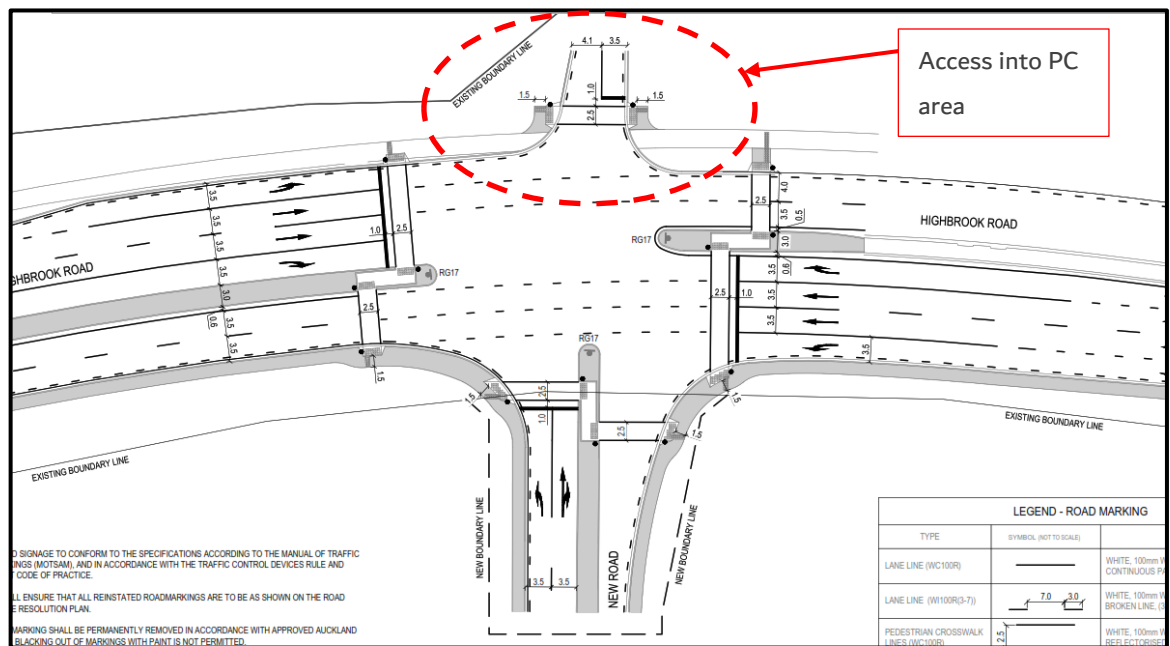
3.9 In light of the above, Designation 6714 for SH1 remains on the PC area. Waka Kotahi NZ Transport Agency (“**Waka Kotahi**”) has provided written confirmation that it supports in principle uplifting of Designation 6701 subject to legalisation of Survey Plan SO 403357, and noting that some parts of Designation 6701 may remain in the proximity of the Highbrook Drive/SH1 interchange.

4 THE PLAN CHANGE REQUEST

The necessity for the Plan Change Request

- 4.1 The entire site at 8 Sparky Road is being developed by Euroclass Design and Build (“Euroclass”). Euroclass has significant experience (over 30 years) in developing industrial, commercial and residential developments, and has completed over 300 projects across New Zealand. Euroclass’ strategic design and build approach has produced high quality outcomes, an example being Stonehill Business Park in Wiri, Auckland.
- 4.2 In line with the expectations of the Light Industry zone, Euroclass investigated the potential development of the entire site at 8 Sparky Road for industrial purposes. Market research by Euroclass showed that consistent with the existing businesses in the Light Industry zoned land in proximity to the site at 8 Sparky Road, which consists of logistics services and storage/distribution; market demand is for larger spaces to accommodate large scale industrial development.
- 4.3 In order to enable the use of the site at 8 Sparky Road for industrial purposes, the first step was to establish a signalised vehicle access into the site from Highbrook Drive (providing access both into the PC area and the remainder of the 8 Sparky Road site). In February 2020, Auckland Council approved a new signalised intersection at Highbrook Drive, located approximately 500m north of the Highbrook Drive/SH1 roundabout (refer Figure 4-1). Careful consideration was given to the location of the access. The new access had to be located sufficiently south of the Ōtara Creek bridge so that any localised road widening on approach to the intersection could be accommodated without any changes required along the bridge section and as far away from the Highbrook Drive/SH1 roundabout as possible to maximise the distance between the intersections to avoid queuing and maintain safe operation of SH1.

Figure 4-1: Approved engineering design for vehicle access for 8 Sparky Road from Highbrook Drive.



4.4 The next step was to consider the internal road layout and the location of potential building footprints within the PC area, in light of the constraint posed by the location of the approved vehicle access. Based on Euroclass’ extensive industrial development experience, and investigations into the internal road layout and potential building footprint locations, it was concluded that the PC area is not suitable for its intended use under the Light Industry Zone, for the following reasons (refer Figure 4-2):

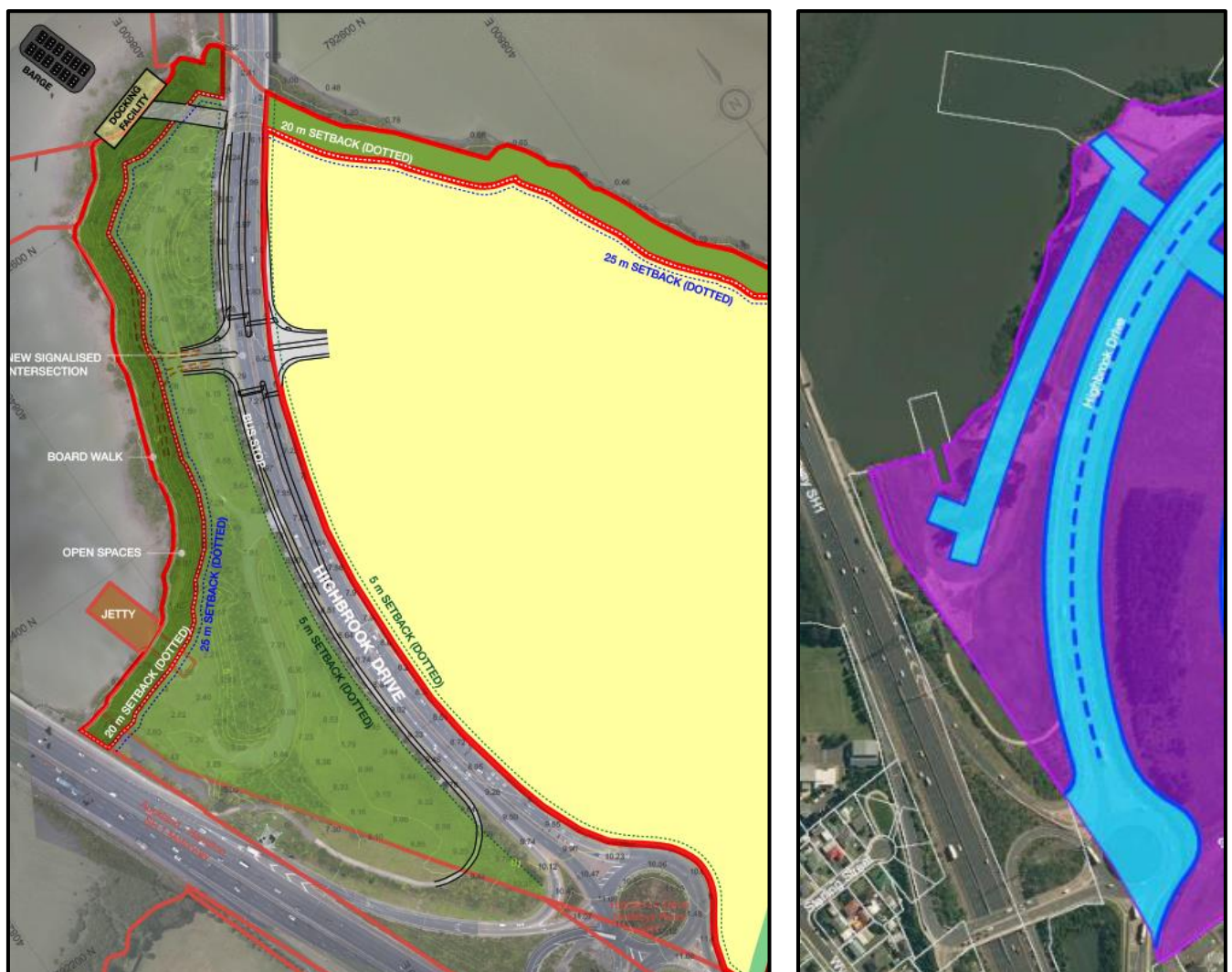
- The long and narrow shape of the PC area presents significant challenges for site design for use as industrial development. The approved vehicle access is located at the narrowest part of the PC area, thereby making it impractical to design for turning circles required for industrial vehicles, such as semitrailers.
- The approved vehicle access results in the PC area being divided into two parts: area north of the approved vehicle access, and the area south of the approved vehicle access. This division of the PC area into two parts, makes it impracticable to design for large industrial buildings footprints.

- The site design and potential building layout must consider the future esplanade areas to be vested into Council at the subdivision stage. Noting the long narrow shape of the PC area, the area available for development between Highbrook Drive and future esplanade areas is further reduced along the full length of the PC area.
- In order to service the area below the approved vehicle accessway, a road of an appropriate width is required to enable trucks to service building platforms potentially located within the southern portion of the PC area (adjoining SH1). This road will need to be located parallel to Highbrook Drive. In conjunction with the future esplanade reserve areas, the new internal road will further reduce the developable areas available within the PC area.
- The Integrated Traffic Assessment Report (attached as Technical Report 2) states that Highbrook Drive and associated parts of the network are congested under the baseline modelling scenario. This is a concern that has been raised by AT and Waka Kotahi in the consultation meetings. In light of this concern, careful consideration must be given to the type of land uses feasible within the PC area. Smaller scale industrial, commercial, office or retail type of activities that individually or cumulatively are deemed to be high traffic generating activities present a significant constraint for development within the PC area. The PC area is a relatively isolated site, located between SH1, Highbrook Drive and Tāmaki River and is separated from the other Light Industry zoned land within Highbrook. As evident in current developments occurring in Highbrook, demand is for larger industrial buildings. Small scale industrial, office, food and retail type of activities are more appropriately located in Highbrook Crossing, forming the hub of the Highbrook Business Park noting its strategic location. The isolated nature of the PC area makes it less desirable for small scale activities, and increases uncertainties in respect of the future viability of these land uses.
- In light of above, it is concluded that the Light Industry zoning of PC area does not enable the efficient use of this important land resource.

4.5 For the reasons set out above, it is concluded that the PC area is not suitable for its intended use under the Light Industry Zone. The objectives and policies framework of

the Light Industry Zone make it clear in that activities that do not support the primary function of the zone are avoided (Objective H17.2(2) and Policy H17.3(3)). In this context, a PC to rezone the subject area is necessary to apply a more appropriate zoning that enables an efficient use of this land resource located in a strategic location, while avoiding, remedying or mitigating any adverse effects on the environment.

Figure 4-2: Constraints posed by the future esplanade reserve areas, approved vehicle access and potential future internal roading layout.



The vision for the Plan Change area

4.6 The section 32 assessment concludes that the application of the THAB Zone will more effectively and efficiently achieve the objectives of the AUP(OP), and the purpose of the RMA. In order to inform the PC preparation process, Maria Ouzounova (Principal Architect, Babbage) has prepared the Highbrook Living Development Concept Plan (“Concept Plan”) set out in Figure 4-3 below.

Figure 4-3: Highbrook Living Development Concept Plan



4.7 The purpose of the Concept Plan is to:

- Articulate the high-level vision and key design principles (as set out in Technical Report 7 – Urban Design Statement) for the future development of the PC area based on the opportunities and constraints presented by the PC area, the local context, and the wider environment in which the PC area is located within.
- Noting the long and narrow shape of the PC area, and the need to consider the future esplanade reserve areas, the Concept Plan includes the locations of the

future building platforms to illustrate that it is feasible to develop the PC area for residential development.

- Identify the development potential of the PC area (i.e. number of household units) to inform the ITA; and water, wastewater and stormwater infrastructure servicing.

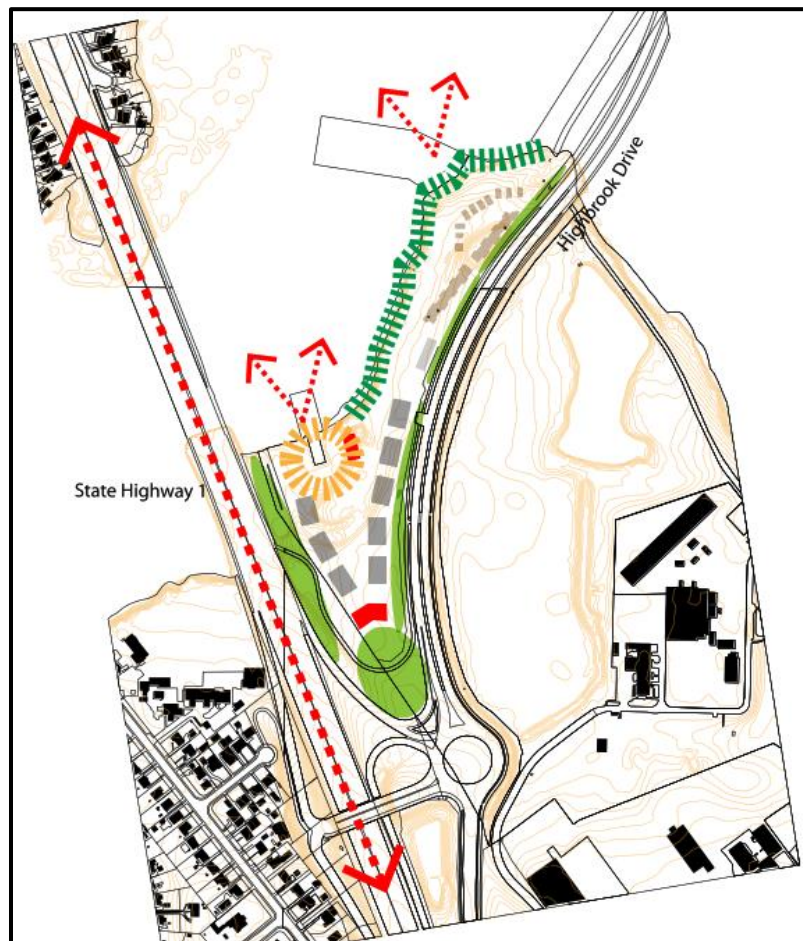
4.8 The PC Request does not seek to incorporate the Concept Plan into the proposed Highbrook Precinct, as the PC relies on the implementation of the THAB Zone provisions in the AUP(OP) to implement the development vision for the PC area. It is noted that the Concept Plan at this stage represents a high-level vision for the PC area and will be refined through the subsequent detailed design process.

4.9 The high-level vision and design principles for the PC area are articulated in the Urban Design Statement (attached as Technical Report 7). In brief, these are (refer Figure 4-4):

- Create a vibrant residential neighbourhood, within an attractive landscape setting.
- The PC area benefits from an extensive Tāmaki River frontage and a northern aspect. Access to and enjoyment of the Tāmaki River frontage is a key element of the design approach.
- The opportunity to develop the site for residential purposes, using a finer grained development response, that affords access to the Tāmaki River frontage, and creates opportunities for enhancement and stewardship of the Tāmaki River environments.
- Use existing site features and topography to inform the overall site development and layout based on an enclosure, human scale and views. Intensity of development at the widest part of the PC area, with a diminishing scale and intensity to the north.
- Create a community focal point by integrating public open space areas and small-scale activities (such as a café) adjoining the esplanade reserve areas, in the southern portion the PC area.

- Utilise the existing Tāmaki River edge and vegetation as a means of connecting the open spaces, resulting in an ecological and recreational network of open spaces across the PC area.
- Provide a legible structure that capitalises on views and focal points. Complementing the formal designed spaces, the proposed design should identify key locations within the layout for focal point buildings. These buildings will be important opportunities to support the key spatial elements of the overall plan and act as local markers to more distant views.

Figure 4-4: Overall design concept



The purpose and reasons for the Plan Change Request

4.10 The purpose of this PC Request is to enable the use and development of the PC area for high density residential development, via the THAB Zone provisions in the AUP(OP).

4.11 The reasons for the PC Request are:

- For the reasons set out in sections 4.1 to 4.5 of this Planning Report, the rezoning of the PC area is necessary as the PC area is not suitable for its intended use under the Light Industry Zone.
- The rezoning of the PC area is necessary as a resource consent application to establish residential development is not likely to be approved, as it would be contradictory to the objectives and policies framework of the Light Industry Zone, which seeks to ensure that activities that do not support the primary function of the Light Industry Zone are avoided.
- The PC area is located within the Rural Urban Boundary (“**RUB**”), and is infrastructure ready for residential development.
- The PC seeks to use the existing site features, topography and extensive Tāmaki River frontage and northern aspect to create a vibrant residential neighbourhood, set within an attractive landscape setting, while maximising the efficient use of this land for residential development.
- The appropriateness of the use of the PC area for residential purposes is confirmed by the multiple specialist assessments supporting the PC Request.
- The Auckland Plan 2050 states that Auckland requires another 320,000 dwellings by 2050, and the current levels of construction fall well below the demand. In this regard, the PC area is a large block of land (approximately 4ha), strategically located, is “infrastructure ready”, able to be developed in line with THAB Zone provisions, to deliver a range of housing sizes of a high quality, and is able to be delivered within reasonable timeframes.

The Proposal

4.12 The purpose of this PC Request is to enable the use and development of the PC area for high density residential development, via the THAB Zone provisions in the AUP(OP).

4.13 The proposal is to:

- Rezone 4.4ha of land from Business - Light Industry Zone to THAB.
- Introduce a new Precinct (Highbrook Precinct) into Chapter I Precincts (South) of the AUP(OP) to implement bespoke provisions (objectives, policies and rules) specially to address two resource management matters:
 - a) manage adverse transportation effects on the surrounding road network, in particular Highbrook Drive and the Highbrook Drive/SH1 roundabout.
 - b) protect activities sensitive to noise from adverse health and amenity effects rising from road traffic noise associated with the operation of SH1 and Highbrook Drive.
- The Highbrook Precinct introduces the following key provisions:
 - a) Limits the number of dwellings within the Highbrook Precinct to 200 dwellings (or dwelling unit equivalents) to ensure that vehicle trip generation from development within the Precinct remains within anticipated levels.
 - b) Requires an ITA to be prepared to support a resource consent application for development exceeding 200 dwellings (or dwelling unit equivalents).
 - c) A requirement to upgrade the shared pedestrian/cycle pathway adjoining the frontage of the PC area with Highbrook Drive and install pedestrian barrier in a specified location to AT Design Standards.
 - d) A requirement to construct a bus stop along the Precinct frontage with Highbrook Drive.
 - e) The implementation of a shuttle bus service within the Precinct to provide connections to nearby public transport hubs and town centres.

- e) A requirement for buildings containing activities sensitive to noise to be designed and constructed with acoustic attenuation measures to achieve minimum indoor design noise levels.
- The proposal relies on the full suite of overlays, Auckland-wide and THAB Zone provisions to apply within the PC area.

5 THE PLAN CHANGE AREA AND LOCALITY DESCRIPTION

Surrounding Context

5.1 Figure 5-1 illustrates the location of the PC area relative to the surrounding environment.

Figure 5-1: Locality Plan



5.2 The PC area is located within the general proximity of the Waiouru Peninsula area. The local area is characterised by low lying, varied and gently undulating terrain located on the edge of the Tāmaki River/Estuary and Ōtara Creek. Tāmaki River adjoins the north-western boundary of the PC area.

5.3 The PC area is located at the edge of the East Tāmaki / Otara industrial area. The PC area is located approximately 14km south of the Auckland Central Business District and

approximately 16km from the Auckland International Airport. Being in close proximity to SH1, the local area is easy to access. The

5.4 The PC is located beside Highbrook Business Park, a planned 107ha of business park land, incorporating a mixture of commercial, office and supporting retail facilities. Highbrook Business Park also includes Highbrook Park, which consists of 42ha of scenic parkland that winds around the Tāmaki River, and includes 14km of walking and cycling tracks. Pukewairiki Precinct (I435) of the AUP(OP) enables the development of the Highbrook Business Park.

5.5 Pukewairiki (Waiouru) Tuff Ring, an Outstanding Natural Feature (ID 236 in the AUP(OP)), is located to the north-east of the PC area. Schedule 6 Outstanding Nature Features Overlay Schedule in the AUP(OP) describes the Pukewairiki (Waiouru) Tuff Ring as follows:

“Pukewairiki (Waiouru) tuff ring has an indistinct, crater – like depression about 300m in diameter. The crater is breached to the southwest by tidal creeks and has an 8m terrace along the Tāmaki River. It is one of the oldest volcanoes in the Auckland volcanic field.”

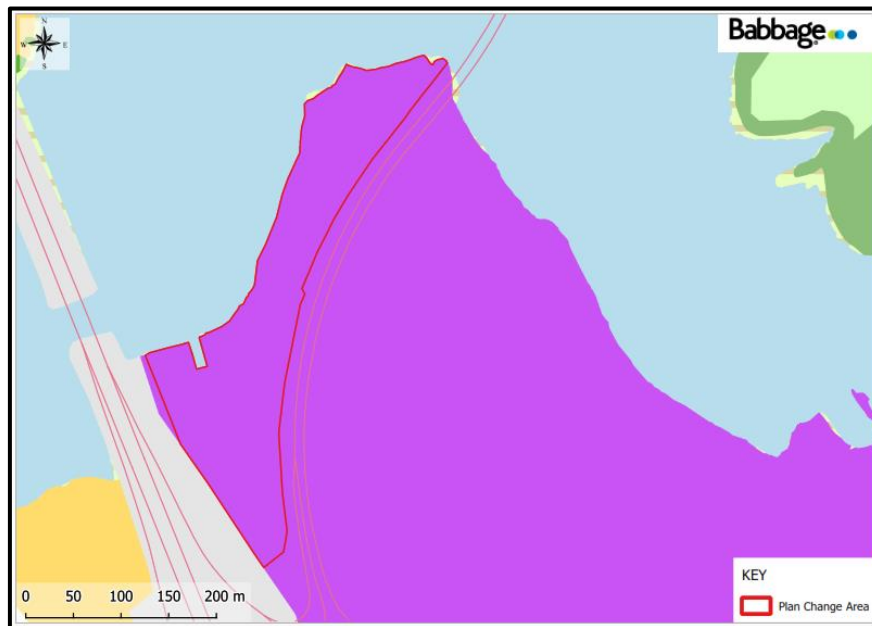
5.6 The PC area is located approximately 10 to 15-minute drive from the Ōtara Town Centre, Botany Town Centre and Ōtāhuhu Town Centre. Located to the east of the PC area, the Ōtara Town Centre is the closest. The residential area in proximity to the Ōtara Town Centre is a mix of predominantly Mixed Housing Urban (“**MHU**”) Zone and THAB Zone. The area contains a mix of social infrastructure, including schools, Te Puke ō Tara Community Centre, Ōtara Pool and Leisure Centre, Ōtara Library and Ngati Ōtara Park. The PC area is also in close proximity to Mount Wellington employment as an employment hub and Sylvia Park development.

-
- 5.7 There are also a number of educational facilities in the vicinity of the PC area, including Wymondley Road Primary School, Bairds Mainfreight Primary School and Kindergarden, Sir Edmond Hillary Collegiate Senior School and Manukau Institute of Technology.
- 5.8 There are shared pedestrian/cycleway paths provided on both sides of Highbrook Drive in the vicinity of the PC area. The shared path on the northern side of Highbrook Drive connects to an off-road shared path that runs along SH1 to McManus Place to the west of the PC area. To the east, the shared path connects to an off-road shared path that runs along the Tāmaki River. The shared path on the southern side of Highbrook Drive continues thorough the Highbrook Drive interchange roundabout at Hellabys Road.
- 5.9 Transpower’s Ōtāhuhu Substation is located to the south-east of the PC area. It is characterised as an urban landscape dominated by electricity transmission infrastructure, including transmission towers of varying heights, storage yards and transformers. Transpower’s Auckland office building is also located on this site.

Plan Change Area Description

- 5.10 Figure 5-2 illustrates the area subject to the PC Request. The PC area is located within the RUB as identified in the AUP(OP). It is currently zoned Light Industry Zone.

Figure 5-2: Area subject to the Plan Change Request



- 5.11 Tāmaki River forms the north-western boundary of the PC area. The Light Industry Zone is applied to the PC area up to the Coastal Marine Area (“CMA”) boundary (i.e the areas forming the riparian margins of the Tāmaki River have not yet been vested in Auckland Council). Tāmaki River forms part of the Hauraki Gulf catchment area, and is identified as a marine degraded area in Auckland (Degraded Area 1).
- 5.12 Section 1 and Appendix 3 of this report identify the AUP(OP) designations, overlays and controls applying to the PC area. The key provisions include:
- Designation 6714, State Highway 1: To undertake maintenance, operation, use and improvement to the State Highway network.
 - National Grid Subdivision Corridor (extends marginally into PC area).
 - Coastal Inundation 1 per cent AEP Plus 1m Control - 1m sea level rise.
- 5.13 Majority of the PC area is relatively flat with an elevation of approximately RL 8m, with the exception of the north-western corner, which is also flat but has an elevation of RL 3m.

5.14 Figure 5-3 illustrates the extent of the PC area within the context of the Ōtāhuhu Power Station facilities operating on the site in 2001. With frontage to Tāmaki River environments, the PC area enabled access to the Ōtāhuhu Power Station facilities using Tāmaki River. Hence the PC area and the adjoining Tāmaki River environments contain remnant infrastructure which previously supported the operation of the Ōtāhuhu Power Station. These are illustrated in Figure 5-4.

Figure 5-3: Plan Change area within the context of the Ōtāhuhu Power Station facilities in 2001

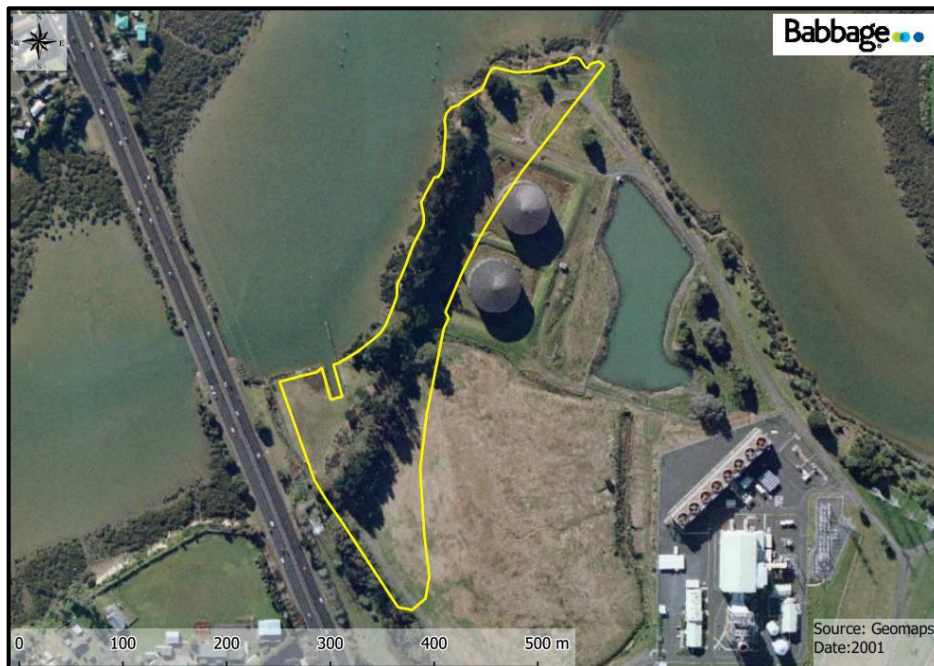


Figure 5-4: Infrastructure and other features within the PC area and the adjoining Tāmaki River and Ōtara Creek environments



5.15 Figure 5-4 illustrates the key features and remnant infrastructure present within the PC area and the adjoining Tāmaki River and Ōtara Creek environments. These are:

1. Barge dock: this was constructed in the 1960s to allow equipment and materials for the Ōtāhuhu Power Station to be brought in via barge. The barge dock consisted of 13 wooden piles spaced at 3m intervals, and a docking bay which is approximately 10m wide and 25m deep. The entry to the docking bay contains two 5m sheet metal walls.
2. Stormwater treatment pond: to treat stormwater runoff generated by approximately 0.9ha of Highbrook Drive.
3. Boat ramp.
4. Gravel access road generally along the full length of the PC area.
5. Concrete box culvert (underpass): measuring about 4m x 2.4m, this is located below Highbrook Drive at the northern tip of the PC area. It enables vehicle access between the east and west sides of Highbrook Drive. At present, this access has been blocked with a fence and a gate for security purposes.
6. A Weir across Ōtara Creek, was constructed in 1968 to provide permanent supply of cooling water for the Ōtāhuhu Power Station. Otara Lake was formed as a consequence of the construction of the weir.
7. Water cooling pond: the pond is located on the eastern side of Highbrook Drive. It was used to cool hot water discharged from the Ōtāhuhu Power Station before being discharged into Tāmaki River. This pond has been partly backfilled, and presently used as a sediment control pond.
8. 1800mm diameter outfall pipeline between the water cooling pond and the Tāmaki River, in the northern portion of the PC area.
9. Diffusers: the outfall pipeline discharges into Tāmaki River via three lines of diffusers identified by the markers in the River.

5.16 Majority of the site is grassed or has low height planting. The vegetation on the site is currently a mix of rank grass, native plantings (flax, five finger, pōhutukawa, pūriri,

cabbage tree, karo, black matipo, shining karamū, kānuka), exotic trees (macrocarpa, poplar, pine) and exotic weed species (tree privet, pampas, wattle, gorse, woolly nightshade), transitioning to mangroves in the CMA. Although the area of native plantings near the coast are now well established, they are comprised of common native species, and area strongly influenced by weed species.

5.17 SH1 forms the south-western boundary of the PC area. SH1 provides access to key centres, and plays an important through connection through the region as well as direct connection to the surrounding Highbrook area. The PC area connects to SH1 at the SH1/Highbrook Drive roundabout (Highbrook on-ramp) which is located on the south-western corner of the PC area.

5.18 Highbrook Drive forms the eastern boundary of the PC area. It is classified as an arterial route and runs between Allens Road and Hellabys Road, providing access to SH1 and the East Tāmaki and Botany area.

5.19 The PC area will be accessed via a new signalised intersection on Highbrook Drive which is currently being constructed (refer Figure 5-5).

Figure 5-5: Access into the PC area

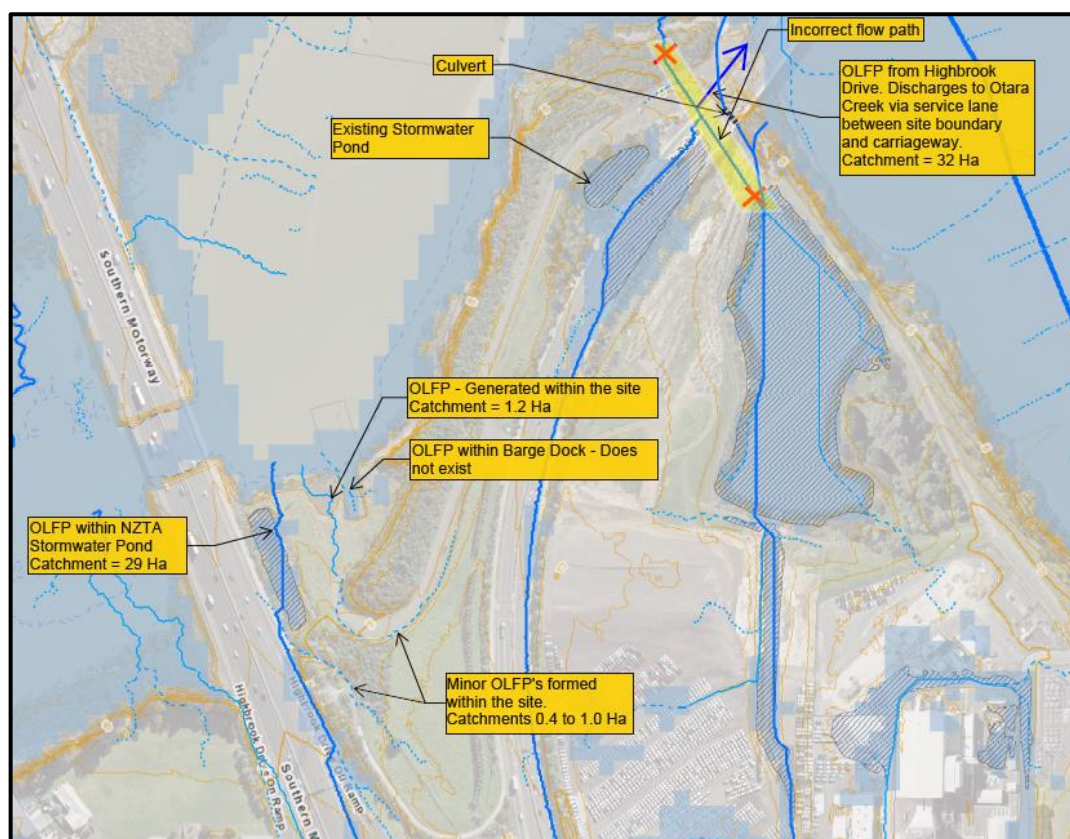


5.20 Auckland Council Geomaps, based on rapid flood modelling, identifies three overland flow paths through the site. Site inspection has confirmed that there are no overland flow paths entering the site from neighbouring land. There are two overland flow paths that start within the site:

- The overland flow path along the table drains off the gravel road.
- The overland flow path in the southern part of the PC area that drains into Waka Kotahi's stormwater pond adjoining SH1.

5.21 Figure 5-6 illustrates the overland flow paths within the PC area. There are no wetlands or streams located within the PC area.

Figure 5-6: Overland flow paths within the PC area



5.22 National Grid infrastructure (overhead transmission lines and towers) are located, along SH1 boundary, but outside the PC area. The mapped extent of the National Grid Yard

(Uncompromised) in the AUP(OP) is located outside the PC area. The mapped extent of the National Grid Subdivision Corridor extends minutely into the PC area, in the proximity of the Waka Kotahi stormwater pond area.

6 SECTION 32 EVALUATION

6.1 Clause 22(1) of Schedule 1 of the RMA states that plan change request must contain an evaluation report prepared in accordance with section 32 of the RMA. In brief, section 32 requires that the evaluation report must:

- Examine the extent to which the *objectives* of the *proposal* being evaluated are the most appropriate way to achieve the purpose of the Act; and
- Examine 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.

6.2 In this context:

- The “proposal” means to rezone the PC area from Light Industry Zone to THAB Zone and apply the proposed Highbrook Precinct.
- The “objectives” of the proposal refers to the purpose of the proposal, which is to enable the use and development of the PC area for high density residential development, to create a vibrant residential community set within an attractive landscape setting provided by the Tāmaki River environments and in close proximity to a major employment hub.
- The “provisions” refer to the changes to the zoning of the PC area and the proposed Highbrook Precinct.

6.3 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 PC area in terms of the requirements of the section 32?

The extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of the RMA?

- 6.4 The objective of the proposal is to enable the efficient use of land within the PC area for high density residential development, to create a vibrant residential community set within an attractive landscape setting provided by the Tāmaki River environments. It is considered that the adoption of the THAB Zone provisions, together with the proposed Highbrook Precinct, is the most appropriate way to achieve the purpose of the RMA.
- 6.5 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. The operative provisions of the THAB Zone have already been assessed as part of the development of the AUP, to be consistent with the purpose and Part 2 of the RMA. Auckland Council has notified plan changes to respond to the NPS-UD and the requirements of the RMA, which include proposed amendments to the THAB Zone provisions. The Council has undertaken a comprehensive assessment under section 32 and have concluded that the proposed amendments are the most appropriate way to achieve the purpose of the RMA.
- 6.6 Overall, it is concluded that the objective of the proposal (being to rezone the PC area for residential use), provides for the social, economic and cultural well-being of the community by increasing the supply of housing in Auckland, while avoiding, remedying and mitigating any adverse effects on the environment.

What is the most appropriate zoning for the PC area in terms of the requirements of the section 32?

- 6.7 In determining the most appropriate way to achieve the objective of the proposal, options were developed to explore the most appropriate zoning for the PC area, and

achieve the sustainable purpose of the RMA. The following reasonable options were explored:

- Option 1: Status quo / Do nothing (i.e. retain the Light Industry Zone)
- Option 2: Rezone to Mixed Housing Urban Zone
- Option 3: Rezone to THAB Zone and include a new Highbrook Precinct (preferred option)

6.8 Based on the section 32 evaluation of the three options set out below, it is concluded that Option 3, rezoning to THAB Zone is the most appropriate zone for the PC area, subject to the implementation of the Highbrook Precinct, and is the most appropriate, efficient and effective in achieving the objectives of the proposal.

Option 1: Status quo / Do nothing (i.e. retain the Light Industry Zone)

Cost (including environmental, social, economic and cultural effects)
<ul style="list-style-type: none">● Due to the isolated nature of the PC area and its long and narrow shape, the PC area presents significant challenges for site layout design for use for industrial development purposes. As the PC area is not suitable for its intended use under the Light Industry Zone, it creates a high level of uncertainty as to its future use and development. The PC area shape factor and constraints on the site, will result in an inefficient use of an important land resource.● Any future changes in land uses will incur additional financial costs associated with the resource consent approval process. The resource consent applications will need to be assessed on a case by case basis, and must be consistent with the objectives and policies of the Light Industry Zone. The objectives and policies framework of the Light Industry Zone is clear in that activities that do not support the primary function of the zone are avoided. As such, there is no certainty that a resource

consent application to seek an alternative land use will be approved. The resource consent process will be cumbersome, time expensive, and financially expensive.

- Public access to any future coastal esplanade areas vested as part of the future subdivision process may be delayed due to the uncertainty around industrial feasibility.
- Industrial development is expected to underutilise the amenity associated with the coastal environment.
- Potential for new industrial activities to release contaminants into environment and reduce quality of land, water and air. This may adversely affect local community, and create costs associated with mitigation of risk or remediation.

Benefits (including environmental, economic, social and cultural effects)

- Avoids the need for a private plan change process, and the associated time and financial costs associated with the process.
- Construction of industrial buildings and establishing industrial activities in the Light Industry Zone area a permitted activity. This would result in lower land development costs associated with the resource consenting process.
- The current zoning provides opportunities for industrial development aligning with the Light Industry Zone in the Ōtara and Highbrook Business Park. This increases potential for agglomeration benefits associated with existing and future industrial activities in the local area.
- The PC area benefits from its location near SH1. The Light Industry Zone provides for manufacturing, production, logistics, storage, transport and distribution activities that create goods and services, employment and economic growth.

Extent to which the option is the most appropriate way to achieve the purpose of the RMA and is in accordance with Part 2 of the Act.

The Light Industry Zone has undergone a section 32 assessment as part of the AUP development process. Therefore, the objectives and policies have already been concluded to be consistent with the purpose and Part 2 of the RMA.

Extent to which the option is the most appropriate, efficient and effective in achieving the objectives of the proposal.

The “do nothing” option does not address the identified issue, nor does it achieve the purpose of this proposal. Under this option, the PC area and the Light Industry Zone would not achieve the efficient use and development and land.

Risk (assessment of the risk of acting or not acting if there is uncertain or insufficient information about the provisions)

It is considered that there is sufficient information available on which to consider the proposal. No identifiable risks have been identified.

Option 2: Rezone to Mixed Housing Urban Zone

Cost (including environmental, social, economic and cultural effects)

- A private plan change process is complex and rigorous, requiring public notification and consultation. The cost of this option being time and money.
- Costs associated with the resource consenting application process, as it is more complex generally when compared to a typical large scale warehouse storage type of industrial development.
- Costs to construct infrastructure to service the residential development.
- May give rise to perceived reverse sensitivity effects due to the PC area being located beside the Light Industry Zone land.
- The additional costs associated with acoustic attenuation of buildings with activities sensitive to noise being located in close proximity to SH1 and Highbrook Drive.
- The PC area is of a significant size to enable comprehensive design and layout, to facilitate more intensive development by “building up” and retaining more open

space areas available for use by the local community. The MHU Zone forgoes this opportunity by anticipating a built form that is generally up to three storeys.

Benefits (including environmental, economic, social and cultural effects)

- Enables opportunity to develop the site for residential purposes, using a finer grained development response, that affords access to the Tāmaki River frontage, and creates opportunities for enhancement and stewardship of the Tāmaki River environments.
- Enables opportunity to use existing site features and topography to inform the overall site development and layout based on an enclosure, human scale and views.
- Will accommodate a range of housing types, e.g. detached, terraced houses, and apartments to meet the demand for existing and future housing choices of Aucklanders.
- Contribute a significant number of residential units to Auckland’s housing supply to accommodate the city’s growth pressures.
- Locating new housing within the city’s urban area reduces pressure to accommodate future growth via urban sprawl and the potential loss of natural resources.
- Location benefits relating to proximity coast/open space, employment area and SH1. Residential use will result in greater utilisation of amenity and recreational values associated the coastal environment, including the future coastal esplanade. Values are utilised by residents and their visitors through outlook from dwellings and access to the coast. Residential development is compatible with the amenity of any future coastal esplanade areas.
- Efficiencies result from locating between three metropolitan centres, Sylvia Park, Botany and Manukau, being adjacent to significant industrial sector employment opportunities, and direct access to SH1.
- The introduction of a residential activity will require a new bus stop connection along Highbrook Drive and will encourage public transport usage.

- Esplanade reserve areas to be vested as part of the future residential subdivision is expected to contribute to natural character of the Tāmaki River edge.

Extent to which the option is the most appropriate way to achieve the purpose of the RMA and is in accordance with Part 2 of the Act.

The operative provisions of the MHU Zone have been assessed as part of the development of the AUP, to be consistent with the purpose and Part 2 of the RMA. Auckland Council has notified plan changes to respond to the NPS-UD and the requirements of the RMA, which include proposed amendments to the MHU Zone provisions. The Council has undertaken a comprehensive assessment under section 32 and have concluded that the proposed amendments are the most appropriate way to achieve the purpose of the RMA.

Extent to which the option is the most appropriate, efficient and effective in achieving the objectives of the proposal.

While this option directly addresses the identified issue and objective of the proposal, it addresses them to a lesser extent compared to THAB Zone (preferred option). This is due to the latter providing greater density of housing development than the MHU Zone.

Due to the constraints posed by the shape factor of the PC area, to enable comprehensive development of the PC area, it is desirable to facilitate more intensive development by “building up” and retaining more open space areas available for use by the local community. The MHU Zone forgoes this opportunity, and will result in less efficient use of the PC area than the THAB Zone.

Risk (assessment of the risk of acting or not acting if there is uncertain or insufficient information about the provisions)

It is considered that there is sufficient information available on which to consider the proposal. No identifiable risks have been identified.

Option 3: Rezone to THAB Zone

Cost (including environmental, social, economic and cultural effects)

- A private plan change process is complex and rigorous, requiring public notification and consultation. The cost of this option being time and money.
- Costs associated with the resource consenting application process to establish high density development, as it is more complex generally when compared to typical large scale warehouse storage type of industrial development.
- Costs to construct infrastructure to service the residential development.
- May give rise to perceived reverse sensitivity effects due to the PC area being located beside the Light Industry Zone land.
- The additional costs associated with acoustic attenuation of buildings with activities sensitive to noise being located in close proximity to SH1 and Highbrook Drive.

Benefits (including environmental, economic, social and cultural effects)

- Will accommodate a range of housing types, e.g. detached, terraced houses, and apartments to meet the demand for existing and future housing choices of Aucklanders.
- Contribute a significant number of residential units to Auckland's housing supply to accommodate the city's growth pressures.
- Locating new housing within the city's urban area reduces, at a micro level, pressure to accommodate future growth via urban sprawl and the potential loss of natural resources. Due to the high densities enabled by the THAB Zone, the above benefits are greater under this option compared to the Mixed Housing Urban Zone (option 2).
- Enable opportunity to develop the site for residential purposes, using a finer grained development response, that affords access to the Tāmaki River frontage, and creates opportunities for enhancement and stewardship of the Tāmaki River environments.

- The PC seeks to use the existing site features, topography and extensive Tāmaki River frontage and northern aspect to create a vibrant residential neighbourhood, set within an attractive landscape setting, while maximising the efficient use of this land for residential development.
- Location benefits relating to proximity coast/open space, employment area and SH1. Residential use will result in greater utilisation of amenity and recreational values associated the coastal environment, including the future esplanade reserve areas. Values are utilised by residents and their visitors through outlook from dwellings and access to the coast. Residential development is compatible with the amenity of any future coastal esplanade areas.
- Efficiencies result from locating between three metropolitan centres, Sylvia Park, Botany and Manukau, being adjacent to significant industrial sector employment opportunities, and direct access to SH1.
- The proposed Highbrook Precinct will encourage the use of public transport systems, and provides opportunities for walking and cycling to the local employment areas within Highbrook and Ōtara.

Extent to which the option is the most appropriate way to achieve the purpose of the RMA and is in accordance with Part 2 of the Act.

The operative provisions of the THAB Zone have been assessed as part of the development of the AUP, to be consistent with the purpose and Part 2 of the RMA. Auckland Council has notified plan changes to respond to the NPS-UD and the requirements of the RMA, which include proposed amendments to the THAB Zone provisions. The Council has undertaken a comprehensive assessment under section 32 and have concluded that the proposed amendments are the most appropriate way to achieve the purpose of the RMA.

Extent to which the option is the most appropriate, efficient and effective in achieving the objectives of the proposal.

Option 3 directly addresses the identified issue and objective of the proposal as it enables an urban residential zoning that allows for efficient use of the land.

The THAB zoning will contribute to quality compact urban form by enabling higher residential intensification near employment opportunities and future open space (coastal esplanade). The benefits of a greater number of housing and its compatibility with the coastal environment is significant.

The rezoning would not materially impact employment and industrial opportunities to meet current and future demands. This is due to the narrow shape of the PC area, which constraints efficient industrial development, and there is sufficient industrial land capacity in the Auckland Region and Auckland South.

Given the reasons above, Option 3 is the most appropriate, efficient and effective in achieving the objectives of the proposal.

Risk (assessment of the risk of acting or not acting if there is uncertain or insufficient information about the provisions)

It is considered that there is sufficient information available on which to consider the proposal. No identifiable risks have been identified.

7 ASSESSMENT OF EFFECTS ON THE ENVIRONMENT

7.1 The following assessment of actual and potential effects on the environment is provided in accordance with Clause 22 of Schedule 1 of the RMA. The following sections provide an overview of the findings of the technical reports set out in Appendix 4. The following effects on the environment are relevant to the PC Request:

- Economic matters
- Integrated transport assessment
- Landscape and visual effects
- Urban design
- Reverse sensitivity effects
- Road traffic noise effects
- Ecology
- Infrastructure servicing – water and wastewater
- Stormwater Management Plan
- Geotechnical matters
- Land contamination
- Effects on Mana Whenua

Economic matters

7.2 An Economic Overview Report has been prepared by Phil Osborne of Property Economics. The Economic Overview Report assess the high-level economic grounds for the rezoning of the PC area from Light Industry Zone to THAB Zone.

7.3 With respect to the likely impact of the rezoning of the PC area on the industrial land supply of the broader region and the localised industrial market, the Economic Overview Report states that:

- The core economic market (or catchment) considered most relevant to the PC in terms of light industry activity is referred to as the “Auckland South”. It is noted that this identified area does not represent the entire market, as some industrial activities within the PC area may also serve the wider Auckland market (and beyond).
- Based on the Housing and Business Development Capacity Assessment 2017 (Auckland Council), the Auckland Region has the equivalent industrial capacity around 2,993ha, which consists of 2,280ha of Light Industry land and 713ha of Heavy Industry land. Considering the industrial areas proposed by Council’s Structure Plans, the total industrial land capacity is estimated at approximately 3,957ha across the region. In contrast to the predicted total industrial land demand around 1,420ha in the region, these estimated capacities are more than sufficient so that the PC would not undermine the industrial performance of the broader region.
- Auckland South is estimated to have around 1,217ha of total equivalent industrial land capacity, with Council’s Structure Plans excluded. Of this 1,019ha is identified as Light Industry. This would result in an estimated surplus capacity of 819ha by 2028 and 461ha by 2048 for industrial activities. It is evident that there is more than sufficient industrial capacity in Auckland South.
- Including Structure Plans, the total surplus capacity of Light Industry Zone would be 706ha by 2028 and 645ha by 2048, suggesting that the PC area is not required to accommodate the projected industrial land demand to 2048. In total, the industrial land capacity is estimated to have a surplus of 819ha by 2028 and 706ha by 2048, with the Structure Plans included.
- Having considered the estimated future demand for industrial land, the excess of industrial land capacity is estimated to be approximately 819 ha by 2028 and 461 ha by 2048 (this is excluding areas identified in Structure Plans). It is estimated that all long term Light Industrial demand can be met within the catchment with a residual (surplus) capacity of 424 hectares of capacity. It is therefore evident

that there is more than sufficient (Heavy and Light) industrial land capacity in Auckland South.

- Given that the PC area is currently vacant and not creating any employment opportunities for the local community, the PC would not undermine existing employment within the area and dampen the holistic performance in Auckland South.

7.4 With respect to the viability of the PC area to be used for industrial activity aligned with the current Light Industry Zone, the Economic Overview Report states that:

- Location and site characteristics are the most critical factors influencing the viability of a zone for industrial activities. These factors have implications regarding “industry fit”, demand levels, development costs, and the overall potential for the zone’s success.
- The PC area is intrinsically different from the rest of the Light Industry zoned land in its proximity, due to its location and landform. The PC area is separated by Highbrook Drive from the remainder of the Light Industry zoned land, and separated by Tāmaki River. This has resulted in the PC area being very narrow and an isolated piece of land. This particular feature increases uncertainties and extra cost associated with land use and development of the PC area.
- The existing businesses in the surrounding Light Industry zoned land involve logistics services, electricity providers and utility contractors. One common feature among these businesses is their demand for larger space. The PC area has a long and narrow feature (circa 400m long and 35m wide for the majority of its length) restricts its potential to accommodate large scale industrial activities. Due to the current landform and site characteristics the PC area will be unable to allow for an efficient on-site layout and design, especially in relation to manufacturing and warehousing activities.
- The current vacant status of the PC area indicates that the land is not attractive for industrial activities.

7.5 With respect to the suitability of the PC are for THAB Zone, the Economic Overview Report states that:

- The PC area has several notable features as a residential location to maximise land use efficiency. It is located between three Metropolitan Centres (Sylvia Park, Manukau and Botany). It is also located adjacent to significant industrial sector employment opportunities.
- There are existing THAB zoned land near the PC area. This reflects the potential for the PC area to be used for similar residential purposes.
- Due to the isolated nature of the PC area, there is no direct interface between the PC area and the wider industrial area in its proximity. Highbrook Drive acts as a natural buffer to manage any potential reverse sensitivity effects.

7.6 The Economic Overview Report concludes that the PC will not undermine the industrial land sufficiency of the localised catchment and the wider region, while maximising the land use efficiency of the PC area. Furthermore, rezoning the PC area to THAB Zone is considered more appropriate use of the land and leverage the unique locational and characteristics of the site.

Integrated Transport Assessment

7.7 An Integrated Transport Assessment (“ITA”) has been prepared by Zoe Chen and Alaska Upton-Gill of Stantec to assess the traffic effects of the proposed rezoning and the ability of the surrounding existing and proposed transport network to support the development potential of the PC Request.

7.8 The ITA states that the key transportation issues of importance to the PC area are:

- The existing accessibility to the site to various modes of transportation.
- The ability of the design of the site to encourage a variety of transport modes to and from the site for future residents.

- The ability of the development enabled by the PC to be completely self-sufficient, in that any infrastructure costs required to mitigate the effects of the development will be fully met by the applicant.

7.9 With respect to the existing transportation network, the ITA states that:

- The PC area lies at the confluence of several major roads (including Highbrook Drive, SH1 and Hellabys Road) which provides excellent connectivity to the wider Auckland Region.
- The Highbrook area and its supporting roading network is currently arranged to provide higher levels of service and access by private vehicles due to its historic development of industrial land-use activity and proximity of and accessibility to SH1 and the supporting arterial roads.
- There is currently limited active transportation within the Highbrook area due to the largely industrial land use, and the area is currently serviced by two bus routes accessed via bus stops approximately 2km from the PC area.
- There are shared paths provided on both sides of Highbrook Drive in the vicinity of the PC area. The shared path on the northern side of Highbrook Drive connects to an off-road path that runs along the Tāmaki River. The shared path on the southern side of Highbrook Drive continues through the Highbrook Drive interchange roundabout to Hellabys Road. A footpath runs along Highbrook Drive over bridge which provides access to the western side of SH1 an on-road connections to Otāhuhu Town Centre.
- Vehicle access to the PC area will be via a four-arm signalised intersection (being delivered as part of the industrial development within the balance part of 8 Sparky Road site), which will be located approximately 500m north of the Highbrook Drive interchange roundabout.
- It is evident that from a transportation perspective, the PC area is less than fit for purpose under the current zoning due to the geographical constraints on the site, which make turning circles for industrial vehicles such as semitrailers impractical to design for.

7.10 With respect to the inputs and findings of the traffic modelling, the ITA states that:

- Considerations should be given to the traffic impacts of the PC development in comparison to a baseline scenario in which the site is developed for light industry, as per the current zoning.
- The ITA modelled two scenarios:
 - a) Permitted baseline scenario: 18,000m² of industrial activity on the western portion (PC area) and 90,000m² on the eastern portion of the of the site at 8 Sparky Road.
 - b) Development scenario (as enabled by the PC Request): 200 dwellings within the PC area and 90,000m² on the eastern portion of the site at 8 Sparky Road.
- On-site parking for residents and visitors will be provided for at a rate that supports urban amenity, efficient use of land and the functional requirements of the residential and supporting retail land uses. The exact number of spaces will be confirmed at the resource consent stage; however, it is anticipated the parking supply will accommodate the expected demand on similar developments in the area, without impacting the surrounding road network.
- The traffic modelling shows that there are no significant differences between the baseline and the proposed development scenario, and while the extensive delays at the site intersection are not acceptable, it shows that this largely reflects existing wider network issues rather than caused by the proposed development that would be enabled by the PC Request.
- In this regard (above) and reflecting on the findings of other planning case law (such as the Landco Mount Wellington case in relation to the Stonefields development) around the responsibility of solving regional transport constraints, the resolution of these issues more properly sits with the transportation authorities rather than the developers.

7.11 The ITA makes the following recommendations to be incorporated into the PC Request:

- This ITA assesses development scale up to approximately 200 dwellings with minor supporting developments, such as a café and convenience stores. Any development beyond this development scale should be supported by further transportation modelling in a revised ITA at the resource consent application stage. This recommendation has been incorporated into the Highbrook Precinct.
- A bus stop be provided along the PC area frontage on Highbrook Drive to provide access to Bus Route 351 that provides regular connection between the PC area and Ōtahuhu on the western end and Botany on the eastern end. This recommendation has been incorporated into the Highbrook Precinct.
- To further support public transport mode share, a shuttle service be included in the future transport plans for the PC area. The shuttle bus will connect the development within the PC area with nearby public transport hubs such as Middlemore and Ōtāhuhu trains stations, Botany and Otara Town Centres. The details of the shuttle service should be arranged in consultation with AT and other stakeholders (potentially the on-site resident community / body corporate or similar) to maximise its efficiency in terms of timing and preferred destination. This will enable decreased trip time to the wider public transport and rapid transport network for longer journeys, in addition to covering the lack of Bus Route 351 on the weekends. This recommendation has been incorporated into the Highbrook Precinct.
- Improvements are made to the pedestrian protections at Highbrook Drive, SH1 and Hellabys Road roundabout, and upgrading of the shared pedestrian/cycle path along the PC area boundary. These recommendations have been incorporated into the Highbrook Precinct.

7.12 The ITA concludes that the PC:

- Will have minimal impact on the surrounding roading network. With the implementation of the recommendations set out in the ITA, the overall transport effects associated with the PC Request are appropriate.

- Will enable a development form and scale that appropriately responds to its location and there is no engineering and transport reason to preclude acceptance of the PC Request.

Landscape and visual effects

7.13 An Assessment of Landscape and Visual Effects Report (hereon referred to as the Landscape Report) has been prepared by Rob Pryor of LA4. The Landscape Report explains that:

“The assessment of landscape effects takes into consideration physical changes to the landscape as a resource which may give rise to changes to its character and quality and perceived landscape values. Visual effects are a consequence of landscape effects as this is how we mainly perceive effects on landscape values. Landscape and visual effects are therefore inextricably linked and are influenced by the sensitivity of the receiving environment combined with the type and magnitude of change associated with the proposal.”

The Landscape Report assesses the effects of the PC on the urban landscape and visual amenity, which include: natural character effects, landscape effects, visual amenity effects and construction effects. The findings in respect of each of these elements are set out below.

7.14 Natural character effects: the PC area is not high in natural character values (other than the Tāmaki River edge), and has been modified through previous activities. The PC area is component of the wider modified Highbrook industrial activities. Overall, the adverse effects of the PC on the natural character values of the PC area and surrounding area will be low. The future esplanade reserve areas will enhance the natural character values of the Tāmaki River edge.

7.15 Landscape effects: there are low landscape values and sensitivity associated with the PC area. The PC area is relatively degraded, a modified environment lacking any significant

landscape values (other than the Tāmaki River edge environment). The PC will change the existing landscape character, however, this is already provided for and anticipated by the current zoning. The development enabled by the THAB Zone would enable a superior level of amenity, albeit an urban, rather than an industrial character, resulting in a positive outcome.

7.16 Visual amenity effects: the anticipated level of audience exposure to the PC area is large due to the location of the site beside SH1, surrounding roads and the Tāmaki River. The visual effects of development enabled by the PC were assessed from six representative viewpoints (refer Figure 7-1):

1. Highbrook coastal walkway:
2. Ōtara Creek bridge
3. Highbrook/SH1 interchange roundabout
4. Tāmaki River overbridge
5. Curlew Bay Road
6. Shroffs Bay Beach Reserve

Figure 7-1: View point Location Map



7.17 The findings of the assessment of the visual amenity effects are:

- Surrounding area: Viewpoints 4 (Tāmaki River overbridge), 5 (Curlew Bay Road) and 6 (Shroffs Bay Beach Reserve) portray the coastal characteristics of the foreground estuarine Tāmaki River and beyond to the Highbrook Business Park. Prominent in the view is the National Grid infrastructure (electricity substation, pylons and overhead transmission lines). These views are representative of the recreational users of the Tāmaki River coastal foreshore, residents within the north-eastern parts of Ōtāhuhu residential area and pedestrians using Tāmaki River overbridge from McManus Place to Highbrook. From these viewing locations, development enabled by the PC would be viewed in the context of the existing highly modified characteristics of Highbrook Business Park and the adjacent motorway. The degree of intrusion that would result from the PC is therefore limited, in that these built elements are already an established part of the surrounding environment. Development enabled by the PC would be viewed from these viewpoints across the mangrove foreground of the coastal edge. The

development of the PC area will not detract from the existing coastal character of the surrounding landscape and would integrate well into the landscape.

- Surrounding road network: Viewpoints 2 (Ōtara Creek bridge), 3 (Highbrook/SH1 interchange roundabout) and 4 (Tāmaki River overbridge) represent views from the road users on the surrounding road network. Although a large audience, the general road users are unlikely to be particularly sensitive to the development of the PC area, as they will have fleeting views of the PC area while moving through the landscape. Overall, the visual effects from the surrounding road network will be low and seen within the context of the prevailing industrial context.
- Highbrook coastal walkway (View point 1): this viewpoint is representative of the users of the coastal walkway in the vicinity of the PC area. Development enabled by the PC would be viewed from here across the foreground of the Tāmaki River, and would not detract from the existing coastal character of the surrounding landscape and would integrate well into the landscape. For these recreational viewers the existing outlook would change into an urban view with built development.
- Wider surrounding area: more distant view may be gained from the Ōtāhuhu residential area on the western side of SH1 to the west and northwest of the PC area and from distant locations within the surrounding landscape. Views towards the development within the PC area would be highly variable due to the distance, orientation of the view, diversity of elements within the view and screening elements including the motorway infrastructure, buildings, electricity substation and vegetation. Overall, the visual effects would be low to very low and entirely acceptable within the context of the existing and planned future urban development.

7.18 The Landscape Report concludes overall that:

- The development of the PC area as anticipated by the PC will change its current vegetated and undeveloped landscape character. The development anticipated by the PC would be consistent with the envisaged development enabled by the current Light Industry Zone.

- While the PC will result in significant visual change from the PC area’s current state to one with urban characteristics, such visual change is anticipated and is in accordance with the key planning initiatives for the area in the AUP(OP) (albeit the current Light Industry Zone anticipates a lower level of amenity than proposed by the PC).
- The PC is considered appropriate in this urban setting from a landscape and visual amenity perspective and would result in a superior outcome than the Light Industry Zone currently applying to the PC area.

Urban design matters

7.19 An Urban Design Statement for the PC area has been completed by Jason Evans of ET Urban Design. As described in the Urban Design Statement, the PC request represents an important opportunity to develop a site to a high standard of urban design. Urban design benefits of the PC request include:

- Establishment of a vibrant residential neighbourhood, within an attractive landscape setting, that results in the supply of additional housing choice. The density of housing enabled by the THAB zone will create the right conditions for the development to make a meaningful contribution to Auckland’s housing supply while contributing to the enhancement of the natural environment.
- The PC area benefits from an extensive Tāmaki River frontage and a northern aspect. Access to and enjoyment of the Tāmaki River frontage is a key element of the design approach.
- The opportunity to develop the site for residential purposes, using a finer grained development response, that affords access to the Tāmaki River frontage, and creates opportunities for enhancement planting and stewardship of the Tāmaki River environments.
- Existing site features and topography can be used to inform the overall site development and layout based on an enclosure, human scale and views. Intensity of development at the widest part of the PC area, with a diminishing scale and intensity to the north.

- Opportunities to create a community focal point by integrating public open space areas and small-scale activities (such as a café) adjoining the esplanade reserve areas, in the southern portion the PC area.
- Utilise the existing Tāmaki River edge and vegetation as a means of connecting the open spaces, resulting in an ecological and recreational network of open spaces across the PC area. Residential development would support the open space network by providing passive surveillance opportunities.
- Provide a legible structure that capitalises on views and focal points. Complementing the formal designed spaces, focal point buildings are anticipated to support the key spatial elements of the overall plan and act as local markers to more distant views.

Reverse sensitivity effects

- 7.20 The PC area is located adjacent to Light Industry Zone on the eastern side of Highbrook Drive. Potential reverse sensitivity effects on the Light Industry Zone arising from the rezoning of the PC to THAB Zone are addressed below.
- 7.21 Reverse sensitivity effects from rezoning the PC area for residential use on the adjacent Light Industry Zone are considered negligible due to the site’s physical context. The PC area is relatively isolated from surrounding land uses due the SH1, Highbrook Drive and Tāmaki River. Highbrook Drive provides approximately 30m separation between the PC area and Light Industry zoned area. This wide road reserve will minimise potential reserve sensitivity effects by separating future residential activities visually from the development within the Light Industry Zone, as well as from any potential emissions produced by industrial activities. Moreover, future residential development will focus towards Tāmaki River to take advantage of the coastal outlook and sunlight access. This orientation, away from the Light Industry Zone area will further limit potential for reverse sensitivity effects.

7.22 Reverse sensitivity effects at the interface of residential and industrial areas typically result from heavy industrial activities that produce objectional odour, dust and noise emissions. Under the AUP(OP), these activities are provided for in the Heavy Industry Zone rather than the Light Industry Zone. The Light Industry Zone anticipates industrial activities that do not produce objectionable odour, dust or noise. This is supported by the policies and rules managing air quality and noise emissions in chapters E14 Air Quality and E25 Noise and Vibration of the AUP(OP) which place greater limits on activities in the Light Industry Zone compared to the Heavy Industry Zone.

7.23 In terms of the adjacent Light Industry Zone area, existing industrial activities along the eastern side of Highbrook Drive are generally of a storage and distribution type of activities. Based on the industrial activities in the wider area, there is a significant demand in the locality for large sites that can be used for warehousing, storage and distribution activities. The risk of reverse sensitivity effects on warehousing, storage and distribution activities is low as they produce limited objectional emissions compared to heavy industrial activities. The residential activities enabled by the PC Request are not likely to generate reverse sensitivity effects on the surrounding Light Industry zoned land.

7.24 The objective and policy framework under the AUP(OP) appropriately manages adverse reverse sensitivity effects from urban intensification on existing industrial activities. In particular, Chapter B2 (Urban Growth and Form) of the RPS seeks to manage adverse reverse sensitivity effects on industrial activities, including by preventing inappropriate activities intensifying adjacent to heavy industrial zones. As discussed above, the PC is considered compatible with the existing adjacent Light Industry Zone to the east and therefore is consistent with Chapter B2.

Overall, it is considered that the AUP(OP) provisions provide a strong policy and consenting framework that adequately manages reverse sensitivity effects on Light Industry zoned land.

Road traffic noise effects

- 7.25 Waka Kotahi and AT have requested that the Highbrook Precinct include a noise attenuation requirement for buildings containing activities sensitive to noise within the PC area, noting that PC area adjoins SH1 and Highbrook Drive. The applicant agrees to the request.
- 7.26 The effects of road traffic noise were recently considered in Plan Change 51 Drury 2 Precinct (“**PC51**”) to the AUP(OP) which became operative in August 2022. Waka Kotahi sought the inclusion of a noise attenuation standard in the Drury 2 Precinct, as it adjoins SH22.
- 7.27 Waka Kotahi’s position was informed by the evidence of Dr Stephen Chiles, a noise and vibration specialist. Dr Chiles’ evidence:
- Stated that the adverse health effects due to sound and vibration from road traffic have been well documented by authoritative bodies such as the World Health Organisation (“**WHO**”). One such example is the publication by WHO Europe in October 2018 (“**2018 WHO Guidelines**”) which set out guidelines for managing environmental noise.
 - Referred to the 2018 WHO Guidelines which noted the following adverse health effects: ischaemic heart disease, hypertension, high annoyance and sleep disturbance. WHO makes recommendations to policy makers to reduce road sound exposure to below a range of guideline values. Dr Chiles concluded that the relief sought by Waka Kotahi was consistent with this direction.
- 7.28 The Hearings Panel agreed that road traffic noise is a genuine resource management issue. While Waka Kotahi proposed a noise attenuation standard in its evidence, the Panel ultimately incorporated its own standard into the Drury 2 Precinct. The applicant proposes to incorporate the Panel’s version of the noise attenuation standard into the Highbrook Precinct. In PC51, Waka Kotahi submitted a section 32AA evaluation report in support of the noise attenuation requirements. For section 32 evaluation purposes,

Waka Kotahi’s assessment as provided in PC51 hearing is included in Appendix 5 to this Planning Report.

Ecology

7.29 An Ecological Assessment for the PC area has been completed by Treffery Barnett of Bioresearchers. With respect to the ecological values present within PC area, the Ecological Assessment states that:

- There are no Natural Resources overlays applying to the PC area (i.e. in particular it is noted that there no areas identified as Significant Ecological Areas).
- The PC area was cleared of all vegetation for farming (except for a small amount of coastal fringe vegetation); further modified with the addition of and removal of the Ōtāhuhu Power Station; then the construction of Highbrook Drive, followed by landscape planting.
- The vegetation present on the site is a mix of rank grass, native plantings and exotic weed species, transitioning to mangroves in the CMA area. Although the native plantings near the coastal edge are now well established, they comprise of common native species, and are strongly influenced by weed species.
- Within the CMA, in the northern part of the PC area is a weir at the mouth of the Ōtara Creek, where it flows into Tāmaki River. The weir is used for roosting by a number of coastal bird species. Bird surveys between 2016 and 2022 of the birds utilising the weir identified sixteen native or endemic coastal bird species.

7.30 With respect to the ecological effects of the PC Request, the Ecological Assessment concludes that:

- The vesting of the esplanade reserve areas at the land development phase, presents the opportunity for increased community participation in enhancement of the coastal margin areas, and providing access to the Tāmaki River environments.

- The habitats in the Coastal Marine Zone would be improved with the removal of pest plants, control of pest animals, infill planting and enrichment planting in the future esplanade reserve areas.
- The birds identified as using the weir, are coastal bird species that are commonly or seasonally recorded throughout the Tāmaki River and wider environment. When utilising the weir and the surrounds, these bird species have acclimatised to the variable and high levels of noise and movement generated by the roads. The PC will result in increased use and access to the coastal environment by the public, but the weir structure is isolated and separated by water at high tide when the birds are roosting. Furthermore, the birds utilising the weir are habituated to variable noise levels and disturbance.

Infrastructure servicing (water and wastewater)

7.31 An Infrastructure Report for the PC area has been prepared by Michael Martin of Babbage. It sets out information pertaining to the capacity of the existing public water and wastewater infrastructure to service future development within the PC area. There is no existing water and wastewater network within the PC area.

7.32 With respect to water supply, the Infrastructure Report states that:

- There is an existing 250mm public watermain located along the eastern berm of Highbrook Drive.
- To service the PC area, water supply reticulation will be required through the site, including watermains and a minimum size of 100mm and associated rider mains, valves, fittings and hydrants. The onsite water supply reticulation will need to be designed and constructed in accordance with Watercare’s Code of Practice.
- Watercare has confirmed in writing that there is sufficient capacity in the public water supply network to service the development in the PC area for residential land use.

7.33 With respect to wastewater supply, the Infrastructure Report states that:

- There is an existing 825mm public transmission pipe located approximately 230m south of the PC area. This transmission pipe connects to the pump station approximately 650mm west of the site in Billington Reserve.
- To service the PC area, wastewater supply reticulation will be required through the site. This is likely to be a gravity system discharging to an onsite pump station, likely to be located in the southern part of the PC area, to allow a rising main connection to the existing wastewater transmission pipe near Hellabys Road. The onsite pipes are likely to be 150mm diameter, although some 225mm diameter pipes may also be required. The onsite and offsite wastewater reticulation systems will need to be designed and constructed in accordance with Watercare’s Code of Practice.
- Watercare has confirmed in writing that there is sufficient capacity in the public wastewater network to service the development in the PC area for residential land use.

Stormwater Management Plan

- 7.34 Auckland Council holds a Region-wide Stormwater Network Discharge Consent (“**NDC**”) that authorises the diversion and discharge of stormwater in the Auckland Region. The area covered by the NDC includes all urban zoned land (which includes the PC area). The preparation of a Stormwater Management Plan is a requirement of the NDC for any activity seeking to utilise or fall within the parameters of the NDC, by having the Stormwater Management Plan being “adopted” into the NDC framework.
- 7.35 In relation to a plan change process, condition 13(b) of the NDC states that following the approval of a plan change, a Stormwater Management Plan is able to be adopted into the NDC if a Stormwater Management Plan has been prepared to support the plan change and the plan change is consistent with that Stormwater Management Plan; and the Stormwater Management Plan is consistent with Schedules 2 and 4 of the NDC.

- 7.36 A Stormwater Management Plan (“**SMP**”) for the PC area has been prepared by Suman Khareedi of Babbage. The SMP:
- Details how stormwater runoff will be managed within the PC area; and
 - Demonstrates how the stormwater management related expectations under the AUP(OP) and the NDC requirements can be met.
- 7.37 The outcomes sought by the SMP are:
- An integrated stormwater management approach.
 - A water sensitive treatment framework that manages and mitigates stormwater effects arising from the proposed residential use of the PC area.
 - Provides for the enhancement of the Tāmaki River environments.
 - Identifies flood risk areas and ensures that development is located or appropriately managed within these areas.
 - A set of Best Practice Options for stormwater management that can be applied to the PC area.
- 7.38 With respect to the existing stormwater infrastructure on the site, the SMP states that:
- A new stormwater management system will replace the current stormwater management system within the PC area, comprising of table drains, a 300 mm stormwater culvert, and a catchpit.
 - The existing stormwater pond that treats runoff from a small area (0.9ha) of Highbrook Drive will need to be decommissioned to enable development within this portion of the PC area. To enable the decommissioning of this pond, the proposal is to combine the treatment of runoff from the aforementioned area of Highbrook Drive with that from the remainder part of the PC area in device(s) to be constructed. Once vested in Auckland Council, this will reduce the operation and maintenance requirements due to the removal of one treatment pond.
- 7.39 Based on the topography of the site and the THAB Zone outcomes, the SMP identifies the following four options for stormwater treatment within the PC area:

- Option 1: A wetland (or a coastal wetland) constructed in conjunction with the creation of the esplanade reserve along the banks of the Tāmaki River.
- Option 2: Two stormwater treatment ponds at both ends of the PC area to treat approximately half the site in each pond.
- Option 3: Proprietary treatment devices (viz., Stormfilters) at both ends of the PC area to treat approximately half the site in each device.
- Option 4: Raingardens constructed along the proposed road.

7.40 The SMP states that raingardens under Option 4 are not preferred due to the operation and maintenance requirements and AT's preference to not have them in the road corridor. Therefore, options 1, 2 and 3 are recommended for the PC area. A detailed design of the stormwater management system based the three feasible options identified will be included in the resource consent application at the land development stage.

7.41 With respect to flooding and overland flow paths within the PC area, the SMP states that:

- Based on rapid flood modelling, Auckland Council has identified three overland flow paths through the PC area. Site inspection has confirmed that there are no overland flow paths entering the PC area from neighbouring land, however, there are two overland flow paths that start within the PC area, which coincide with the table drains along the existing gravel roads. The future road network for the PC area is able to be aligned with the existing gravel road, as such the overland flow paths within the PC area can remain largely unchanged after development. Furthermore, future development of the PC area is not expected to affect the downstream properties by way of new or altered overland flow paths, as the stormwater discharges directly to Tāmaki River.
- The PC area, and the properties along the banks of Tāmaki River downstream of the PC area, are neither flood prone nor flood sensitive.

- However, with respect to coastal inundation, by linear interpolation, the 1% AEP (0.01 AEP) maximum storm-tide plus wave setup elevation with inferred wave setup component subtracted at the PC area is estimated to be RL 2.34m. This results in a small area of the PC (in the vicinity of the barge dock and the northern tip of the PC area) that is at RL 2.0 m gets inundated by up to 3.40mm (0.34m) during a 1% AEP event. The future development of the PC area within this identified area, will need to ensure that future habitable floor levels of buildings are higher than RL3.34m. It is also noted that a significant part of the identified area will form part of the future esplanade reserve area.

7.42 With respect to hydraulic connectivity, the SMP states that:

- The post development stormwater management system for the PC area comprises of a pipe network and treatment devices. The pipe network to service the PC area will be independent of the existing Auckland Council’s stormwater network due to the PC area’s location in relation to the existing public stormwater network. Stormwater flows from the PC area will discharge directly into Tāmaki River after treatment. Hydraulic connectivity will be directly to the Tāmaki River flows. The time of concentration (“**ToC**”) for the flows from the PC area will be significantly less than the ToC for the flows in the Tāmaki River or the Ōtara Creek in the vicinity of the PC area.

7.43 With respect to the matter of water quality, the SMP states that the proposal is to treat stormwater runoff from the PC area using new treatment devices that will be designed to comply with the Auckland Design Manual GD01.

7.44 The SMP anticipates that the stormwater management system to be developed for the PC area will be vested in Auckland Council. No bespoke operation and maintenance requirements are envisaged for the stormwater management systems proposed for the PC area. They will be consistent with the operation and maintenance requirements of the wider Auckland Council stormwater network.

7.45 The SMP confirms that the principles outlined for the proposed stormwater management system is consistent with the objectives of the NDC, and meets the

connection requirements under Schedule 4 of the NDC. There are no departures proposed from the Auckland Council Code of Practice or the connection requirements of the NDC.

7.46 With respect to the overall stormwater effects on the receiving environment, the SMP concludes that the THAB Zone will have a lesser impact on the environment than the current Light Industry Zone. Under the AUP(OP), the maximum permissible impervious area in the THAB Zone is less than that in the Light Industry Zone. The rezoning of the PC area will result in reduced stormwater runoff volume and peak flows into the receiving environment. Rezoning the land as proposed will not result in any material difference in water quality, as in both cases, stormwater runoff will need to be treated to comply with the guidelines in GD01 and conditions of the NDC.

7.47 The SMP states that under Option 1, the opportunity to create wetland along the bank of the Tāmaki River will result in high level of amenity for the public, similar to the stormwater treatment facilities in the Highbrook Business Park further north along Highbrook Drive. This is an option which can be investigated in greater detail at the land development phase.

7.48 It is concluded that the PC Request is appropriate from a stormwater infrastructure perspective, as the SMP demonstrates that stormwater will be able to be managed in accordance with the requirements of the AUP(OP) and the connection requirements outlined in Schedule 4 of the NDC for private greenfield development.

Geotechnical matters

7.49 A Geotechnical Appraisal Report for the PC area has been completed by Jordan Moll of Babbage. It provides the results of the geotechnical feasibility assessment to inform the PC Request.

7.50 The Geotechnical Appraisal Report makes the following observations with respect to the PC area:

- The ground conditions are expected to comprise of clay, silt and sand of the Puketoka formation, overlain in part by tuff and other AVF deposits and/or surficial fill.
- With respect to liquefaction potential of the PC area, the anticipated ground conditions comprise predominantly stiff to hard cohesive material for the majority of the soil profile. Thin lenses of silty sand and sandy silt may be present which are more susceptible to liquefaction. However, considering the relatively low peak ground accelerations associated with the design earthquake events, the competent cohesive material present in the upper profile acting as a non-liquefiable “crust”, surface manifestations of liquefaction is considered highly unlikely. Further assessment of PC area’s liquefaction susceptibility will be required during the detailed design phase.
- The majority of the site is flat, and not considered to be susceptible to slope stability issues. Development in close proximity to the northern slopes will require further consideration at detailed design phase.
- With respect to coastal erosion, wave action is not expected in the Tāmaki River, therefore, the risk of erosion affecting the PC area is considered highly unlikely.
- Future building foundations will depend on the structural loads.
- With respect to earthworks, ground conditions are expected to be suitable for cut material to be re-used as engineered fill.

7.51 The Geotechnical Appraisal Report concludes that:

- Based on a desk top study, PC area is considered to be geotechnically suitable for the proposed residential land use.
- Further geotechnical assessment and site-specific geotechnical investigations will be required at the land development stage to support the future resource consent application. Investigation locations should focus on any retaining walls and proposed building locations once the detailed design is confirmed.

Land contamination

- 7.52 A Land Contamination Review Report (hereon referred to as the Land Contamination Report) for the PC area has been completed by Tiago Teixeira and Hiram Garcia of Babbage. The Report is a desktop study to identify current or historical potential contamination sources in the PC area.
- 7.53 The Land Contamination Report has identified five areas that have potentially impacted soil from previous activities (refer Figure 7-2):
- Area 1: reclaimed land, 1969 – 1979
 - Area 2: reclaimed land, 1967
 - Area 3: former tank farm, 1967 – 2003
 - Area 4: former construction yard area, 2004 - 2006
 - Area 5: soil/fill material stockpiled area, 2006

Figure 7-2: Areas that have potentially impacted soil from previous activities within the PC area



7.54 The findings of the Land Contamination Report are:

- The five areas identified as potentially impacted soil from previous site activities cover approximately half of the PC area.
- However, only 33% of the PC area is considered to have medium or high likelihood to present soil contamination which may exceed applicable human health and environment guidelines. These areas comprise of reclaimed land Areas 1 and 2 near the Tāmaki River bank and Area 5 (soil/fill material stockpiled area).
- Area 3 (former tank farm) and Area 4 (former construction yard area) are anticipated to have low likelihood of encountering soil impacts above the applicable proposed land use criteria.

- In the event that the soil impacts are encountered above the applicable proposed land use criteria, implementation of remediation / management practices can be adopted to remove or isolate those impacted.

- 7.55 The Land Contamination Report concludes that there are no known soil contamination impacts that would impede the use of PC area for residential uses. The potential land remediation works are able to be completed at the land development phase, in accordance the requirements of the Resource Management (National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (“**NESCS**”).
- 7.56 Chapter E30 Contaminated Land of the AUP(OP) addresses the effects of discharge of contaminants from contaminated land or land containing elevated concentrations of contaminants into air and water and into or onto land. An assessment of the resource consent requirements in Chapter E30 for any future development will need to be based on the findings of the Detailed Site Investigations, together with the proposed earthworks design for the proposed development.

Effects on Mana Whenua

- 7.57 Section 8 of the RMA requires all persons exercising functions and powers under it, in relation to managing the use, development, and protecting of natural and physical resources, to take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).
- 7.58 Chapter B6 of the AUP (OP) recognises issues of significance to Maori and iwi authorities in the region. Section B6.2 outlines the objectives and policies in recognition of the Treaty of Waitangi/ Te Tiriti o Waitangi partnerships and participation.
- 7.59 Objective B6.2.1(1) requires that principles of the Treaty of Waitangi/ Te Tiriti o Waitangi be recognised and provided for in the sustainable management of natural and physical resources including ancestral lands, water, air, coastal sites, wāhi tapu and other

taonga and objective B6.2.1 (2) requires that the principles are recognised through Mana Whenua participation in resource management processes.

7.60 In the context of the RMA, the principles of the Treaty of Waitangi include:

- Partnership
- Mutual obligations to act reasonably and in good faith
- Active protection
- Mutual benefit – this incorporates enabling aspects for both Māori and non-Māori.
- Development – the Treaty is to be adopted to modern, and changing circumstances.
- Rangatiratanga – recognising iwi and hapū rights to manage resources or kaitiakitanga over their ancestral lands and waters.

7.61 From a plan change development point of view, Objective B6.2.1(2) is considered to be more relevant due to its specific nature. Objective B6.2.1(2) notes that the principles of the Treaty of Waitangi are recognised through Mana Whenua participation in the resource management process. In practice, this objective means working with Mana Whenua to identify resource management issues of significance and identifying methods for resolving these issues and achieving the desired outcomes.

7.62 In order to achieve Objectives B6.2.1(1) and B6.2.1(2), the applicant contacted all iwi groups with a possible interest in the plan change area. Letters were sent to the following ten Mana Whenua groups to engage in a meaningful way in the development of the Plan Change:

- Ngāti Maru Rūnanga
- Ngāti Tamaterā
- Ngāti Whanaunga
- Te Ahiwaru – Waiohū
- Ngāti Pāoa
- Waikato - Tainui

- Te Kawerau ā Maki
- Ngāti Te Ata
- Ngāti Tamaoho
- Te Ākitai Waiohua
- Ngāi Tai Ki Tāmaki

- 7.63 Responses were received back from Ngāti Te Ata, Ngāti Tamaoho, Te Ākitai Waiohua and Ngāi Tai Ki Tāmaki, expressing an interest in the PC area. A summary of the consultation to date is set out in section 9 of this Planning Report. Representatives of Ngāti Te Ata and Te Ākitai Waiohua have confirmed that a cultural values assessment will be prepared after the PC Request has been lodged.
- 7.64 Ngāti Tamaoho has provided a Cultural Values Assessment (“CVA”) and is set out in Appendix 4 as Technical Report 10).
- 7.65 The applicant is committed to on-going genuine consultation with the above Mana Whenua groups that have expressed interest in the PC area.
- 7.66 The CVA provided by Ngāti Tamaoho identifies potential cultural impacts of the PC Request. In particular, Ngāti Tamaoho is concerned about the direct/indirect cumulative effects of the PC on the following cultural sites, areas and resources:
- It is part of Ngā Tapuwae O Mataoho, a cultural landscape connected to the atua Mataoho. This includes the nearby Puke-arikinui and Pukewairiki craters as well as Kohuora, Pukeōtara, and Ōtāhuhu. Puke-arikinui and Pukewairiki were utilised as a pā and wāhi tapu. The surrounding areas of fertile soil were cultivated as extensive mārakai.
 - Adjoins Wai O Taiki (Tāmaki River). This is awa and is of great importance. It included ara waka, mahinga kai, puna wai, rawa taiao, mahinga rongoā and so much more. The awa and their waters are part of Ngāti Tamaoho whakapapa, vital to cultural identity and health.

7.67 The relevant principles of the Treaty of Waitangi/Te Tiriti o Waitangi that have been cited in section 11 of the CVA by Ngāti Tamaoho are listed below:

- To ensure that the mana of their people is upheld, acknowledged and respected;
- That their people have rangatiratanga (opportunity to participate, be involved and contribute to decision making) over their ancestral Taonga;
- That as kaitiaki, they fulfil their obligation to the environment in accordance with their customs as passed down and to be accountable to their people (current and future generations) in these roles as custodians; and
- To uphold the mauri of their taonga- tuku- iho and those things deemed as cultural treasures handed down by tupuna and their obligations as kaitiaki to protect, and preserve.

7.68 Ngāti Tamaoho outline the following recommendations:

- The applicant to continue their relationship with Ngāti Tamaoho throughout all phases of the development;
- To allow for a site blessing of the PC area and cultural monitoring to ensure cultural heritage and values in the area and protected. This includes a cultural walk-over of the site;
- Ensure protection of any discovered cultural heritage sites, including a buffer along the river margin. Ngāti Tamaoho wish to provide a cultural map to identify particular areas of cultural concern;
- Allow Ngāti Tamaoho to educate workers on site with a cultural induction programme;
- Ensure that there will be no disturbance or destruction of cultural heritage sites or taonga, loss of mahinga kai areas, damage to Te Wai O Taiki along with addressing the needs of existing infrastructure.
- Produce a ‘mana o te wai’ plan to ensure the health of Te Wai O Taiki. Ngāti Tamaoho have requested involvement in water planning for the PC site. More specific requirements have been outlined in section 15 of the CVA.

- Cultural input in the design of the development at detailed design phase.

7.69 The applicant is committed to undertaking further consultation with Ngāti Tamaoho and establishing a long- term relationship to ensure that the recommendations set out in the CVA are implemented at the land development phase.

8 ASSESSMENT OF STATUTORY AND NON-STATUTORY DOCUMENTS

8.1 Section 75 of the RMA states that a district plan must give effect to: any national policy statement; New Zealand Coastal Policy Statement; a national planning standard and any regional policy statement. A district plan must not be inconsistent with a regional plan for any matter specified in section 30(1).

8.2 An assessment of how the PC gives effects to (or is not inconsistent with) the following statutory and non-statutory documents is set out below:

- Part 2 of the RMA
- New Zealand Coastal Policy Statement 2010
- National Policy Statement for Freshwater Management 2020
- National Policy Statement on Urban Development 2020
- Resource Management (National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011
- Hauraki Gulf Marine Park Act 2000
- The Auckland Plan 2050
- The Auckland Regional Policy Statement
- Auckland Unitary Plan – Objectives and Policies

Resource Management Act 1991

8.3 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.

8.4 Section 5 of the RMA sets out the purpose of the RMA, and requires a broad judgement as to whether the proposal would promote the sustainable management of natural and

physical resources. This exercise of judgement is informed by the principles of sections 6 to 8, and considered in light of the particular circumstances of each application.

8.5 This Planning Report contains an assessment of the various options for rezoning of the PC area, and assessed these options against the Purpose of the Act. Overall, it is considered that the PC Request will enable a more effective means of achieving the sustainable management purpose of the Act than the current zoning applied to the PC area.

8.6 With respect to section 5, the PC provides for the social, economic and cultural well-being of the community by increasing the supply of housing in Auckland, in a strategic location, while avoiding, remedying and mitigating any adverse effects on the environment.

8.7 Section 6 of the RMA sets out a number of matters of national importance which must be recognised and provided for. With respect to section 6, it is noted that:

- *Section 6(a)*: The Landscape Report explains that the PC area has been modified previously, and the it does not contribute to the natural character values of the coastal environment. As such, the natural characteristics and qualities that contribute to the natural character of the coastal environment would not be adversely affected by development enabled by the PC Request.
- *Section 6(b)*: The PC area is not located within area classified as an Outstanding Natural Landscape or High Natural Character in the AUP(OP).
- *Section 6(d)*: The esplanade areas adjoining Tāmaki River environments will be vested in Auckland Council at the land development/subdivision stage. This will provide opportunities for public walking access along the edge of the Tāmaki River.
- *Section 6(e)*: the applicant committed to working with Mana Whenua t recognise the relationship of maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga.

8.8 Section 7 identifies a number of “other matters” to be given particular regard to by a territorial authority. With respect to section 7, it is noted that:

- *Sections 7(a) and (aa):* the applicant is committed to working with Mana Whenua to enable consideration of matters relating to kaitiakitanga and the ethic of stewardship.
- *Section 7(b):* it has been determined that that the PC area is not suitable for its intended use under the Light Industry Zone. The PC Request seeks more intensive use of the subject land, thereby enabling more efficient use of this important land resource, to contribute towards increasing housing supply in Auckland.
- *Section 7(c):* the amenity values and the quality of the quality of the residential environment are acknowledged and will be enhanced via the implementation of the existing Auckland-wide and THAB Zone provisions of the AUP(OP).

8.9 Section 8 requires the principles of Treaty of Waitangi (Te Tiriti o Waitangi) to be taken into account. With respect to section 8, the mana whenua participation was recognised and sought in the preparation of the PC Request. In this regard, letters were sent to relevant mana whenua groups to seek engagement in a meaningful way, refer to section 9 of this Planning Report.

New Zealand Coastal Policy Statement 2010

8.10 The purpose of the NZCPS is to state policies in order to achieve the purpose of the RMA in relation to the coastal environment of New Zealand. As the PC area is located within the coastal environment, the provisions of NZCPS are relevant matters for consideration for the PC Request.

8.11 Overall, the PC is considered to be consist with the NZCPS and gives effect to the relevant objectives and policies as follows:

- Objective 2 seeks to protect the natural character of the coastal environment and protect natural features and landscape values. Policy 13 requires preservation of the natural character of the of the coastal environment and protect it from inappropriate subdivision, use and development. Adverse effects on the

outstanding natural character are to be avoided, remedied or mitigated. The PC accords with Objective 2 and Policy 13, as the PC area it is not located within an area classified as an Outstanding Natural Landscape or High Natural Character in the AUP(OP). The Landscape Report explains that the PC area has been modified previously, and the it does not contribute to the natural character values of the coastal environment. The natural characteristics and qualities that contribute to the natural character of the coastal environment would not be adversely affected by development enabled by the PC Request. The provision of the esplanade reserve areas in the future would enhance the natural character values of the Tāmaki River edge.

- Policy 14 promotes the restoration or rehabilitation of the natural character of the coastal environment. The Landscape Report states that the existing vegetation along the coastal edge is not managed for its natural values and noxious weed species are present, adversely affecting the natural character of the area. The future development of the PC area will provide opportunities for enhancement of the esplanade reserve areas.
- With respect to Objective 3 and Policy 2, which requires that the principles of Treaty of Waitangi be taken into account, mana whenua participation was recognised and sought in the preparation of the PC Request. In this regard, letters were sent to relevant mana whenua groups to seek engagement in a meaningful way, as explained in section 9 of this Planning Report.
- Objective 4, Policy 18 and Policy 19 seek to maintain and enhance public open space qualities and recreational opportunities of the coastal environment. The esplanade areas adjoining Tāmaki River environments will be vested in Auckland Council at the land development stage. This will provide opportunities for public walking access along the edge of the Tāmaki River. The vision for the PC area is to create a community focal point by integrating open space areas and esplanade reserve areas into the site design.
- Policies 23(4) requires that in managing discharges of stormwater, take steps to avoid adverse effects of stormwater discharge to water in the coastal environment

on a catchment by catchment basis. A SMP has been prepared for the PC area, which actively seeks to manage discharges of stormwater and contaminants into the coastal environment. The SMP states that contaminants and sediment loadings in stormwater will be reduced at source, thereby reducing the overall effects on the ecosystems in the receiving environment.

National Policy Statement for Freshwater Management 2020

- 8.12 National Policy Statement for Freshwater Management 2020 (“**NPS-F**”) sets a national framework for how freshwater is to be managed. NPS-F applies to all freshwater (including groundwater), and to the extent that they are affected by freshwater, to receiving environments such as estuaries and CMA.
- 8.13 The NPS-F only has one objective, which is to ensure that natural and physical resources are managed in a way that prioritises:
- a) first, the health and well being of water bodies and fresh ecosystems;
 - b) second, the health needs of people; and
 - c) third, the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.
- 8.14 Overall, the PC is considered to be consist with the NPS-F and gives effect to the relevant objectives and policies as follows:
- Policy 1 requires freshwater to be managed in a way that gives effect to Te Mana o te Wai. Policy 2 requires that tangata whenua are actively involved in freshwater management, and maori freshwater values are identified and provided for. In this regard, it is noted that in their CVA, Ngāti Tamaoho has recommended that a ‘mana o te wai’ plan be produced for the PC area, to enable them to be involved in the water planning for the PC area. The applicant is committed to working with Ngāti Tamaoho to implement this recommendation at the land development stage.

- Policy 3 requires that freshwater are managed in an integrated manner that considers the effects of the use and development of the land on a whole-of-catchment basis, including the effects on receiving environment. In the context of this PC Request, a SMP has been prepared to ensure that land use planning is integrated with the stormwater management strategy so that the effects on the receiving environment are considered holistically.
- Policy 6 seeks to ensure that there are no further loss of extent of natural inland wetlands, their values are protected and restoration promoted. The Ecological Assessment has confirmed that there are no wetland present within the PC area.
- Policy 7 seeks to ensure that there are no loss of river extent and values is avoided to the extent practicable. The Ecological Assessment has confirmed that there are no streams present within the PC area, nor does the PC result in the loss of the Tāmaki River extent.

National Policy Statement on Urban Development 2020

- 8.15 The National Policy Statement for Urban Development 2020 (“**NPS-UD**”) recognises the national significance of:
- Having well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.
 - Providing sufficient development capacity to meet the different needs of people and communities.
- 8.16 The NPS-UD is designed to improve the responsiveness and competitiveness of land and development markets. In particular, it requires local authorities to open up more development capacity, to enable more homes can be built in response to demand. The NPS-UD provides direction to ensure that capacity is provided in accessible places, helping New Zealanders build homes in the places they want - close to jobs, community services, public transport and other amenities enjoyed by the community.

8.17 Overall, the PC is considered to be consistent with the NPS-UD and gives effect to the relevant objectives and policies as follows:

- Objective 1 seeks to ensure that New Zealand has a well-functioning urban environment that enables people and communities to provide for their social, economic, and cultural well-being, for their health and safety, now and into the future. Policy 1 sets out the list of matters which are deemed to contribute to “well-functioning urban environments”. Implementing the THAB Zone provisions, the PC will enable the development of a variety of homes to meet the needs of different households. The PC area is strategically placed to enable accessibility to jobs and nearby Town Centres which provide community services and open spaces to cater to the needs of the future community. The PC provisions support public transport mode share by providing a bus stop and shuttle bus service to nearby public transport hubs. This will support reductions in greenhouse gas emissions. The PC area will be developed having regard to future effects of climate change.
- Objective 3 states that regional policy statements and district plans enable more people to live in, and more businesses and community services to be located in, areas of urban environments in which one or more of the following apply: the area is or near a centre zone or other area with employment opportunities; well serviced by existing or future public transport; high demand for housing or business land, relative to other areas within the urban environment. In the context of Objective 3, the PC area is located in an urban environment in close proximity to the Highbrook industrial area, providing employment opportunities.
- Objective 4 recognises that urban environments, including their amenity values, develop and change over time in response to diverse and changing needs. It has been assessed that the PC area is not suitable to be developed for its intended use under the Light Industry Zone. In the context of Objective 4, it is recognised that the PC is an urban environment which requires a change in use, and the amenity values associated with the land use will change over time to meet the needs of the future community.

- Policy 8 requires local authority decisions affecting urban environments are responsive to plan changes that would add significantly to development capacity and contribute to well-functioning urban environments, even if the development capacity is unanticipated by planning documents; or out of sequence with planned land release. In the context Policy 8, while the development capacity of the PC area is unanticipated for residential use; the PC area is a large block of land (approximately 4ha), strategically located, is “infrastructure ready”, able to be developed in line with THAB Zone provisions, to deliver a range of housing sizes of a high quality, and is able to be delivered within reasonable timeframes, thereby adding to the residential development capacity and contributing to the well-functioning urban environments.

Resource Management (National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011

- 8.18 The NESCS is a nationally consistent set of planning controls and soil contaminant values. It ensures that land affected by contaminants in soil is appropriately identified and assessed before it is developed; and if necessary the land is remediated or contaminants contained to make the land safe for human use.
- 8.19 A Land Contamination Report for the PC area has been completed and it identifies five areas within the PC area that have potentially impacted soil from previous activities. The Land Contamination Report concludes that there are no known soil contamination impacts that would impede the use of PC area for residential uses. The potential land remediation works are able to be completed at the land development phase, in accordance the requirements of the NESCS.

Hauraki Gulf Marine Park Act 2000

- 8.20 The Hauraki Gulf Marine Park Act 2000 (“**HGMPA**”) provides special recognition for the Hauraki Gulf and has implications for the resource management framework. The PC area

is located beside Tāmaki River, an area identified as falling within the catchment for Hauraki Gulf in Schedule 3 of the HGMPA.

- 8.21 Section 13 of the HGMPA states that all persons exercising powers of functions for the Hauraki Gulf under any Act (which includes the RMA) must have particular regard to the provisions of sections 7 and 8 of the HGMPA. Section 10 of the HGMPA states that for the coastal environment of the Hauraki Gulf, sections 7 and 8 of the HGMPA must be treated as a New Zealand coastal policy statement issued under the RMA.
- 8.22 Section 7 of the HGMPA states that the interrelationship between the Hauraki Gulf, its islands, and catchments and the ability of that interrelationship to sustain the life-supporting capacity of the environment of the Hauraki Gulf and its islands are matters of national significance.
- 8.23 Section 8 of the HGMPA sets out the objectives of the management of the Hauraki Gulf, its islands, and catchments to recognise the national significance of the Hauraki Gulf.
- 8.24 The PC area is located at the bottom of the Ōtara Creek catchment. The stormwater flows from the PC area will discharge to the Tāmaki River. A SMP has been prepared to detail how the stormwater runoff from the PC area will be managed; and demonstrate how the stormwater management related expectations under the AUP(OP) and the NDC requirements can be met.
- 8.25 The SMP identifies the following principles for stormwater management within the PC area:
- Provision of quality stormwater infrastructure: it is vital to provide quality stormwater infrastructure to maintain healthy waterways and to mitigate risk to communities, people and property.
 - Water quality management: Significant Ecological Areas (“SEA”) are mapped upstream of the PC area and on the far bank of the Tāmaki River (opposite side of the PC area). As such, maintaining or improving water quality in the Tāmaki River and Ōtara Creek is a priority for the stormwater management of the PC area.

- Mitigation of erosion at the outfall and protection/enhancement of the SEA: There are no known coastal erosion areas along the banks of the Tāmaki River along the PC area boundary. It is important to maintain this condition post development. The stormwater systems proposed for the PC area should protect and enhance the banks of the Tāmaki River.
- Mitigating the risk of 1% peak flows having adverse impacts on development.

8.26 In line with the above stormwater management principles, the SMP proposes the following design of future stormwater management system:

- The new stormwater system will be a piped reticulation with suitable stormwater treatment devices complying with Auckland Council’s Stormwater Code of Practice.
- Stormwater runoff from the entire PC area will be treated using new treatment devices that will be designed to comply with GD01. Based on the topography of the PC area, four options for the treatment of the stormwater runoff from the PC area have been identified: a wetland, two stormwater treatment ponds, proprietary treatment devices, or raingardens.
- The stormwater system will be designed to have adequate capacity to convey 10% AEP event flows.
- The future development of the PC area will be carefully designed to ensure that habitable rooms are not proposed in the small section the PC area that is prone to inundation.
- Stormwater flows from the PC area will discharge directly into Tāmaki River after treatment. Hydraulic connectivity will be directly to the Tāmaki River flows. The time of concentration (“ToC”) for the flows from the PC area will be significantly less than the ToC for the flows in the Tāmaki River or the Ōtara Creek in the vicinity of the PC area.

8.27 The PC is consistent with the purpose of the HGMPA for the following reasons:

- The PC integrates the land use planning and stormwater management strategy to recognise the interrelationship between the Hauraki Gulf and its catchments.

- The SMP has been prepared, and it has given particular regard to the stormwater management principles relevant for the PC area and its receiving environments, to ensure the protection and enhancement of the life-supporting capacity of the environment of the Hauraki Gulf.
- The SMP demonstrates that stormwater within the PC area will be managed in accordance with the requirements of the AUP(OP) and the connection requirements outlined in Schedule 4 of the NDC for private greenfield development.

The Auckland Plan 2050

8.28 The Auckland Plan 2050 is a long-term spatial plan for Auckland. It outlines three key challenges facing Auckland, and sets the direction for addressing these challenges over the next 30 years. The three key challenges are:

- *Population growth and its implications:* over the next 30 years population of Auckland will reach 2.4 million people (an increase of 720,000). This means that another 313,000 dwellings and 263,000 jobs are required over this period.
- *Sharing prosperity with all Aucklanders:* need to ensure that all Aucklanders benefit from social and economic prosperity that growth brings and can participate and enjoy community and civic life.
- *Reducing environmental degradation:* Auckland's natural environment and cultural heritage are vulnerable to degradation from the impacts of human activities. Urban development and effects of climate change are two specific issues that have the biggest effect on Auckland's environment.

8.29 The Auckland Plan sets out a Development Strategy, to illustrate how Auckland will physically grow and change over the next 30 years. It takes account of the outcomes sought to be achieved, population growth projections and planning rules set out in the AUP. It also provides a framework to prioritise and coordinate the required supporting infrastructure.

8.30 The Development Strategy seeks to deliver a quality compact urban form, building strong urban centres and neighbourhoods. It also recognises that while much of the growth will occur in nodes and development areas, some growth will take place in the remaining urban areas.

8.31 The PC is consistent with the vision and outcomes articulated in the “Homes and Places” outcomes of the Auckland Plan for the following reasons:

- The Auckland Plan allows opportunities for more intensive living and working environments, and for more housing to be built around areas of activity and close to good transport options. The PC area is located within the RUB, and it is located within walking distance of Highbrook Business Park, and in close proximity to a major employment hub in Highbrook / East Tāmaki / Ōtara area. In order to support public transport mode share, the PC provisions provide for a bus stop and shuttle bus service to connect to nearby public transport hubs. The PC provisions ensure that good transport options are available to future residents.
- The Auckland Plan states that a quality compact approach would be achieved by leveraging existing infrastructure investments. The PC area is located within an urban environment, without any water or wastewater capacity constraints to service the future development. Furthermore, the ITA has identified that no significant transport infrastructure upgrading is required to service the PC area.
- The Auckland Plan states that Auckland will likely require another 320,000 dwellings to be built by 2050, and current levels of construction fall well below the demand. The Auckland Plan seeks to accelerate quality development at scale that improves housing choice. In this regard, the PC area is a large block of land (approximately 4ha), strategically located, is “infrastructure ready”, able to be developed in line with THAB Zone provisions, to deliver a range of housing sizes of a high quality, and is able to be delivered within reasonable timeframes.
- The Auckland Plan seeks to provide sufficient public spaces and spaces that are inclusive, accessible and contribute to urban living. The PC area is strategically located to enhance the use and enjoyment of the open space environments of the Tāmaki River in its proximity. The PC area is a large block of land that enables open

spaces to be strategically designed for use and enjoyment, taking into account the esplanade reserve areas to be vested as part of the future development. The PC vision is to create a community focal point by integrating public open spaces and small-scale activities adjoining the esplanade reserve areas. This will create well designed, inclusive environments where people living within the PC area are able to use as extensions of their living spaces, creating a sense of community.

The Auckland Unitary Plan - Regional Policy Statement

- 8.32 The Auckland Regional Policy Statement (“RPS”) achieves the purpose of the RMA by providing an overview of the resource management issues of Auckland Region and policies and methods to achieve integrated management of natural and physical resources of the Auckland Region.
- 8.33 Chapter B2 of the AUP(OP) sets out the strategic framework to guide Auckland’s urban growth and form. In summary, the PC will give effect to the RPS as follows:
- The PC enables intensification of urban area for residential purposes within the RUB. The THAB Zone will enable the PC area to be developed to provide a range of housing types at a greater intensity, close to public transport, social facilities (including open space) and employment opportunities.
 - The PC aligns with the quality compact urban form policy which enables rezoning of land within the RUB to accommodate urban growth that supports quality compact urban form, provides for a range of housing types and integrates with the provision of infrastructure.
 - The PC integrates land use and transport by supporting a range of transport modes.
 - Via the implementation of the THAB Zone provisions, the PC will deliver a quality-built environment, including responding to the intrinsic qualities and physical characteristics of the PC area and its setting.
 - The PC area will be adequately serviced by existing or upgraded infrastructure at the same time as residential intensification.

- There are no urban activities within the PC area that has the potential to raise concerns relating to reverse sensitivity effects due to the proposed residential intensification.
- The Light Industry zoning of the PC area does not align with the objectives and policies framework for industrial growth, as the current zoning does not enable the efficient use of this Light Industry zoned land for industrial activities.
- The PC area is a relatively isolated site, and is separated from the Light Industry zoned land in its proximity by Highbrook Drive and Ōtara Creek. The AUP(OP) has a strong objective and policy framework in place, which will ensure that any reverse sensitivity effects are appropriately managed.
- Future vesting of esplanade reserve areas within the PC area will ensure that public have access along the margins of Tāmaki River, which will connect to the wider walkway network.

8.34 Chapter B3 of the AUP(OP) sets out the strategic framework with respect to infrastructure, transport and energy. Of particular relevance to the PC is Policy B3.3.2(5), which seeks to improve the integration of land use and transport. In this regard, it is noted that the PC is informed by an ITA, the key recommendations of which are included in the proposed Highbrook Precinct. The ITA states that the encouragement of public transport modes enables the adverse effects of the traffic generated by the proposed development to be mitigated. The approved site access provides safe travel to the proposed new bus stop, and the proposed shuttle service will provide safe travel to the wider public transportation system. This will ultimately provide benefits of an integrated network by providing future residents with transportation choices, thereby, reducing the effects of generated traffic by reducing the relative demand for private vehicle travel. In summary, the PC area location enables access to a variety of transportation modes.

Auckland Unitary Plan – THAB Zone Objectives and Policies

- 8.35 The THAB Zone is a high-intensity zone, and provides for urban residential living in the form of terrace housing and apartments. This zone is predominantly located around metropolitan, town and local centres and public transport network to support the highest level of intensification. The purpose of this zone is to make efficient use of land and infrastructure, increase the capacity of housing and ensure that residents have convenient access to various services.
- 8.36 In summary, the PC (proposed THAB Zone and Highbrook Precinct) is considered to be consistent with the objectives and policies framework of the THAB Zone for the following reasons:
- The PC area is located close to a wide range of activities, including commercial, employment hub, community facilities and open spaces. Intensification of the PC area will result in creating a well-functioning urban environment that enables people and communities to provide for their social, economic, cultural well-being and health and safety.
 - The PC area will be developed in accordance with the requirements of the THAB Zone provisions, which will ensure that future development achieves a built form that contributes to high quality-built environment.
 - The PC will enable the land to be used efficiently, providing for high density development that increases housing capacity and choice and providing access to nearby centres and enabling public transport usage.
 - With respect to building heights enabled within the THAB Zone, the Landscape Report states that the existing outlook of the PC area will change noticeably from a vegetated and undeveloped scene into a comprehensive urban view with a hierarchy of heights and forms. However, change resulting from the application of the THAB Zone building heights would not be unexpected noting the current planning provisions applying to the PC area under the Light Industry Zone. Hence, the application of the THAB Zone will not result in significant adverse effects on the character or amenity of the local area.

9 KEY STAKEHOLDER CONSULTATION

9.1 Consultation undertaken to inform the development of the PC Request is set out in Table 9-1 below.

Table 9-1: Consultation summary

Key stakeholder/ Organisation	Summary of Consultation
<ul style="list-style-type: none"> ● Ngāti Maru Rūnanga ● Ngāti Tamaterā ● Ngāti Whanaunga ● Te Ahiwaru – Waiohua ● Ngāti Pāoa ● Waikato - Tainui 	<p>Letter provided with an overview of the PC Request, including attachments of maps on 2 November 2021 requesting acknowledgement of potential interest matters for Mana Whenua.</p> <p>No interest was registered.</p>
<p>Te Kawerau ā Maki</p>	<p>Letter provided with an overview of the PC Request, including attachments of maps on 2 November 2021 requesting acknowledgement of potential interest matters for Mana Whenua.</p> <p>Response received on 4 November 2021, confirming that Te Kawerau ā Maki have shared ancestral interests in the PC area and have extremely high cultural sensitivity in relation to the awa and the shoreline. Te Kawerau ā Maki deferred to their whanaunga Kaitiaki to respond to and lead input into the PC Request: Ngāti Pāoa, Te Ākitai Waiohua and Ngāti tai ki Tāmaki.</p>

Key stakeholder/ Organisation	Summary of Consultation
Ngāti Te Ata	<p>Letter provided with an overview of the PC Request, including attachments of maps on 2 November 2021 requesting acknowledgement of potential interest matters for Mana Whenua.</p> <p>A meeting with Ngāti Te Ata’s representative was held on 13 December 2021, and he confirmed that a Cultural Values Assessment is required. It was agreed that the Cultural Values Assessment would be completed following the lodgement of the PC Request with Auckland Council.</p> <p>The full PC Request documentation will be provided to Ngāti Te Ata on following lodgement.</p> <p>The applicant is committed to ongoing consultation with Ngāti Te Ata.</p>
Ngāti Tamaoho	<p>Letter provided with an overview of the PC Request, including attachments of maps on 2 November 2021 requesting acknowledgement of potential interest matters for Mana Whenua.</p> <p>A meeting with Ngāti Tamaoho’s representatives was held on 13 December 21. An overview of the plan change was provided.</p> <p>Ngāti Tamaoho has prepared a Cultural Values Assessment (Technical Report 10 in Appendix 4). Refer to section 7 of this Planning Report for discussion on the Cultural Values Assessment provided by Ngāti Tamaoho.</p>

Key stakeholder/ Organisation	Summary of Consultation
	<p>The full PC Request documentation will be provided to Ngāti Te Ata following lodgement.</p> <p>The applicant is committed to ongoing consultation with Ngāti Tamaoho.</p>
Te Ākitai Waiohua	<p>Letter provided with an overview of the PC Request, including attachments of maps on 2 November 2021 requesting acknowledgement of potential interest matters for Mana Whenua.</p> <p>On 22 March 2022, a site walkover meeting was held with Te Ākitai Waiohua’s representative, and he confirmed that a Cultural Values Assessment is required. It was agreed that the Cultural Values Assessment would be completed following the lodgement of the PC Request with Auckland Council.</p> <p>The full PC Request documentation will be provided to Te Ākitai Waiohua following lodgement.</p> <p>The applicant is committed to ongoing consultation with Te Ākitai Waiohua.</p>
Ngāi Tai Ki Tāmaki	<p>Letter provided with an overview of the PC Request, including attachments of maps on 2 November 2021 requesting acknowledgement of potential interest matters for Mana Whenua.</p> <p>A meeting with Ngāi Tai Ki Tāmaki’s representative was held on 3 December 2021, and he confirmed that a Cultural Values</p>

Key stakeholder/ Organisation	Summary of Consultation
	<p>Assessment is required. A Cultural Values Assessment was commissioned on 23 March 2022, however, it was not completed prior to the lodgement of the PC Request.</p> <p>The full PC Request documentation will be provided to Ngāi Tai Ki Tāmaki following lodgement.</p> <p>The applicant is committed to ongoing consultation with Ngāi Tai Ki Tāmaki.</p>
Tāmaki Estuary Protection Society	<p>Letter provided with an overview of the Plan Change Request, including attachments of maps on 25 February 2022.</p> <p>A meeting was held with the representatives of the Tāmaki Estuary Protection Society on 21 March 2022. The following key matters were raised:</p> <ul style="list-style-type: none"> ● concerns regarding potential contaminants in the Tāmaki River and Ōtara Creek. ● Concerns regarding effects of the PC on the roosting of the shorebirds. <p>In response to the concerns raised, the Ecological Assessment Memo was updated to include consideration of effects on the coastal bird species using the weir at the mouth of the Ōtara Creek (where it flows into Tāmaki Riaver) for roosting.</p> <p>In response to the concerns regarding contamination matters, a Land Contamination Review Report was prepared to identify current or historical potential for contamination sources in the PC area.</p>

Key stakeholder/ Organisation	Summary of Consultation
<p>Greater East Tamaki Business Association (GETBA).</p>	<p>Letter provided with an overview of the Plan Change Request, including attachments of maps on 3 March 2022.</p> <p>A meeting was held with the representatives of the GETBA on 29 March 2022. The following key matters were raised:</p> <ul style="list-style-type: none"> ● Additional traffic effects arising from the PC Request, noting the existing congestion on Highbrook Drive. ● Requested maps identifying the locations of all the existing crossing in proximity to the PC area. ● Requested that all existing cameras used for crime prevention adjacent to underpass remain. <p>The information relating to the location of existing crossings was provided on 31 March 2022.</p> <p>The PC Request is informed by an Integrated Transport Assessment, which includes consideration of traffic effects on Highbrook Drive.</p>
<p>Ōtara Waterways & Lake Trust</p>	<p>Letter provided with an overview of the Plan Change Request, including attachments of maps on 25 February 2022.</p> <p>A meeting was held with the representatives of the Ōtara Waterways & Lake Trust on 4 April 2022. The following key matters were raised:</p> <ul style="list-style-type: none"> ● Concerns regarding existing signalised crossings and the new proposed access. ● Requested maps identifying the locations of all the existing crossing in proximity to the PC area. ● Concerns regarding the number of car parks and capacity within the development.

Key stakeholder/ Organisation	Summary of Consultation
	<ul style="list-style-type: none"> Requested information on Mana Whenua groups being consulted. <p>The information requested was provided on 20 April 2022. The PC Request is informed by an Integrated Transport Assessment, which includes consideration of traffic effects on Highbrook Drive.</p>
Goodman Property Trust (Goodman)	<p>A meeting was held with the representatives of Goodman on 28 March 2022 to provide an overview of the PC Request. The following key matters were raised:</p> <ul style="list-style-type: none"> Additional traffic effects arising from the PC Request, noting the existing congestion on Highbrook Drive. Need to ensure that the proposed residential development is of a high quality noting its location at the entrance to Highbrook Business Park, an area of significant investment for Goodman. <p>The ITA was provided to Goodman on 7 July 2022 for review by their independent specialists.</p>
Ōtara-Papatoetoe Local Board	<p>Letter provided with an overview of the Plan Change Request, including attachments of maps on 2 March 22.</p> <p>An overview of the PC was provided to the Ōtara - Papatoetoe Local board in their workshop meeting on 26 April 22. The Board as interested it the following key matters:</p> <ul style="list-style-type: none"> The type of housing to be developed.

Key stakeholder/ Organisation	Summary of Consultation
	<ul style="list-style-type: none"> Interested to know whether there would be any social procurement schemes to allow public to participate in landscaping/ design or communal gardens. Requested that the PC incorporate greenways in providing connectivity to the PC area. <p>Ōtara-Papatoetoe Local Board will review the PC Request when lodged via the statutory process.</p>
Howick Local Board	<p>Letter provided with an overview of the Plan Change Request, including attachments of maps on 02 March 22.</p> <p>The Howick Local Board declined the request for a meeting, as comments of the Board are to be provided following the lodgement of the PC Request via the statutory process.</p>
Waka Kotahi and AT	<p>Multiple meetings have been held with Waka Kotahi and AT representatives to discuss the various aspects of the PC Request, including:</p> <ul style="list-style-type: none"> Need for future development within the PC area to secure access to Waka Kotahi’s stormwater pond adjoining the PC area. The applicant agrees that this will be provided at the land development phase. Noting the proximity to SH1 and Highbrook Drive, the PC should consider potential elevated noise environment and need for noise mitigation. The applicant agrees with this request, and has proposed noise mitigation measures in the PC Request. Need for an ITA to assess traffic effects on the SH1 and Highbrook interchange and the other roads in the proximity of the PC area. The draft ITA was provided to

Key stakeholder/ Organisation	Summary of Consultation
	<p>Waka Kotahi and AT for review prior to lodgement. Feedback received was incorporated into ITA submitted with the PC Request. The findings and recommendations of the ITA have been incorporated into the PC Request.</p> <ul style="list-style-type: none"> ● Need to illustrate that the current zoning of the site is unable to be utilised for its intended purposes.
Transpower New Zealand	<p>A meeting with Transpower’s representative was held on 3 September 2021. The key following matters were discussed:</p> <ul style="list-style-type: none"> ● There are no concerns in relation to the effects of the PC on the Ōtara Substation given the separation distance between the two. ● Ensure that there is no development proposed underneath the National Grid infrastructure. ● Ensure that the proposed development does not restrict access to the National Grid Tower beside the PC area. The applicant agrees that access to the Tower will be provided at the land development stage. <p>The applicant is committed to consulting with Transpower at the land development phase.</p>

10 CONCLUSIONS

- 10.1 This Statutory Assessment Report has been prepared in support of a Private Plan Change Request to the AUP(OP) on behalf of Highbrook Living Limited.
- 10.2 A section 32 evaluation has been completed, and it concludes that the Plan Change Request will more effectively and efficiently achieve the objectives of the AUP(OP), and the purpose of the RMA, than the current provisions sought to be amended. The section 32 evaluation will continue to be refined as the Plan Change Request progresses through the various processing stages.
- 10.3 It is recommended that the Council accept the Plan Change Request.