
Auckland Unitary Plan - Private Plan Change Request to rezone land at 5, 10 & 11 Campana Road and 467 & 485 Puhinui Road (State Highway 20B), Papatoetoe

File No.: CP2025/08241

Te take mō te pūrongo

Purpose of the report

1. To decide how to process a private plan change request to the Auckland Unitary Plan from the Campana Landowners' Consortium (**the Applicant**) at 5, 10 & 11 Campana Road and 467 & 485 Puhinui Road (State Highway 20B), Papatoetoe (**the subject land**).

Whakarāpopototanga matua

Executive summary

2. Auckland Council must decide how a private plan change request is processed. Under clause 25 of Schedule 1 of the RMA, the council may either:
 - a) adopt the request as if it were a proposed plan change made by the council, or
 - b) accept the private plan change request in whole or in part, or
 - c) reject the private plan change request in whole or in part, if one of the limited grounds for rejection is satisfied, or
 - d) deal with the request as if it were an application for a resource consent, or
 - e) a combination of options a) to c).
3. I recommend that the private plan change request is accepted under clause 25(2)(b) Schedule 1 of the Resource Management Act 1991.
3. The Applicant seeks to rezone approximately 31.5 hectares of land at 5, 10 & 11 Campana Road and 467 & 485 Puhinui Road (State Highway 20B), Papatoetoe (the subject land) from Future Urban Zone to Business - Light Industry Zone, with accompanying revised Puhinui Precinct provisions. The private plan change relates to district plan provisions. A copy of the private plan change is included as Attachment A.
4. The following reason for the plan change request being the most appropriate method is given in the Applicant's submitted planning report¹:

"While the FUZ had suited the needs of the applicants to this point, with horticultural activities taking place across the site, changes in the agricultural sector have reduced the viability of the site for horticultural activities. This is reflected in the changing land uses across the site.
5. *A plan change is necessary to fully realize the development potential of land while adequately addressing the concerns of mana whenua in regard to potential effects on the adjacent estuary, the potential for discovery of archaeological materials during earthworks and the effects on cultural landscape values. Appropriate provisions are also necessary to address potential effects on infrastructure networks."*
6. The private plan change introduces the Business - Light Industry Zone and a Puhinui sub-precinct C that was originally proposed by Council when the AUP was prepared. The IHP at that time recommended a Future Urban Zone be applied due to cultural concerns raised in a submission from Te Ākitai Waihoua. The Applicant has undertaken extensive investigation

¹ Saddleback Planning Report 10/04/2025 Page 11

and consultation with Te Ākitai who are not opposed to the plan change proceeding to notification.

7. Proposed precinct provisions are intended to address roading and wastewater capacity constraints.

Ngā tūtohunga Recommendation/s

8. That the Manager Planning – Central South, having had particular regard to the applicant's section 32 evaluation report, accepts the private plan change request by applicant name, included as Attachment A, pursuant to clause 25(2)(b) Schedule 1 Resource Management Act 1991, for the following reasons:
- a. The Applicant's section 32 evaluation report considers different options and concludes that the proposed rezoning of the subject land from Future Urban Zone to Business - Light Industry Zone, with accompanying revised Puhinui Precinct provisions, is the most appropriate to achieve the purpose of the Resource Management Act 1991.
 - b. Accepting the private plan change request enables the matters raised by the Applicant to be considered on their merits, during a public participatory planning process.
 - c. It is inappropriate to adopt the private plan change. The private plan change proposal is not a matter under consideration in council's policy work programme. The private plan change does not address a gap in the Auckland Unitary Plan (Operative in Part) 2016, introduce a new policy direction, nor does the private plan change have broad application by seeking to change provisions that apply across the region. The private plan change is not aligned with the timing for any rezoning proposal that may be proposed by council.
 - d. The grounds to reject a private plan change request under clause 25(4) are limited and no ground is met by this private plan change.
 - i. The request is not frivolous. The Applicant has provided supporting technical information and the private plan change has a resource management purpose. The request is not vexatious. The Applicant is not acting in bad faith by lodging a private plan change request. The Applicant is not requiring council to consider matters in this process that have already been decided or the subject of extensive community engagement or investment.
 - ii. The substance of the request has not been considered within the last two years.
 - iii. The coarse-grain assessment of the request does not indicate that the private plan change is not in accordance with sound resource management practice. Whether the private plan change request's objectives are the most appropriate way of achieving the promotion of sustainable management will be tested through the submission and hearing processes.
 - iv. The provisions of the Auckland Unitary Plan (Operative in Part) 2016 subject to the private plan change request have been operative for at least two years.
 - e. It is not appropriate to deal with the private plan change as if it was resource consent application because a major intention of the private plan change is to provide a framework against which future resource consent applications may be addressed.

Horopaki Context

Plan Change Land and Surrounding Area

9. The subject land comprises five sites situated on the northern side of Puhinui Road (SH20B) which is a major access road to the Auckland International Airport and surrounding business areas. The subject land is bounded by Campana Road to the west and tributaries of the Waiokauri Creek to the north and east, as shown in Figure 1. The subject land is a part of the Puhinui Precinct that was zoned Future Urban Zone at the PAUP hearings stage – the bulk of the precinct is zoned Business Light industrial. Land in the area that is zoned BLIZ is currently being progressively developed for business purposes.

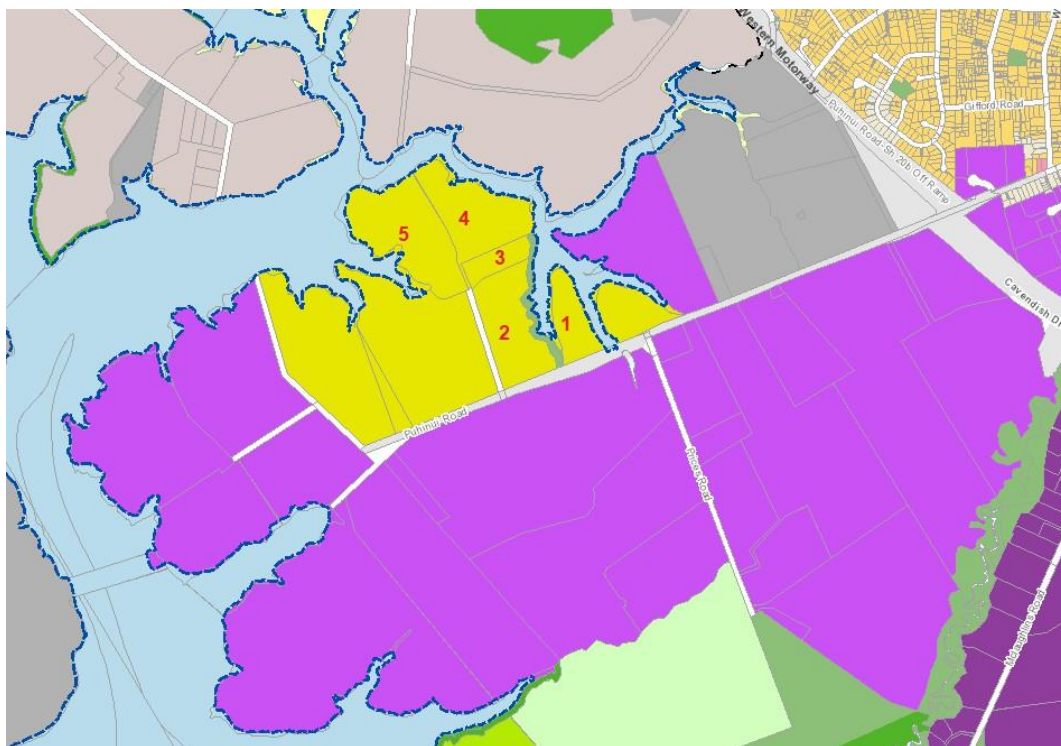


Figure 1: Location of Private Plan Change Land (existing AUP zonings)

10. The subject land is shown on an aerial photograph in Figure 2. The total area of the five sites is approximately 31.5 ha and extends northwards from Puhinui Road / SH20B to the Waiokauri Creek. There are 5 dwellings and a number of accessory farm buildings. The land is generally in horticultural and pastoral use, with a consented steel warehousing activity within 5 Campana Road (site #3 on Figure 2). In September 2023, the Royal New Zealand Society for the Prevention of Cruelty to Animals Incorporated (SPCA) obtained land use consent to construct and establish an animal boarding house facility within 485 Puhinui Road (site # 2 on Figure 2). The facility will replace the existing Mangere facility and will comprise six single level connected blocks providing all animal-related functions, administration offices, staff facilities and meeting spaces.



Figure 2: Subject Land - Aerial Photograph

11. The Puhinui Precinct covers about 809ha of land on both sides of Puhinui Road / SH20B and adjoining the Waokauri Creek. The Precinct was notified in the PAUP as including six sub-precincts that included provision, in the vicinity of the subject land, for predominately light industrial and airport-related activities.
12. Sub-precinct C as notified was located north of Puhinui Road between Orrs Road and Manukau Memorial Gardens and included the subject land. Sub-precinct C was intended for the land shown zoned FUZ in Figure 1. Council had sought a live zoning of Business - Light Industry Zone for that land, however that was opposed by Te Ākitai Waiohū who were concerned about uncertainties of effects (particularly discharges) on Pūkaki Creek and Waokauri Creek and potential for future traffic infrastructure being required across Pūkaki Creek. While agreeing that a number of adverse effect matters could be managed through the proposed precinct provisions the Independent Hearings Panel (IHP) considered that the RMA section 6(e) matters raised justified a more cautious approach be taken. It recommended that Sub-precinct C should not be live zoned but rather be zoned FUZ so that the concerns raised could be addressed through a future structure plan process. Council accepted that recommendation.

Private Plan Change Content

13. The proposed plan change map, precinct plan and provisions lodged with the plan change application are in **Attachment A** and the proposed plan change Assessment of Environmental Effects and section 32 evaluation are in **Attachment B**, noting that the lodged precinct provisions have been modified to address further information requests and reach agreement between the applicant and Watercare on infrastructural matters affecting the plan change, as detailed in **Attachment E** to the Agenda Report.
14. The following reason for the plan change request is given in the applicant's submitted planning report²:

"While the FUZ had suited the needs of the applicants to this point, with horticultural activities taking place across the site, changes in the agricultural sector have reduced the viability of the site for horticultural activities. This is reflected in the changing land uses across the site.

A plan change is necessary to fully realize the development potential of land while adequately addressing the concerns of mana whenua in regard to potential effects on the adjacent estuary, the potential for discovery of archaeological materials during earthworks and the effects on cultural

² Saddleback Planning Report 10/04/2025 Page 11

landscape values. Appropriate provisions are also necessary to address potential effects on infrastructure networks.”

15. The Plan Change proposes to:
 - a) Rezone the site as BLIZ
 - b) Include the subject land within the Puhinui Precinct as:
 - (i) Primarily a reintroduced sub-precinct C (primarily industrial uses).
 - (ii) A second area of sub-precinct E (north) that will provide for retail and other uses.
 - (iii) A sub-precinct C1 around the coastal edges that limits development in that area.
 - c) Allow unmanned storage yard activities within proposed Sub-precincts C and E (north) as a permitted activity with additional traffic-related standards applying to other activities.
 - d) Update the Puhinui Precinct provisions including a structure plan for the subject land.
16. The proposed precinct plan is shown in Figure 3.

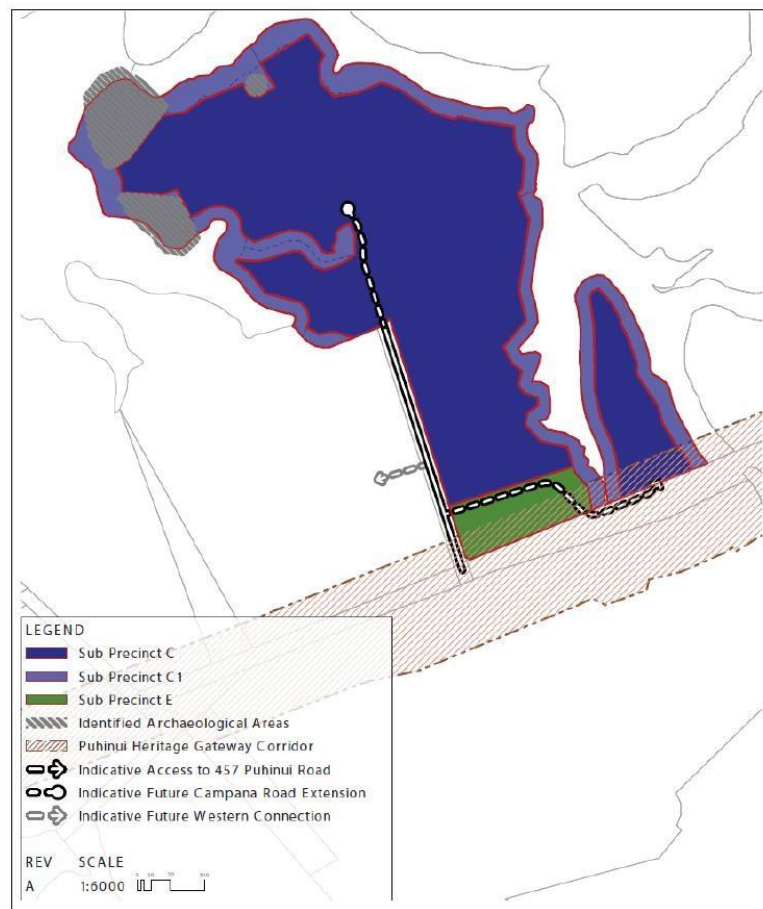


Figure 3: Proposed Sub-Precincts³

Timeframes

17. The original plan change request was lodged in March 2024. It contained an Assessment of Environmental Effects and included a section 32 assessment and a range of specialist reports. The request included revised Puhinui Precinct provisions and a structure plan.
18. Requests for further information were made on several occasions during 2024 and early 2025. Information has been progressively provided by the applicant, with an updated version

³ Saddleback Planning Report 10/04/2025 Figure 9

of the plan change, including revised Precinct provisions, being received in October 2024, and final requested information and modified plan change request was provided on 1 July 2025.

19. Council is required to decide how the private plan change request is processed within 30 working days of the latest date specified above. That period ends on 12 August 2025.

Tātaritanga me ngā tohutohu Analysis and advice

Statutory Context: Resource Management Act 1991

20. Any person may request a change to a district plan, a regional plan or a regional coastal plan. The procedure for private plan change requests is set out in Part 2 of Schedule 1, RMA. The process council follows as a plan-maker is adapted, and procedural steps added including the opportunity to request information.
21. Council must decide under clause 25 which is the most appropriate processing option for each private plan change request. In making this decision council must have particular regard to the applicant's section 32 evaluation report when deciding. The clause 25 decision is the subject of this report and clause 25 is set out in full in Attachment B.
22. I consider that the Applicant has provided sufficient information for the request to be considered. I consider that the insufficient information grounds for rejection in clause 23(6) are not available in this instance.
23. The plan change request has been modified by the Applicant.
24. I evaluate the options available under clause 25 in the next sections of this report. I have had particular regard to the applicant's section 32 evaluation report in undertaking the assessment of clause 25 options.

Option 1: Adopt the request, or part of the request, as if it were a proposed plan change made by the council itself

25. Council can decide to adopt the request, or part of the request. Council would then process it as though it were a council-initiated plan change.
26. If the plan change
- a) includes a rule that protects or relates to any natural or historical resource specified in section 86B RMA, or
 - b) provides for or relates to aquaculture activities
- it may be appropriate for the plan change to have legal effect from notification. If there is a proposed rule of this kind, immediate legal effect could be desirable to prevent a "goldrush" of resource (over)use that could occur until the plan change is made operative.
27. Only a council initiated, or an adopted private plan change, could have immediate legal effect.
28. The plan change does not include any proposed rule that would protect, or relate to, any natural or historical resource specified in section 86B. The private plan change is unrelated to aquaculture activities. It is unnecessary to adopt the private plan change request to enable a rule to have immediate legal effect.
29. The request does not address a gap in the Auckland Unitary Plan's planning provisions. The private plan change proposal is not a matter under consideration in council's policy work programme. The private plan change does not address a gap in the Auckland Unitary Plan, introduce a new policy direction, nor does the private plan change have broad application by seeking to change provisions that apply across the region. While the subject land has in the

past been proposed by council for a Business – Light Industry zoning it is not a rezoning that council itself would be prepared to initiate until after the time specified in the Future Development Strategy (i.e. 2030).

30. Council meets all costs of processing the plan change if the request is adopted. Council should not carry these costs if the request is primarily of direct benefit to the applicant, rather than the wider public, or have other public policy benefits. The request is a site-specific proposal. The most immediate or direct benefit, if any, is to the applicant.
31. The Applicant did not request that council adopt the private plan change request.
32. I recommend the private plan change request not be adopted.

Option 2 – Reject the request, in whole or in part

33. Council has the power to reject a private plan change request, in whole or in part, in reliance on one (or more) of the limited grounds set out in clause 25(4) of Schedule 1 of the RMA. If the private plan change request is rejected by the council, the Applicant has the ability to appeal that decision to the Environment Court under clause 27 of Schedule 1.
34. The grounds for rejection under clause 25(4) are as follows:
 - a) the request or part of the request is frivolous or vexatious; or
 - b) within the last two years, the substance of the request or part of the request:
 - i. has been considered, and given effect to, or rejected by, the local authority or the Environment Court; or
 - ii. has been given effect to by regulations made under section 360A; or
 - c) the request or part of the request is not in accordance with sound resource management practice; or
 - d) the request or part of the request would make the policy statement or plan inconsistent with Part 5; or
 - e) in the case of a proposed change to a policy statement or plan, the policy statement or plan has been operative for less than two years.

Is the request frivolous or vexatious?

35. Frivolous means not having any serious purpose or value. Vexatious means denoting an action or the bringer of an action that is brought without sufficient grounds for winning, purely to cause annoyance.
36. The plan change introduces a zoning previously proposed by Council.
37. The Applicant is not acting in bad faith by lodging a private plan change request.
38. I recommend the private plan change request not be rejected on this ground.

Has the substance of the request been considered and been given effect, or rejected by the council within the last two years?

39. The substance of the request has not been considered and been given effect to or rejected by the council within the last two years. It is therefore concluded that the council cannot reject the request on this basis.

Has the substance of the request been given effect to by regulations made under section 360A?

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40. Section 360A relates to regulations amending regional coastal plans pertaining to aquaculture activities. The site is not within the coastal marine area and does it involve aquaculture activities, and therefore section 360A regulations are not relevant.
41. I recommend the private plan change request not be rejected on this ground.

Is the request in accordance with sound resource management practice?

42. In a recent Environment Court decision *Orakei Point Trustee v Auckland Council* [2019] NZEnvC 117, the Court stated:

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

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

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

43. Consideration of this ground should involve a coarse assessment of the merits of the private plan change request - “at a threshold level” - and take into account the RMA's purpose and principles – noting that a full merits assessment will be undertaken if the request is accepted.
44. The courts have also accepted that “sound resource management practice” can include issues of timing and process. For example, the Environment Court in *Malory Corporation v Rodney District Council* [2010] NZRMA 1 stated:

“[60] We conclude that the question of sound resource management practice goes well beyond questions of planning merit to include fundamental issues as to appropriate process, timing and the like. It can include non-planning matters such as engineering, cultural, and other issues.”

45. The term ‘sound resource management practice’ is not defined in the RMA. However, relevant case law indicates Part 2 of the RMA provides an important starting point to developing criteria as to whether sound resource management practice has been followed. Other aspects are also relevant. The following matters may be relevant:
- (a) will the plan change undermine sustainable management of natural and physical resources?;
 - (b) Will the plan change enable people and communities across the region to provide for their social, economic and cultural wellbeing?;
 - (c) Section 32 is another important aspect of sound practice – is there sufficient justification of the proposed provisions, at a coarse level?;
 - (d) the plan change preparation process and the nature and extent of consultation expected under Schedule 1 is important. Has best practice been followed?

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46. Each of these matters is addressed further below.
47. A coarse-grained analysis indicates that the plan change in principle is an appropriate response to providing for urban development in an area that has been identified for future urban development and is consistent with other live zoning in the same area.
48. Infrastructure capacity / timing/ upgrading constraints will need to be adequately addressed, including in the final plan change provisions. However the current coarse-grained analysis has not indicated any issue that would be significant enough to justify rejection of this private plan change request.
49. In any event, the zoning and provisions now proposed are subject to review through the plan change process. Most importantly, council accepting the plan change as currently proposed does not indicate that council agrees with all parts of the plan change content. Council itself, for instance, may make a submission on the plan change.
50. A competent section 32 analysis has been provided with the application, with further information provided subsequent to council requests. At a coarse level sufficient justification has been given for the proposed provisions.
51. Iwi have been and can still be involved in commenting / submitting on the private plan change request.
52. I recommend the private plan change request not be rejected on this ground.

Would the request or part of the request make the policy statement or plan inconsistent with Part 5 of the RMA?

53. Part 5 of the RMA sets out the role and purpose of planning documents created under the RMA, including that they must assist a local authority to give effect to the sustainable management purpose of the RMA. Regional and district plan provisions must give effect to the regional policy statement and higher order RMA documents, plus not be inconsistent with any (other) regional plan.
54. My preliminary assessment indicates the private plan change request will not make the Auckland Unitary Plan inconsistent with Part 5 of the RMA. The conclusions in the request documentation would be best evaluated via the submissions and hearing processes so that these matters can be considered in full.
55. I recommend the private plan change request not be rejected on this ground.

Has the plan to which the request relates been operative for less than two years?

56. The plan provisions of the AUP relevant to this request were made operative on 15 November 2016. The provisions have therefore been operative for more than two years.
57. It is therefore concluded that the council cannot reject the private plan change request on the basis that the relevant parts of the AUP have been operative for less than two years.
58. To conclude in relation to this Option it is considered there are no grounds under clause 25(4) to rely on to reject the private plan change request. I recommend the private plan change request not be rejected on this ground.

Option 3 – Decide to deal with the request as if it were an application for a resource consent

- 59. The council could decide to deal with the request as if it were an application for a resource consent and the provisions of Part 6 would then apply accordingly.
- 60. In this case, the request seeks to rezone land and introduce precinct provisions to manage subdivision, use and development. Rezoning cannot occur through a resource consent application.
- 61. I recommend the private plan change request not be dealt with as if it were an application for a resource consent.

Option 4 - Accept the private plan change request, in whole or in part

- 62. Council can decide to accept the request in whole, or in part. If accepted, the plan change cannot have legal effect until it is operative. In my opinion the private plan change may be accepted as there isn't a demonstrable need for any rule to have immediate legal effect; adoption is not required.
- 63. The private plan change mechanism is an opportunity for an applicant to have their proposal considered between a council's ten-yearly plan review cycle. The subject matter of this private plan change request is not a priority matter in Planning & Resource Consents' work programme and is not presently being considered. The private plan change process is a means by which this matter can be considered before the next plan review.
- 64. If the private plan change is accepted the matters raised by the applicant can be considered on their merits, during a public participatory planning process.
- 65. The applicant did not request that council adopt the private plan change request.

Conclusion: options assessment

- 66. I have assessed the private plan change request against the options available and the relevant matters. These include clause 25 Schedule 1 matters, having particular regard to the applicant's section 32 evaluation, and case law⁴ that provides guidance on the statutory criteria for rejection of a private plan change request. I recommend the private plan change request is accepted.

Tauākī whakaaweawe āhuarangi

Climate impact statement

- 67. Consideration needs to be given to how the proposed decision will impact on greenhouse gas emissions and the approach to reduce emissions and what effect climate change could have over the lifetime of a proposed decision and how these effects are being taken into account. The subject land is in a central location accessible to public transport, residential areas and other services. Enhanced opportunities for business development should assist in reducing vehicle trips and greenhouse gases. Greenhouse gas issues in particular are the subject of developing information, analysis and mechanisms to achieve targets and it is expected this will be further examined as the plan change is processed.

Ngā whakaaweawe me ngā tirohanga a te rōpū Kaunihera

Council group impacts and views

Future Development Strategy

⁴ Malory Corporation Limited v Rodney District Council [2010] NZRMA 392 (HC)

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68. The FDS was finalised and published on 22 December 2023. The FDS expresses concern about the timing of development and the number and spread of areas being rezoned from future urban to urban. Development in an increasing number of future urban areas has put more pressure on the council's ability to obtain financing and provide funding to service development, especially when there are already severe affordability constraints.
 69. The FDS identifies that the timing for the Puhinui FUZ as being 2030+⁵. The "Future Development Strategy – Future urban areas evidence report" for Puhinui notes that transport infrastructure is not expected to be available to support development until 2030+⁶. As noted below. There are also potential issues associated with wastewater infrastructure.
 70. The plan change request proposes development about 5 years ahead of the "development ready" time horizon in the FDS. The FDS leaves open the possibility for the council to consider private sector initiatives which find practical ways to provide infrastructure either through direct provision, or funding council to accelerate its own infrastructure provision where that contributes significantly to housing and business capacity and meets the requirements of a well-functioning urban environment.

Stormwater and Flooding

71. The submitted Stormwater Management Plan identifies a large network of major overland flow paths (OLFPs) and floodplain areas. However the flooding risk within the site is considered to be low as the many sub-catchments within the subject land all drain directly into the adjacent estuary. There is also considered to be minimal to no risk of coastal inundation on site and the submitted Coastal Hazard Assessment has concluded that a 20m coastal setback is sufficient to protect development. There is no existing stormwater network within the site, however the site is at the bottom of the catchment and stormwater flows generated on the site can continue to drain into the adjacent creek subject to incorporating appropriate stormwater quality measures. The reclamation and/or diversion of entry and exit points of OLFPs will require resource consent and any associated adverse effects can be managed at that stage.

Water supply

72. Watercare advises that the existing bulk water supply network has sufficient capacity to service development of the plan change land. Local network upgrades required to support the development of the plan change land would be assessed at the time of resource consent application and engineering plan approval. Any upgrades/upsizing of the existing local network required to accommodate the demand created would be required to be provided by the developer at their cost.

Wastewater

73. The site is not currently connected to any public wastewater services and there are no services near the site. The closest wastewater main is the Southwestern Interceptor, which is approximately 800m to the west. The Southwestern Interceptor is a major transmission line and the discharge point is downstream of the Puhinui Precinct.
74. Initial written advice in a letter from Watercare dated 11 April 2025 is included as Attachment D to the Agenda Report. The letter confirms that as of the current time it is technically feasible to service the subject land ahead of the 2030 timing in the FDS. However the letter states that Watercare does not support out-of-sequence and/ or unanticipated growth and it raises a concern that, if the plan change is approved and Watercare were to confirm servicing for proposed wastewater flows, this would exhaust most of the available capacity in the bulk wastewater network, precluding development of the existing live zoned areas until the Southwestern Interceptor Duplication Project is delivered in 2036 (a forecast date only).
75. Further written advice in a second supplementary letter from Watercare dated 27 June 2025 is included as Attachment E to the Agenda Report and appended to the letter are precinct provisions which have been modified from those lodged with the plan change application. The supplementary letter confirms that the modified precinct provisions have been agreed

⁵ Figure 13 (page 49) of the FDS

⁶ Future Development Strategy - Future urban areas evidence report (pages 51-52).

between the Applicant and Watercare to include specific recognition of wastewater capacity constraints and a standard that any subdivision or development requiring a connection to the reticulated wastewater network within proposed sub-precincts C and E may not occur in advance of the bulk wastewater infrastructure upgrades being available. Consequently, and compared with opposing views in its initial letter, Watercare no longer seeks that the plan change be declined in its second supplementary letter, but still reserves the ability to make a submission on the notified plan change to ensure the modified precinct provisions agreed with the Applicant and representing the precinct provisions to be notified with the plan change are included in any subsequent approval decision.

76. As noted further below in relation to transport matters, the plan change proposes strict limitations on permitted activities (unmanned storage and lock-up facilities). On that basis it is considered potentially workable for the plan change to proceed with confidence that there should not be any significant demand on reticulated wastewater services until bulk wastewater infrastructure upgrades are available.

Transport

77. The recently signalised intersection at SH20B / Campana Road would provide the main access to the subject land. A separate access point, at an existing private crossing, would be provided to 457 Puhinui Road (site # 1 in Figure 1).
78. It was accepted at the PAUP stage that development pressures on the network created potential problems for the development of the Puhinui Precinct because major works will be required when capacity is reached around 2026. A vehicle/hour capacity threshold was agreed at 1,035vph which currently applies to development in sub-precincts D and E. Traffic beyond that threshold requires specified traffic queuing, Level of Service and average speed reduction criteria to be met.
79. The proposed plan change does not seek to change any of the existing precinct thresholds which will apply to the proposed rezoned land. However, additional proposed precinct provisions would apply specifically to the plan change land to constrain development that would generate significant amounts of traffic, including permitting only unmanned storage and lock-up facilities. Other development exceeding prescribed activity standards would require a non-complying activity resource consent. Furthermore, all required roading improvements, such as new access arrangements to 457 Puhinui Road and upgrading of both the SH20B / Campana Road intersection and Campana Road will need to be fully funded by the Applicant / developer.
80. Feedback from AT is that sufficient information has been provided to allow the plan change to continue. There are outstanding issues that will need to be addressed in detail, including the possibility of tighter precinct provisions than are currently proposed. At the current stage of coarse level assessment this is not considered to be a reason for the plan change not to proceed to notification.

Advice

81. Considering that the infrastructure issues to be addressed appear possible to resolve on more detailed analysis of the plan change, it is considered that the FDS and infrastructure constraints should not be a reason for this proposed plan change not to proceed to notification.

Ngā whakaaweawe ā-rohe me ngā tirohanga a te poari ā-rohe **Local impacts and local board views**

82. Local board views have not been sought on the clause 25 decision as it does not affect the Ōtāra-Papatoetoe Local Board's responsibilities or operation, nor the well-being of local communities. However, if the private plan change is accepted, staff will prepare a summary of any submissions received and provide the opportunity for the local board to give feedback on the private plan change. Any feedback received must be taken into account by the independent hearing commissioners appointed to hear and make the council's decision on the private plan change.

Tauākī whakaaweawe Māori

Māori impact statement

83. As has been noted, cultural concerns are of high importance in this area. Concerns about cultural impacts not being sufficiently investigated was the reason for this land not being live zoned at the PAUP stage. The Pūkaki Marae and the associated papakainga is also located west of the site, opposite the Waiokauri Creek. The Marae is visible from western parts of the site. The subject land itself has been investigated and archaeological areas have been identified that are proposed to be protected.
84. The applicant has consulted with Te Ākitai Waiohū, Ngāti Tamaoho and Ngāti Te Ata. Te Ākitai have completed a Cultural Heritage Assessment for the Puhinui Peninsula and that identifies several features significant to Te Ākitai Waiohū. It is evident that most consultation has occurred with Te Ākitai, and its nominated consultant planner has confirmed Te Ākitai is comfortable with the plan change proceeding to notification. The consultation records lodged with the plan change application indicate that Ngāti Te Ata and Ngāti Tamaoho may wish to be further involved as the plan change proceeds, noting all relevant iwi would be directly notified of the plan change at public notification stage and may lodge submissions to ensure ongoing involvement and participation during the decision-making process.

Ngā ritenga ā-pūtea

Financial implications

85. If accepted, costs for processing the private plan change will be recoverable from the applicant up until any appeals to the Environment Court.
86. In respect of transport infrastructure, the Puhinui Precinct provisions already contain thresholds that would require private developers to fund improvements if they are not in place or otherwise funded. Whether or not those provisions are appropriate to cover the proposed plan change area is a matter that can be investigated in detail through the plan change process. As discussed in this report the greater issue relates to the timing of infrastructure and what are likely to be concerns from landowners in the wider precinct about the extra development from this area that may mean the current thresholds are arrived at earlier than would otherwise be the case. However that is not necessarily a public funding issue.

Ngā raru tūpono me ngā whakamaurutanga

Risks and mitigations

87. The key risk associated with accepting the private plan change relates to the lack of certainty around the funding for the necessary transport infrastructure. As previously noted, to avoid the significant adverse effects that can result from the lack of appropriate infrastructure, or funds having to be diverted from elsewhere, the Planning Committee has previously resolved to make submissions on private plan change requests of this nature.
88. Another risk associated with the recommendations made in this report is a judicial review by a third party. This risk is considered to be low and mitigated by the analysis provided in this report.
89. There are legal risks in either accepting or rejecting the private plan change request. If the request is rejected, the requestor is highly likely to appeal the clause 25 decision to the Environment Court.

Ngā koringa ā-muri

Next steps



90. If accepted, the private plan change must be notified within four months of its acceptance.
91. A separate evaluation and decision will be required regarding extent of notification.

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92. I will seek the views and preferences of Ōtāra-Papatoetoe Local Board after submissions close for inclusion in the section 42A hearing report.
93. Council will need to hold a hearing to consider any submissions, and local board views, and a decision would then be made on the private plan change request in accordance with Schedule 1 of the RMA.

Clause 25 recommendation


88. This private plan change request requires decision-making pursuant to clause 25 of Part 2 of Schedule 1 of the Resource Management Act 1991, to determine whether it will be adopted, accepted, rejected or dealt with as if it were a resource consent application.
89. I recommend that the private plan change request from Campana Landowners' Consortium to rezone approximately 31.5 hectares of land at 5, 10 & 11 Campana Road and 467 & 485 Puhinui Road (State Highway 20B), Papatoetoe (the subject land) from Future Urban Zone to Business - Light Industry Zone, with accompanying revised Puhinui Precinct provisions, be **accepted** under Clause 25(2)(b) of Schedule 1 of the Resource Management Act 1991 for the reasons set out in this report.

Ngā kaihaina Signatories

Author	<p>Peter Reaburn Consultant Planner to Auckland Council</p>  <p>Signature: Date: 15 July 2025</p>
Reviewer	<p>Celia Davison Manager Central South</p>  <p>Signature: Date: 22 July 2025</p>

Clause 25 authority and decision

90. In accordance with Auckland Council Combined Chief Executives Delegation Register (updated June 2019), all powers, functions and duties under Schedule 1 of the Resource Management Act 1991, except for the power to approve a proposed policy statement or plan under clause 17 of Schedule 1, are **delegated** to Planning & Resource Consents Department Tier 4 Managers.
91. I have read the planner's report and recommendations on the private plan change request. I am satisfied I have adequate information to consider the matters required by the Resource Management Act 1991 and to make a decision under delegated authority.

Decision	I, Celia Davison, exercise the discretion provided under clause 35(2), Schedule 12 to accept the private plan change request by Campana Landowners' Consortium and accept the private plan change request under Clause 25(2)(b) of Schedule 1 of the Resource Management Act 1991.
Authoriser	<p>Celia Davison Manager Central South</p>  <p>Signature: Date: 22 July 2025</p>

Ngā tāpirihanga

Attachments

A Private Plan Change Request - Lodged Zone Plan and Provisions (superseded by Attachment E)

B Private Plan Change Request - Planning Report

C Detailed Assessment of Options under Clause 25 of the First Schedule, Resource Management Act 1991

D Letter from Watercare

E Second supplementary letter from Watercare and modified precinct provisions