

30 June 2022

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Sent by Email

For: Joe McDougall

**Private Plan Change request by Beachlands South Limited Partnership - request for further information**

1. We act for the Beachlands South Limited Partnership (**BSLP**). As you know, BSLP has lodged a private plan change request seeking to rezone 307 hectares of land to a mixture of urban zones and the Future Urban Zone on land adjacent to the existing coastal town of Beachlands (**Plan Change Request**).
2. We refer to your letter dated 25 May 2022 requesting further information from BSLP pursuant to clause 23(1) of schedule 1 of the Resource Management Act 1991 (**RMA**). Our client, quite reasonably in our view, is concerned that:
  - (a) a number of the requests reflect a fundamental misunderstanding of how the Auckland Unitary Plan (**AUP**) plans for Auckland's growth;
  - (b) a number of the questions are argumentative in tone, reflecting not uncertainty but clear understandings by the questioners who wish to convey personal points of view that differ from those expressed by the applicant's independent experts;
  - (c) notwithstanding that it is appropriate for the level of information sought under clause 23 to reflect the scale and significance of the Plan Change Request, other questions demand an unprecedented degree of detailed design of a kind that typically follows adoption of a plan change and the lodgement of resource consents; and
  - (d) information is sought concerning broader matters completely beyond the control of BSLP and which are not relevant to the Plan Change Request - including the range of possible responses over time by service providers such as Watercare and Auckland Transport.
3. Our concerns are detailed below.

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## Planning for Auckland's growth

4. The Plan Change Request will enable a high quality and large-scale urban development project, and represents an opportunity to take a holistic approach (as opposed to the ad hoc approach of the past) to urban growth and the form of Beachlands. In particular, the Plan Change Request:
  - (a) provides for the expansion of a Coastal Village as provided by the Regional Policy Statement;
  - (b) will support the development of employment opportunities within Beachlands, and the provision of new amenities (local retail, food and beverage and entertainment opportunities) that will complement the existing Beachlands town centre; and
  - (c) is supported by a transport network that reduces reliance on private vehicle trips.
5. Below we set out why much of the information sought in the requests is not appropriately sought under clause 23. However, we are nevertheless concerned that the requests Auckland Council (**Council**) has made reflect a fundamental misunderstanding of how the AUP plans for Auckland's growth.
6. A number of the planning requests (for example, P6 and P7) advance propositions about the consistency of the Plan Change Request with the quality compact urban form that the AUP seeks to advance. However, as is set out in more detail in the letter to BSLP from Russell Bartlett QC which is **attached** as **Appendix A** to this letter, these comments reflect assumptions that were rejected by the Auckland Unitary Plan Independent Hearings Panel (**IHP**) when it made its recommendations on the AUP.
7. Before the IHP, the Council's evidence on the proposed AUP objectives relating to a quality compact urban form proposed various amendments, including that urbanisation should be avoided outside the metropolitan area 2010, rural urban boundary (**RUB**), satellite towns, rural and coastal towns, and serviced villages.<sup>1</sup> That evidence also proposed establishing the RUB around rural and coastal towns,<sup>2</sup> on the basis that "[t]he Auckland Plan does not identify towns and serviced villages as a focus for growth".<sup>3</sup>
8. The IHP took a different approach:<sup>4</sup>

A secondary issue was that the growth of rural towns and villages posed a challenge to the quality compact urban form strategy by enabling growth outside the Rural Urban Boundary...

... the Panel does not recommend that the Rural Urban Boundary be placed around the rural and coastal towns and villages. The purpose of the control is to address the growth issues of those urban areas by identifying areas for future urbanisation. There is no evidence that this purpose needs to be addressed at the smaller towns and villages in the region. A better approach to controlling the growth of these towns and villages is by a combination of the restrictions on the intensity of rural subdivision and the expectation that any change of zoning, and in particular any change from a rural to an urban zone, will involve a structure planning process done in accordance with the structure plan guidelines in the Plan...

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1 Statement of evidence of Chloe Astra Trenouth on behalf of Auckland Council (Topic 013 Urban Growth) at [7.10].

2 Statement of evidence of Chloe Astra Trenouth on behalf of Auckland Council (Topic 013 Urban Growth) at [9.15].

3 Statement of evidence of Chloe Astra Trenouth on behalf of Auckland Council (Topic 013 Urban Growth) at [9.28].

4 Auckland Unitary Plan Independent Hearings Panel *Report to Auckland Council Hearing Topic 013: Urban Growth* (July 2016) at 14.

9. A number of the Council's clause 23 requests, particularly P6 and P7, advance very similar propositions to those advanced by the Council before the IHP. Before the IHP, the Council's position was that:<sup>5</sup>

[9.29] ... the Auckland Plan anticipates growth in rural and coastal towns and limited growth in villages (serviced and un-serviced). Proposals for new settlements are envisaged in the Auckland Plan only where they can demonstrate, in addition to the general matters to be considered for expansion of rural settlements, the following:

- (a) Sufficient demand for further urban land within the sub-regional area;
- (b) Accessible and adequate active transport, public transport and roading between housing, services, employment and recreation activities; and
- (c) Consistency with focusing growth in support of existing, community and infrastructure investment and commitments.

10. That approach was not accepted by the IHP. Its recommendations included:<sup>6</sup>

iii. enable the establishment of new or significant expansions of existing rural and coastal towns and villages through the structure planning and plan change processes in accordance with Appendix 1 Structure plan guidelines.

11. That recommendation is exactly what BSLP proposes as a part of this Plan Change Request. As Mr Bartlett QC puts it:

It is self-evident, but still necessary to record, that the Auckland Unitary Plan is an enabling document. It does not claim to have identified all growth options. By incorporating the Rural Urban Boundary/FUZ technique into the District Plan rather than the RPS, the IHP provided for Private Plan Changes such as [BSLP's] to be given consideration. The fact that [BSLP's] intended contribution to the housing supply was not modelled in the 2016 document is not a disqualifier from consideration or implementation.

12. The Council's clause 23 requests are not an opportunity for it to re-litigate the arguments that the IHP rejected. The Plan Change Request must be advanced on the basis of the AUP as it is written, which reflects the recommendations the IHP made.<sup>7</sup>

13. The development the Plan Change Request will enable if approved, promotes the quality compact urban form the AUP seeks to achieve.<sup>8</sup> As Mr Bartlett QC explains in more detail, the IHP was clear that when it referred to a quality compact urban form, it did not foreclose expansion of the existing urban area. Instead:<sup>9</sup>

The word 'compact' is usually understood as describing something closely packed or put together, or having its parts so arranged that they are located close together and not sprawling or scattered. In the field of town planning, the word has been used for many years to describe an urban area with clearly defined boundaries in which the residential and commercial districts are relatively close together.

...

The use of the word 'compact' in planning indicates not only density but also proximity... By focussing on an existing urban form of centres plus transport nodes and corridors, the Unitary Plan can promote compactness.

14. If approved, the Plan Change Request will enable a development that coherently expands the existing Beachlands town – it will exemplify a quality compact urban form.

<sup>5</sup> Statement of evidence of Chloe Astra Trenouth on behalf of Auckland Council (Topic 013 Urban Growth) at [9.29].

<sup>6</sup> Auckland Unitary Plan Independent Hearings Panel *Report to Auckland Council Hearing Topic 013: Urban Growth* (July 2016) at 15.

<sup>7</sup> The Council broadly accepted the IHP's recommendations in respect of Topic 013: Decisions of the Auckland Council on recommendations by the Auckland Unitary Plan Independent Hearings Panel on submissions and further submissions to the Proposed Auckland Unitary Plan (19 August 2016) at 15.

<sup>8</sup> AUP, B2.2.1(1).

<sup>9</sup> Auckland Unitary Plan Independent Hearings Panel *Report to Auckland Council Overview of recommendations on the proposed Auckland Unitary Plan* (July 2016) at 46.

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**Information requests under clause 23 of schedule 1**

15. As you are aware, under clause 23 the Council can require that a private plan change applicant provide further information necessary to enable the Council to better understand the:
- (a) environmental effects of the request;
  - (b) ways in which any adverse effects may be mitigated;
  - (c) benefits and costs, the efficiency and effectiveness, and any possible alternatives to the request; or
  - (d) nature of any consultation undertaken or required to be undertaken.
16. The information requested under clause 23 must be appropriate to the scale and significance of the actual or potential environmental effects anticipated from the implementation of the Plan Change Request.
17. The purpose of a request for information under clause 23 is to ensure that the Council has sufficient information to allow it to accept, adopt or reject the Plan Change Request under clause 25 of schedule 1. This is reflected in clause 23(6) which allows the Council to:
- reject the request or decide not to approve the plan change requested, if it considers that it has insufficient information to enable it to consider or approve the request.
18. The sufficiency of information provided must be understood in light of the underlying purpose of the Council's request: making an informed decision on the test in clause 25 as to whether the Plan Change Request should be accepted, adopted or rejected.
19. At the outset we wish to emphasise that BSLP is very willing to provide the Council with relevant and appropriate information that aids its understanding of the Plan Change Request and will work with Council officers to do so.
20. However, it is not appropriate for the Council to request information under clause 23 if the basis for that request is to:
- (a) tease out differences in expert opinion between BSLP and the Council's consultants; or
  - (b) seek broader information not relevant to the Plan Change Request.
21. Information requests under clause 23 are to ensure that the Council and its consultants have sufficient information to understand the Plan Change Request. Differences in expert opinion as to the merits of the Plan Change Request are resolved during the hearing process, not through further information requests. From our review of the clause 23 requests, while some of the requests have been separated between clause 23 requests and non-clause 23 requests, a large number of the requests are not considered to be further information requests. Where this applies, we have noted this in our response table and unfortunately will not be providing that information.

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**Information requested not appropriately made under clause 23**

22. Appendix 2 to your 25 May 2022 letter set out the specific further information requested, and the reasons for those requests. We refer, in particular, to the transport information requested (requests T1 to T56).
23. A number of the transport information requests are very detailed. In our view, they are not appropriately made within the scope of clause 23 and seek information that is not required to make a decision on whether to accept, adopt or reject the Plan Change Request. In fact, in some cases the level of information requested goes beyond that normally even required for a resource consent application. That level of detail goes well beyond what is required for a plan change and is completely unnecessary and inappropriate, even at the eventual hearing of this Plan Change Request.
24. Those inappropriate requests include those that relate to:
- (a) Detailed (as opposed to concept) intersection and roading designs (for example, requests T40, T43, T46, and T50);
  - (b) Future plan changes (for example, request T7);
  - (c) Detailed public transport route and schedule information (for example, requests T21 and T22);
  - (d) Medium Density Residential Standards (**MDRS**) related queries (for example T14, T19 and T26), as Auckland Council has not notified its plan change to give effect to the MDRS;
  - (e) Demand for growth in Beachlands (beyond what has already been provided) and justification against the Auckland Plan (for example, T24, T25, T26, T27, and T35); and
  - (f) Funding/CIP agreements beyond the transport triggers (for example, T21 and T56).
25. Similarly inappropriate requests are made in respect of economic matters, including those that relate to:
- (a) requests to update the housing capacity assessment based on the MDRS, given that the Council's plan change to give effect to the MDRS has not yet been notified and that the Council itself does not yet have growth assessments reflecting the MDRS (ECO1); and
  - (b) undertaking detailed statistical analysis for the purpose of demonstrating consistency of the Plan Change Request with internal Council assumptions (ECO2(c) and ECO7).
26. If the Council's decision is to accept the Plan Change Request, BSLP will work with the Council to ensure that there is sufficient information for the Council to grant the private plan change under clause 29 of schedule 1 of the RMA. However, BSLP will not presently be providing information that has been requested under clause 23 that relates to matters of detail beyond that required to understand the Plan Change Request.

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27. Once BSLP has provided the information that is appropriately requested under clause 23, the Council will have more than sufficient information to understand the matters listed in clause 23(1)(a) to (d).

### Information requested regarding infrastructure provision

28. BSLP accepts that in order for land to be rezoned for residential redevelopment, there needs to be a commitment to provide the necessary infrastructure, so that residential development is aligned with the provision of necessary services.<sup>10</sup>
29. However, some of the information requests (for example, T14, T18, T19, T22 and T26) appear to labour under a misapprehension that for the Plan Change Request to be approved, BSLP is obliged to resolve existing infrastructure issues, or infrastructure issues arising out of other changes that will be made to the AUP (for example, the implementation of the MDRS in the existing residential areas).
30. In our view, case law is clear that an applicant in a private plan change request is not required to resolve infrastructure problems outside the boundaries of its development but it is required manage the effects of its development.
31. That follows from the Environment Court's decision in *Landco Mt Wellington v Auckland City Council*<sup>11</sup> where one of the issues to be considered was the adverse effects on the roading network of the additional traffic generated by an application for a private plan change in respect of the former Mt Wellington Quarry (now the Stonefields subdivision). The Court held that:

[10] We need to begin this part of our decision by stating three clear premises. First, this appeal is not the opportunity to solve the traffic problems of Auckland City or even just the Tamaki Edge. The proposal stands or falls on its own merits, and **its proponents are not required to resolve infrastructure problems outside its boundaries** although they may be required to contribute, by way of financial contributions, to the cost of doing so.

...

[18] We are certainly not sanguine about the traffic situation, but then nobody is. The best that can be said about it is that the expert evidence is that the traffic effects within and immediately surrounding Stonefields can be managed effectively. **It is for the Council and the other roading and transport organisations to manage the wider network**, and public transport, to cope with the present loads and future growth, wherever in the region that might occur.

(Emphasis added)

32. Subsequent Environment Court decisions have confirmed the approach taken in *Landco*. In particular in *Laidlaw College Inc v Auckland Council* the Environment Court referred to the *Landco* decision, holding that:<sup>12</sup>

Whilst **we agree with the general principle that an applicant is not required to resolve existing infrastructure problems, neither should it add significantly to them**. The question is always one of degree depending on the facts of each case. The focus must be on the effects which arise from a particular proposal. (Emphasis added)

33. The recent five Drury plan change decisions have all confirmed this is the correct legal approach. For example, the decisions on PC48 and PC49 provided the following

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<sup>10</sup> *Foreworld Developments Ltd v Napier City Council* EnvC Wellington, W8/2005, 2 February 2005 at [15].

<sup>11</sup> *Landco Mt Wellington v Auckland City Council* [2009] NZRMA 132.

<sup>12</sup> *Laidlaw College Inc v Auckland Council* [2011] NZEnvC 248 at [38].

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summary of the case law underpinning the hearings panels' approach to whether there was sufficient integration between infrastructure, funding and land use:<sup>13</sup>

Legal Counsel for the three plan changes as well as submitters (eg ACS/AT and Waka Kotahi) set out the relevant case law in relation to the provisions of transport infrastructure. The most often cited cases (among many) included *Landco Mt Wellington v Auckland City Council*, *Laidlaw College Inc v Auckland Council* and *Foreworld Developments Limited v Napier City Council*. The principles to be taken from these authorities are that:

- It is not the responsibility of a single developer to resolve existing transport issues across a wide area (*Landco*);
- That it is the responsibility of a developer to address the direct effects of its proposal and not significantly contribute to the existing problems (as the Court clarified in *Laidlaw*);
- That it is bad resource management practice and contrary to the purpose of the RMA to zone land for an activity when the infrastructure necessary to allow that activity to occur without adverse effects on the environment does not exist, and there is no commitment to provide it (*Foreworld*); and
- Zoning or resource consent decisions should not raise un-meetable expectations (*Foreworld*).

34. In both PC48 and PC49 the hearings panels held that:<sup>14</sup>

We accept that it will take many years for the land subject to the Plan Changes to be fully developed. In this context it is efficient and rational to allocate resources to infrastructure at a rate that is coordinated and integrated with the urban development that it is to serve. This coordination is the purpose of the Staging of Development with Transport Upgrades provisions

35. Much of the information sought goes well beyond our client's obligations to provide infrastructure to serve this development, and as a result BSLP will not be providing this information. If the Council accepts this Plan Change Request, and when the Council makes a substantive decision on it, BSLP will need to provide sufficient information to satisfy the independent hearing commissioners how it will provide the transport infrastructure required to address any additional adverse transport effects arising from its development. However at this point in time the transport triggers are more than sufficient to ensure that development will not proceed until the appropriate transport infrastructure is in place.

### Next Steps

36. Apart from those requests that are not appropriately made under clause 23 of schedule 1, BSLP will respond to the matters raised in the attachments to your letter. Once that information has been provided, the Council will have more than sufficient information to understand the matters listed in clause 23(1)(a) to (d).

37. Please contact us if you have any questions.

Yours faithfully  
SIMPSON GRIERSON



Bill Loutit / Sarah Mitchell  
Partner / Senior Associate

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<sup>13</sup> At [214] of the PC48 decision and [217] of the PC49 decision.

<sup>14</sup> At [212] of the PC48 decision and [215] of the PC49 decision.

**Appendix A: letter to BSLP from Russell Bartlett QC (27 June 2022)**



27 June 2022

Russell Bartlett QC

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e bartlett@shortlandchambers.co.nz

John Dobrowolski  
Program Director  
Beachlands South LP  
Russell Property Group  
Email: [John.Dobrowolski@russellgroup.co.nz](mailto:John.Dobrowolski@russellgroup.co.nz)

### Beachlands South Proposed Plan Change

1. I have now had the opportunity to review the draft responses to Auckland Council's clause 23 requests for further information. In my view, the information more than meets the standard of what is required. That standard is carefully analysed in Bill Loutit's covering letter, with which I agree.
2. In respect of the questions relating to statutory planning, the Unio response is appropriate, noting that underlying many of the questions is a tone of cross-examination, of a kind expected from decision-makers at a hearing, rather than from Council advisers seeking a better understanding of a proposal.
3. I am concerned that Council's planning advisers may not be fully recalling the background to the key Unitary Plan provisions under consideration and to that end, have reviewed the relevant Auckland Unitary Plan Panel reports, with particular reference to IHP Report - Topic 013 Urban Growth. I offer some brief comment on the provisions of interest.
4. I am most concerned to ensure that the reporting and hearing process that is to come does not turn into a rerun, at your expense, of Council staff and adviser arguments that failed before the Independent Hearings Panel. Ms Trenouth is entitled to her personal and professional views, but her current reporting role involves applying the provisions she is on record as opposing, not continuing to contest them. I will provide further commentary on this, including consideration of your legal remedies, in a separate privileged communication.
5. Below with brief comments are the provisions of interest – the emphasis is mine:

***“Headlines***

6. ***Enable the growth and development of new or existing rural towns and villages.”***

**Comment:** This is a general enabling provision. It is not cross-referenced or in any way limited to any specifically identified growth areas and allows for new growth and development proposals to be considered on their merits.

**Page 8**

*"In all cases, the statements in this list are to be read as recommendations. The Panel wishes to stress that it has given a great deal of thought to ensuring that **its recommendations are integrated and consistent**. Any decision to amend or reject a recommendation should include consideration of the consequential changes that may need to be made to other parts of the Unitary Plan to maintain overall integration and consistency."*

**Page 9**

**"1. Executive summary**

*The purpose of the Resource Management Act 1991 is a complex combination of enabling people to live their lives while protecting the natural and physical resources that support life and make it worth living."*

*The overarching approach to a combined resource management plan for Auckland starts with the development strategy for **a quality compact urban form** as set out in the Auckland Plan. Based on existing centres and corridors, and taking into account over 50 years of statutory planning, this strategy recognises the **multi-nodal framework of urban development** within Auckland's geographic constraints."*

***By utilising several methods for greenfield development and brownfield redevelopment, this response provides multiple ways of accommodating growth."***

**Comment:** "Quality compact urban form" is a description that applies to future urban development generally, not only to that within the Rural Urban Boundary. One of the "methods" of achieving it is the identification of FUZ areas and their ultimate receipt of live zoning. Another method provided for is the expansion of existing towns through the structure planning process, as would apply at Beachlands South. This contemplated pathway does not appear to be acknowledged or even understood by the authors of the clause 23 planning questions.

**Page 10**

*"In summary, the recommendations for managing use and development to provide for growth are listed below.*

- ii. *Concentrating residential intensification and employment opportunities in and around existing centres, transport nodes and corridors so as to encourage consolidation of them while:*
  - a. *allowing for some future growth outside existing centres along transport corridors where demand is not well served by existing centres; and*
  - b. ***enabling the establishment of new centres in greenfield areas after structure planning.***

- iii. ***Enabling the growth and development of new or existing towns and villages outside the Rural Urban Boundary.***

**Comment:** As for page 9 above. Unexpectedly the questioners seem to be reading “enabling” in this context as “discouraging” or even “preventing”.

**Page 14**

*“In all cases, the changes are to be read as recommendations. The Panel wishes to stress that it has given a great deal of thought to ensuring that its recommendations are integrated and consistent.”*

**Comment:** Again, this confirms that the quality compact urban form objective is achievable through the processes contemplated for the expansion of rural towns.

**Page 36**

**“5. The Panel’s overall approach**

**5.1. Resource management principles**

*To that list the Panel would add the following as principles of sound resource management practice which it has followed throughout this process.*

- x. *The Unitary Plan must be read as a whole. All parts relevant to a resource management issue must be considered when that issue arises in relation to an application, plan change or notice of requirement. **Unless expressly stated, there is no internal hierarchy within lists of objectives, policies and rules.***

**Comment:** Of the “several methods” for greenfield development referenced in the Executive Summary quoted above, none has greater status than any other.

**Page 44**

**“5.4. Quality compact urban form**

*There is no definition of ‘quality compact urban form’ in the Auckland Plan or in the Unitary Plan as notified.”*

**Page 47**

**“6. Enabling growth**

**6.1. Summary**

*The Panel recommends the following approaches to increase residential, commercial and industrial capacity.*

- vii. *Expand the Rural Urban Boundary to include 30 per cent more land area targeted for future urbanisation, and **not impose a Rural Urban Boundary around smaller towns and villages so they are able to grow organically.***

**Comment:** Beachlands is presently subject to the finite natural boundaries of the sea to the west and to the north. To the east is the defensible boundary of Whitford-Maraetai Road. “Organic growth” can only take place to the south, that is by crossing Jack Lachlan Drive and developing the Formosa Golf Course, subject to appropriate structure planning. Development from there can generally proceed in a southerly direction (with incorporation of the small lots to the east on Whitford-Maraetai Road), again as contemplated by the Proposed Plan Change.

**Page 65**

**“7. The Rural Urban Boundary**

**7.2. The need for certainty and the location of the method**

*While the desire of the Council to achieve planning certainty about growth over the next 30 years is understandable, the Panel does not consider that it promotes the purpose of sustainable management to lock in land supply and infrastructure decisions over such a long period when the environment and the needs of people are constantly changing. Resource management planning needs to be responsive to the dynamic processes of urban growth.”*

**Comment:** Council’s recent decision to withdraw Proposed Plan Change 5 (Whenuapai) which it had approved for notification in 2016 reinforces the importance to resource management planning of there being a right to promote and litigate Private Plan Changes that are responsive to the dynamic processes of urban growth.

**Enabling Growth**

6. Annexed to Report 013 as Annexure 1 is a document called “**Enabling Growth**”. At page 9 as Item (6) is the heading “**Other potential dwelling supply not included**” with the following words:

*“In addition to the capacity identified above, the various plans also provide the potential for additional development opportunities (or may preclude opportunities modelled) that are not specifically modelled or considered.*

*These include:*

- 
- 
- 
- **Future Plan changes and variations.**

*A range of other factors that could increase or decrease outcomes over the 30 year horizon from the ACDC sourced totals (noting these outputs are not in and of themselves a forecast) are outlined in the 013EG reports – overall these matters are*

*considered to be relatively self-compensating, especially in the regional aggregate and over the longer term."*

**Comment:** It is self-evident, but still necessary to record, that the Auckland Unitary Plan is an enabling document which offers a range of growth options. By incorporating the Rural Urban Boundary/FUZ technique into the District Plan rather than the RPS, the IHP provided for Private Plan Changes such as yours to be given consideration. The fact that your intended contribution to the housing supply was not modelled in the 2016 document is not a disqualifier from consideration or implementation.

## **Conclusion**

7. The Resource Management Act 1991 provides for private plan changes of the kind that you are promoting. The Auckland Unitary Plan Panel took great care to refer to there being *"several methods for greenfield development"* and *"multiple ways of accommodating growth"*. The Panel referred to there being *"additional development opportunities through future Plan Changes"* in addition to the capacity identified in their reports to Auckland Council. The difference in approach from what the Panel said and that taken by your Council questioners does not involve matters of interpretation or subtle differences in legal opinion. The plain meaning of the words confirming the validity of your approach is quite clear.
8. Regrettably, another key aspect of analysis not pursued in the Council questioning relates to the quality of the living environment that the supporting plans demonstrate can be achieved. That takes us back to the Executive Summary quoted at the beginning as to the RMA purpose of *"Enabling people to live their lives while protecting the natural and physical resources that support life and make it worth living"*.

Yours faithfully



**Russell Bartlett QC**

14 July 2022

Auckland Council

Central & South Planning - Plans and Places

Attn: Joe McDougall – Policy Planner

By email

Dear Joe,

**RE: Beachlands Souths Private Plan Change – Response to Clause 23 Request for Further Information**

In response to your Clause 23(1) letter dated 25 May 2022 requesting for further information in respect of the private plan change request by Beachlands South Limited Partnership (BSLP), we provide the enclosed response for your review and consideration.

As per the advice from BSLP’s legal counsel (Simpson Grierson and Mr Russell Bartlett QC) in their letters dated the 27<sup>th</sup> and 30<sup>th</sup> June 2022, some of the information requested are not Clause 23 matters and we will therefore not provide that information. This is reflected in our response that follows. With the information provided, we are confident that the Council has sufficient information to understand the plan change request, accept the request and notify the request at the earliest opportunity. BSLP would be pleased to meet with the Council to discuss the plan change request and further information provided. We will be in touch to arrange a suitable time for this meeting.

The following is a consolidation of responses provided from BSLP’s independent experts relative to the respective disciplines of the information requests.

For ease of reference, our response follows the same tabulated format as your Clause 23(1) further information request and we have included our response in the ‘Applicant’s Response’ column. This response is supported by the following attachments:

- Attachment 1 – Certificates of Titles
- Attachment 2 – [Updated] Appendix 29 Consultation Summary Report
- Attachment 3 – [Updated] Section 32 Analysis Report<sup>1</sup>
- Attachment 4 – RPS Objectives and Policies Assessment Table
- Attachment 5 – Crown Infrastructure Partners Letter

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<sup>1</sup> To be provided separately and subsequent to this response.



- Attachment 6 – Geotechnical Risk Zones Map
- Attachment 7 – [Updated] Beachlands South Precinct provisions
- Attachment 8 – Transportation Response
- Attachment 9: Masterplan and Precinct Plans
- Attachment 10: Stormwater Management Plans
- Attachment 11: Policy B5.2.2 Historic Heritage Assessment
- Attachment 12: Coastal Hazard Section Map

At the time of preparing this response, further information in respect of the landscape/visual, ecology and transport (items T6 and T38 only) disciplines are still to be provided. We will provide those responses separately and at the earliest opportunity once completed.

We trust that this response sufficiently addresses the matters raised in your letter. Should you have any questions or wish to discuss further please do not hesitate to contact us.

Yours faithfully

**Unio Environmental Ltd**

Vijay Lala / Nick Roberts / Mary Wong

Copied to:

- John Dobrowolski – Beachlands South LP, Program Director
- Russell Bartlett QC – Counsel for Beachlands South Limited Partnership
- Bill Loutit / Sarah Mitchell – Simpson Grierson, Counsel for Beachlands South Limited Partnership

**UNIO Environmental**

PO Box 91562, Victoria Street, Auckland 1142, New Zealand

## Appendix 2:

### Further information requested under Clause 23 First Schedule of the Resource Management Act 1991

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#	Category of information	Specific Request	Reasons for request	Applicant's Response
<b>Planning, statutory and general matters – Joe McDougall and Chloe Trenouth</b>				
P1	General	Please provide Certificates of Title for the properties that fall within the PPC area.	It is unclear whether there are any encumbrances on the titles of land that fall within the PPC area.	Refer CTs attached in <b>Attachment 1</b> .
P2	Consultation	Please advise whether the owners of the land not owned by BSLP within the PPC area have been contacted regarding the development of the PPC and lodgement?  What were their views regarding their land being the subject of a private plan change to change the zoning from Countryside Living Zone and associated precinct?	Given that the parcels of land not in BSLP ownership are reasonably significant in size and have direct access to the Whitford-Maraetai Road it is appropriate to understand the views of the landowners about the proposed plan change and how it would affect their land.	Yes - consultation has been undertaken with these individual property owners during the public consultation days on the 3 <sup>rd</sup> and 4 <sup>th</sup> December 2021.  This consultation/engagement has been captured in the updated PC documents and Consultation Summary Report provided as <b>Attachment 2</b> .
P3	Consultation	Please confirm whether the consultation with AT, Watercare and MoE involved the proposal in its current form (to rezone 307ha of land and provide for up to 4000 dwellings plus the range of	We require this information to understand the full effects of the proposed new infrastructure provision and the impact on existing surrounding infrastructure. The proposal is also in the interest of the infrastructure providers and asset owners who will maintain the proposed assets in the future and may reasonably expect greater pressure on their existing assets. As such their feedback on the PPC	Yes – consultation has been undertaken with Watercare, AT and the MoE. This is provided in the updated Consultation Summary Report and Section 32 report provided as <b>Attachment 3</b> .  In summary, a presentation and feedback session were held with both Watercare and AT. Watercare

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		<p>business zones which feature in the current PPC)?</p> <p>Please describe who attended the presentations and/or discussion from AT, Watercare and the MoE?</p> <p>Please describe the feedback from these organisations to the current 307ha proposal comprising the zoning, as lodged and whether any changes were made in response to feedback?</p>	<p>(as lodged) and its alignment with their own plans and strategies is required.</p>	<p>advised that they were keen to continue to engage with BSLP regarding the wastewater and water supply treatment and reticulation systems for the plan change area. Watercare advised they would most likely be submitter on the plan change.</p> <p>AT have provided more detailed feedback raising similar issues to those raised by Auckland Council. AT advised they would most likely be a submitter to the plan change and therefore provided their feedback on a without prejudice basis.</p> <p>Given both Watercare and AT have advised they will be submitters on the Plan Change it is appropriate to await those submissions before engaging with those parties further. BSLP may however may engage further with AT or Watercare however this does not need to hold up the processing of the Plan Change.</p> <p>In terms of MoE, BSLP first engaged with the Ministry in June 2020 in respect of the proposed education solutions for Beachlands and the opportunity to plan and provide for education opportunities within the PPC area. Since that initial meeting, four subsequent meetings with representatives from the MoE have occurred which</p>

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				is further detailed in the Consultation Summary Report provided with this response.
P4	Urban Growth	Please include an assessment of all relevant RPS objectives and policies relating to urban growth, specifically address Objective B2.2.1(2).	<p>Section 8.1.2 of the section 32 discusses the objectives and policies of B2.2 Urban Growth. While Objective B2.2.1(2) is listed as relevant there is no assessment provided against this objective.</p> <p>The section 32 report discusses the AUP objectives further under themes in section 10.4. Theme 1 includes all relevant objectives apart from Objective B2.2.1(2) which seeks that urban growth is primarily accommodated within the urban area 2016. This objective is a key element of the AUP growth strategy and needs to be assessed in the section 32 evaluation to understand whether the plan change gives effect to the RPS as a whole.</p>	<p>Section 8.1.2 of the Section 32 Analysis Report provides an assessment of the relevant objectives and policies for B2.2 Urban Growth Form. Objective B2.2.1(2) refers to urban growth within the RUB. As this PC is outside the RUB and is for the expansion of an existing coastal town, this objective and associated policies are considered to be of little relevance to this Plan Change request. The Plan Change request is for an expansion to an existing coastal town under section B2.6 of the RPS and an assessment of the corresponding relevant objectives and policies has been provided in section 8.1.1 of the Section 32 Analysis Report.</p> <p>In any case, Objective B2.2.1(2) seeks that urban growth is primarily accommodated within the urban area 2016. This objective relates to development contemplated within the RUB and not to plan changes that seek to extend the RUB or expansions of existing coastal towns as is the case here.</p> <p>For completeness, a full analysis table of the PPC request against the RPS objectives and policies has</p>

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				been prepared and this is enclosed as <b>Attachment 4</b> of this response.
P5	Urban Growth	Please provide evidence of the cited market demand for development on the subject site, noting the existing Countryside Living Zoning and precinct provisions for the subject land.	Appendix 1, requires structure planning to identify, investigate and address the future supply and projected demand for residential and business land in the structure plan areas to achieve an appropriate capacity to meet the sub-regional growth projections in the Auckland Plan. (1.4.1 Urban Growth).  Understanding cited market demand against the context of the existing planning environment is important to determine whether additional land is required to meet demand in the sub-region.	It is not considered necessary to supply evidence of cited market demand to justify this Plan Change. This matter is addressed further in BSLP's legal counsel letters attached to the front of this response.
P6	Urban Growth	Please clarify statement on p24 of the s32 Analysis which refers to a "Auckland Plan <b>goal</b> of 6% of Auckland's minimum dwelling target to be accommodated in rural area" as there is no aimed growth goal.  In order to assess the PPC against the Auckland Plan 2050 Growth Strategy, please provide information congruent with the	The Auckland Plan refers to anticipated growth of 6% in the rural areas (excluding future urban areas) that is focused in the existing countryside living zone (as mentioned in the Property Economics analysis) – with the intention of limiting residential growth in rural areas to maintain their values and support ongoing rural production. The PPC in this case does not appear align with the growth strategy for rural areas.  While the s32 identifies that the live zone area would provide 12.2% of the total growth anticipated in the rural area, it does not acknowledge the further capacity that would be provided by the FUZ. Therefore the full PPC would actually provide a greater proportion of	This is a high-level statement in the Auckland Plan (which is a non-regulatory document) that growth is enabled in rural areas and the Council hopes this is about 6% of the overall growth. It is not a hard and fast limit, or a rule. It is therefore not for BSLP to have to do an analysis of whether this has occurred across the Region and is not a clause 23 matter.  This statement simply recognises there is anticipated growth in rural areas and that the Plan Change will provide for a portion of that growth. This matter is addressed further in BSLP's legal

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		aims of the Auckland Plan with regards to residential growth.	<p>this anticipated growth, which should also be reflected by the assessment.</p> <p>Please provide further information that accurately demonstrates to what extent the PPC aligns with the directions of the Auckland Plan growth strategy in accordance with Appendix 1 of the AUP:OP.</p>	counsel letters attached to the front of this response.
P7	Urban Growth	Please justify Beachlands-Maraetai as an appropriate location for growth in the context of the Auckland Plan Growth Strategy reflecting on the other areas already planned and sequenced for investment over the next 30 years, in addition to previously granted PPCs?	<p>Beachlands-Maraetai is not identified as a focus area for urban growth in the Auckland Plan Development Strategy because it was previously determined to be inefficient due to the large-scale investment in infrastructure that would be required to support such growth. Other large areas are identified for growth because they can more easily be serviced enabling integration of land use and infrastructure, which are in turn supported by subsequent strategies and plans.</p> <p>It is not clear from the information provided how the PPC is consistent with the Auckland Plan 2050's "quality compact approach" that requires integration of land use and infrastructure. Further information is required to understand how the PPC provision for growth compares to the existing growth strategy and priorities for urban growth.</p>	<p>It is not considered necessary to provide this justification against the development strategy based on its earlier decisions as explained by BSLP's legal counsel.</p> <p>The infrastructure required to support future urban development for land within the PPC with proposed urban zonings can be provided and funded, as set out in the Section 32 Analysis Report and supporting technical reports. The proposed provisions for the PPC area also specify thresholds and the required infrastructure to be coordinated and implemented with particular thresholds of development and activities. That is to ensure land use and infrastructure integration in a way that occurs contemporaneously, and in a complementary manner over time.</p> <p>In our view, the Plan Change area is considered to be appropriate because it provides for the</p>

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				expansion of an existing coastal town in accordance with the RPS provisions (B2.6) and is within a walkable catchment to an existing ferry terminal. As a result, the location is considered to be a highly appropriate location for quality, compact urban growth.
P8	Infrastructure	Please confirm whether there is any proposed transport, wastewater, stormwater management and any other infrastructure proposed for servicing the land to be 'live' zoned, which would be located within land not owned by BSLP.	We require this information to understand the potential effect of proposed infrastructure provision on land not owned by BSPL.  This potentiality presents additional complexity if any proposed infrastructure cannot be completed due to landowner conflict. This information is also interest of the other landowners whose land is part of the plan change area.	We confirm that all transport, wastewater, water supply and stormwater requirements for the 'live' zoned land will be provided within land owned by BSLP. Therefore, BSLP has full control to deliver the necessary infrastructure to support future urban development on the live zoned land.
P9	Infrastructure	Please provide the latest update on the funding plan for future infrastructure network, including upgrades to roads and ferry services in accordance with Appendix 1.5.5(b) of the AUP(OP).  The funding plan should:	A SPV under the Infrastructure Financing and Funding Act has been proposed to fund infrastructure that is considered necessary for the development. This appears to include some but not all aspects of a ferry service upgrade, local roads, wastewater, water supply, stormwater and possible some external intersection upgrades. Also, there is some infrastructure that this will not include such as the AT designation.	From a planning perspective, the key point to note here is that the infrastructure required to provide for the development outcomes enabled by the Plan Change are controlled through the plan change provisions. This means that the transport, wastewater, water supply and stormwater requirements of development are required to be implemented as development within the plan change

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		<ul style="list-style-type: none"> <li>itemise new or upgraded infrastructure the applicant believes is necessary to service the plan change area</li> <li>estimated to cost to install and operate for each item</li> <li>who is expected to pay for each item</li> <li>if the applicant is proposing to meet that cost, identify whether it is by way of an SPV or another method.</li> </ul> <p>The above applies to transport, wastewater, water supply and stormwater infrastructure. Ideally the costs should be identified for the first 10-year period and for the subsequent two decades after that.</p> <p>If known, for the proposed Special Purpose Vehicle, please:</p> <ul style="list-style-type: none"> <li>identify whether a recommender has been appointed</li> </ul>	<p>While acknowledging that this is likely to be an ongoing effort between the applicant and funding sources, could you please provide an update on the outcomes achieved to date towards a detailed funding strategy necessary to outline the programme for funding and delivery of infrastructure.</p> <p>Further understanding of the funding strategy necessary to outline the programme for funding and delivery of infrastructure required as a result of the plan change is required in accordance with CI23.</p> <p>Noting in particular:</p> <p><b>Public Transport</b></p> <p>There are some PT project proposals or concepts that will need future funding to progress or be actioned:</p> <ul style="list-style-type: none"> <li>Service changes – weekend Pine Harbour ferry services (trial currently underway).</li> <li>Service changes – a new ferry feeder bus service, running from Maraetai to Pine Harbour ferry wharf (7 days a week).</li> <li>A new terminal outside the marina to allow larger boats and more frequency – as the existing site cannot accommodate the larger vessels required or any increase in peak service frequency (noting this is very expensive and with a very long lead time).</li> </ul>	<p>area progresses. From a planning perspective this is the key matter that needs to be taken into account and assessed.</p> <p>In support of the planning provisions, BSLP have been in discussions and working with Crown Infrastructure Partners (CIP) since August 2021 regarding a possible Infrastructure Funding and Financing (IFF) solution for the development of the plan change land. As is usual with such arrangements confirmation of zoning is necessary to enable a proper needs and benefit analysis to be completed and agreement on what infrastructure is required and when. These can only be finalised to the level of detail requested by Council once the zoning and the plan change provisions are confirmed.</p> <p>Regardless, CIP have provided the attached letter (refer <b>Attachment 5</b>) which confirms the following:</p> <ul style="list-style-type: none"> <li>The letter supports the plan change which potentially proposes an IFF solution;</li> <li>CIP confirms the discussions are positive and they look forward to progressing an IFF with BSLP;</li> <li>Approximately \$75m of infrastructure funding levied per apartment and house appears to be reasonable; and</li> </ul>

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		<ul style="list-style-type: none"> <li>• identify whether the recommender's report has been provided to the relevant minister under section 26(3) of the Infrastructure Financing and Funding Act 2020</li> <li>• identify the levy area</li> <li>• provide the estimated levy cost per property.</li> </ul> <p>Please also confirm the dwelling yield and job numbers expected in total and by proposed urban zones.</p>	<p><b>Roading</b></p> <p>There are no specific projects for Beachlands included in the Regional Land Transport Plan 2021-2031 (our 10 year funding document) or ATAP (Auckland Transport Alignment Project) the 2021-2031 investment programme developed by a cross-agency partnership including the Ministry of Transport, Waka Kotahi NZ Transport Agency, KiwiRail, the Treasury, Auckland Council, Auckland Transport and State Services Commission.</p>	<ul style="list-style-type: none"> <li>• The balance of infrastructure costs for the Live Zone land will be funded from infrastructure connection fees to BSLP's wastewater, water supply and stormwater infrastructure.</li> </ul> <p>The \$75m plus any connection fees is proposed to fund the following:</p> <ul style="list-style-type: none"> <li>▪ Transport upgrades identified within the plan change as these are determined by the transport assessment as being attributable to the effects of development within the plan change land. This may also include some localised interim public transport feeder services</li> <li>▪ Ferry service improvements</li> <li>▪ Wastewater network</li> <li>▪ Water supply network</li> <li>▪ Stormwater network</li> </ul> <p>Overall, it is considered that sufficient information has been provided to respond to this infrastructure funding query.</p>
P10	Infrastructure	Please provide an assessment of all relevant RPS objectives and policies relating to infrastructure,	Section 8.1.8 of the s32 addresses the objectives and policies in B3 Infrastructure, Transport and Energy but only in a very general way	Section 8.1.8 of the Section 32 Analysis Report provides an assessment of the PPC against the

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		<p>specifically address Objectives B3.2.1(1) which requires the infrastructure is resilient, efficient and effective.</p>	<p>and does not address Objective B3.2.1(1) which is important because it relates to the quality of infrastructure.</p> <p>It is not clear whether the proposed water and wastewater infrastructure will meet this objective and further assessment is required to better understand how provision, operation and maintenance would ensure infrastructure is resilient, efficient and effective.</p>	<p>relevant objectives and policies for B3 Infrastructure, Transport and Energy of the RPS.</p> <p>In reference to objective B3.2.1(1), our view is that this objective is more aligned with the subsequent development process that will follow the Plan Change process.</p> <p>It is clear that any infrastructure provided will meet this objective and any associated policies because it will be subject to a separate subsequent consenting process. These processes are thorough and rigorous and will ensure a resilient, efficient and effective infrastructure network will be provided to service the plan change area. The technical reports provided demonstrate that an appropriate infrastructure network is feasible.</p> <p>Additionally, objective B3.2.1(1) and the associated policies are given effect to in Chapters E26 and E27 of the AUP and are further supported by the proposed infrastructure standards within the precinct provisions.</p> <p>For completeness, a full analysis of the plan change request against the RPS objectives and policies is provided in <b>Attachment 4</b>.</p>

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P11	Infrastructure	Please provide an explanation in regard to how the proposed water and wastewater infrastructure and utility management company aligns with the objectives of the three waters reform.	<p>Review processes to support the three waters reform have revealed that smaller communities are particularly vulnerable to poorer quality drinking water. The reforms are focussed on the effectiveness of the regulatory regime for three waters, the capability and sustainability of water service providers, affordability and reliability. These imperatives should be considered as part of land use change decisions. Piecemeal water infrastructure provision operated by private entities appears out of step with the direction of the reform process and will require careful oversight to protect human health.</p> <p>Further information is required to better understand the risks of potentially not meeting public infrastructure standards.</p>	<p>This is not considered to be a relevant Clause 23 request. Should any matters relevant to this Plan Change arise out of the Water Services Entities Bill once enacted, it will be addressed at that time. There is no basis for any suggestion that the quality of water supplied to the Plan Change area will be of any lower quality than water supplied by one of the aggregated water services entities to be established through the three water reforms. Nor does the proposed "water and wastewater infrastructure and utility management company" pose any greater risk of not meeting public infrastructure standards compared to these proposed entities.</p> <p>In particular, it is noted that Pine Harbour Living Limited, with which BSLP has a confirmed potable water supply agreement, is subject to the obligations that apply to drinking water suppliers under the Water Services Act 2021, including ensuring that the drinking water supplied complies with the drinking water standards and registration and reporting requirements.</p> <p>Similarly, the treatment and discharge of wastewater will be appropriately controlled by the conditions of any future discharge consent.</p>

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P12	Infrastructure	Please clarify whether the PPC water and wastewater assets align with the Watercare Asset Management Plan.	<p>Section 8.24 provides discusses Watercare's Asset Management Plan but does not explain how the centralised wastewater treatment plant relates to this plan. It is not clear whether it is intended that this asset be vested with Watercare and therefore will be included within a future Asset Management Plan.</p> <p>It would be helpful if this section of the report clarified whether the AMP includes any relevant infrastructure that will support the PPC.</p>	<p>This is not considered to be a relevant Clause 23 request. Whether or not the water and wastewater assets will be taken over by Watercare and/or adopted into their AMP is a future issue for discussion between BSLP and Watercare.</p> <p>The matter to be determined for the Plan Change is whether there is sufficient and suitable water and wastewater networks to service the Plan Change area. This is confirmed in the Section 32 documentation provided, the supporting technical reports and the provisions of the Plan Change.</p>
P13	Infrastructure	Please provide more clarity around the availability of sufficient ground water source and the anticipated process for obtaining permits for additional bores for water supply.	<p>The s32 (p115) states that potable water supply will be supplemented by additional bores and that it is proposed to apply for required permits during the processing of the PPC in order to confirm sufficient water is available to serve the PPC land. Although the water demand is identified it is not clear whether there is adequate groundwater to support the supply needed.</p> <p>Further information is required to understand whether the PPC can be serviced and the extent to which certainty can be provided that permits can be obtained for the additional bores required. It is not clear whether there are any potential risks to the proposed water supply concept.</p>	<p>GWE have provided technical analysis to support the availability of water required for the Plan Change area, including both the 'live' zoned and FUZ land. Therefore, it is clear that there is adequate supply.</p> <p>This query from Council seems to allude that there is a difference in opinion between the experts as to the sufficiency of the availability of water in the aquifer. In any case, BSLP's view is that there is sufficient water supply for both.</p> <p>As noted in the Section 32 report and the query from Council, it is proposed to obtain the relevant</p>

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				permits as the Plan Change progresses. This will resolve the matter. In any case, there are provisions in the Plan Change that require water supply to meet the demands of development. Therefore, water supply must be confirmed prior to or at the same time development progresses.
P14	Sustainability	Please explain the nature of the 'modal shift' cited as a contributor to sustainability in the subject area, considering the impact of a significant number of trips which are not carried out by public transport.	<p>The s32 does not adequately explain the assumed modal shift and as such further explanation is needed to assess the level of sustainability. The promotion of sustainability through a modal shift to public transport is unclear, as new residents will be 'redirected' from other potential urban localities with existing public transport links.</p> <p>Additionally, the development of the PPC would ultimately result in thousands of new residents and additional private vehicles, plus the significant increase in vehicle use associated with the proposed commercial and community activities within the PPC. This is in comparison with very limited development and vehicle use under the current zoning and noting current residents can use the local ferry service now.</p> <p>A Travel Management Plan is identified in the BLS Sustainability Strategy (p25) to support modal shift but it is unclear how this will be realised. There are no provisions within the precinct to address the need for a travel management plan, is it anticipated that this would</p>	<p>Sustainability is a key attribute of the Beachlands South Precinct and this has been embedded in the proposed precinct provisions. In particular, objectives 1.3(7), (8) and (9) all emphasise the prioritisation of active modes and modal shift as key outcomes for Beachlands South and this is supported by policies 1.4(6), (12) and (17) as well as Precinct Plan 5 which identifies the indicative location of active modes throughout the plan change area. Any future development within the plan change area is required to be assessed against these objectives/policies and demonstrate how particular proposals will give effect to these provisions.</p> <p>All new buildings within the PPC area (except the development of up to 3 residential units in a residential zone) requires restricted discretionary activity consent. The matters of discretion and</p>

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			<p>be achieved through the existing requirements of the AUP:OP in Chapter 27 relating to trip generation?</p>	<p>assessment criteria specifically includes the Beachlands South Sustainability Strategy and the extent to which development achieves the outcomes outlined. Accordingly, any future development within the PPC area requiring consent will need to demonstrate how transport, mode shift and healthy streets (as one of six key outcomes in the Sustainability Strategy).</p> <p>To further strengthen the modal shift promoted and encouraged in the precinct provisions, I.10 Special Information Requirements have been updated to include the requirement for a Travel Management Plan for commercial activities within the plan change area.</p>
P15	Land ownership	Please clarify in reference to p117 of the section 32 analysis (9.11.2 Wastewater), whether the land disposal option requires land not owned by BSLP?	<p>The land area for disposal is named as the "FUZ zoned land and the 9-hole golf course part of the site..." (Option 2) or "Tertiary polishing wetland at the head of the western gully followed by discharge into the permanent stream in the western gully and subsequently to the coastal marine area" (option 3). Some of the land proposed to be zoned FUZ is currently not in ownership of BSLP.</p> <p>This potentiality presents further complexity if the proposed infrastructure cannot be completed due to landowner conflict. This information is also of interest to the other landowners whose land is</p>	Refer response above to P8 – all required infrastructure is to be located on land owned and controlled by BSLP.

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			part of the plan change area. Please provide further information as necessary for us to better understand the effects on the environment and any possible alternatives.	
P16	Land ownership	Please provide more detail on how the proposed residents' society will work for the excess neighbourhood and ecological open space that the council may not purchase?	<p>The plan change proposes private ownership of these excess areas within the form of a residents' society or similar taking on both the ownership and the maintenance of the excess open space which Council will be unable to maintain. It unclear if it is workable on a continual basis after development has fully concluded. We require more detail on how this would work at the scale proposed for it to be adequately assessed as a potential solution. This could include:</p> <ul style="list-style-type: none"> <li>• other known examples at this scale</li> <li>• the quantity and location of this excess open space</li> <li>• the number of properties that could be included to fund the open space maintenance</li> <li>• the estimated ongoing costs and how these costs will be distributed</li> <li>• any model or example agreements</li> <li>• how disagreements of conflicts will be resolved</li> <li>• how and to what extent will the public have access to these areas</li> <li>• what happens if the society or similar becomes insolvent or fails</li> </ul>	<p>This is considered to be a detailed resource consent and legal issue which does not need to be resolved at this stage of the planning process for the proposed rezoning of land.</p> <p>In our experience, appropriate legal protection mechanisms (such as a covenant or incorporated residents society) have proven to be effective and are not dissimilar to other large-scale residential projects with adopt the same and/or similar mechanisms. Examples where such mechanisms have been successfully implemented include large scale residential developments in Ockleston Landing, Hobsonville Point, Milldale and Long Bay.</p> <p>The bullet points listed opposite are considered to be detailed matters addressed at the resource consent stage and/or as part of any legal terms of agreement depending on the particular legal mechanism to be adopted. The key question for this plan change request is whether the appropriate framework is in place to appropriately manage these areas in the future once they are proposed to</p>

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				<p>be established as part of particular development proposals. In our view, the proposed precinct provisions do establish the appropriate planning framework to achieve the desired outcome and any detailed ownership, operation and maintenance and dispute resolution matters are detailed planning and legal matters to be considered in the future.</p>
P17	Flooding	<p>Please provide further explanation as to why the precinct provisions are the most appropriate to address flooding.</p>	<p>The s32 report (p118), in reference to flooding concludes that 'the precinct provisions are therefore the most appropriate'. Further discussion may have been intended here.</p> <p>Please provide additional information that demonstrates the alternatives that were considered to evaluate the proposed flooding solution, to allow for complete assessment with regards to flooding effects on site and for the surrounding environment to support the precinct provisions.</p>	<p>The comment in the Section 32 Report is an error and has now been corrected.</p> <p>The proposed precinct provisions for the PPC area do not include any specific provisions for flooding. The existing Auckland-wide provisions for flooding in Chapter E36 of the AUP(OP) is considered to be adequate for addressing flooding and will apply to future development activities within the PPC area.</p>
P18	Greenhouse gas emissions	<p>Please provide information to quantify the carbon emissions effect and build in sensitivity testing on assumptions regarding local employment and/or a school not coming to fruition, and</p>	<p>The council as decision maker under the RMA cannot take into account the effect of land use change in terms of greenhouse gas emissions until after 31 November 2022. However, after that it will need to give effect to the relevant NPS-UD provisions and have</p>	<p>We agree that the Emissions Reduction Plan (ERP) will be relevant to the Council when making its decision on the Plan Change.</p> <p>This is because amendments to sections 66 and 74 of the RMA (which come into effect on 30 November</p>

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		<p>recognising the limitations of the ferry service.</p> <p>Please provide the appendix referred to at section 3.6.1 of the urban design assessment, and or any greenhouse gas emission accounting used in preparation of the application, particularly that from the ongoing operation of land uses, including transport emissions once established.</p>	<p>regard to the Government's emission reduction plan that was issued in May 2022.</p> <p>We note that some form of greenhouse gas emission accounting for both construction and operation of the proposed land use has been used. This is referred to in summary form in the sustainability strategy and urban design assessment. This includes references to details in an appendix which does not seem to have been supplied. Most of the information supplied to date relates to the embodied/emitted carbon emission from construction and does not contain detail for the emission profile from operation once established such as that emitted by residents' transportation. We require this information as it will become important in decision-making later in the process.</p> <p>The subject site is also not a planned for growth location. For a new unplanned for growth location to be considered, a high threshold of contributing to carbon emissions reduction should be considered.</p> <p>To have a possibility of achieving emission reduction goals the proposal would rely on:</p> <ul style="list-style-type: none"> <li>the majority of residents to work in the Central Business District, and fully funding ferry improvements to establish a frequent network required to facilitate the majority of residents' commute; and / or</li> </ul>	<p>2022) will require local authorities to "have regard to" the ERP when preparing or changing district and regional plans. This fall short of creating an obligation on local authorities to "give effect to" the ERP.</p> <p>The ERP does not set out any specific obligations that local authorities or private developers need to meet. In particular there are no requirements to provide greenhouse gas emission accounting and there are no thresholds (high or otherwise) regarding contributions to carbon emissions reduction for an unplanned for growth location. Much of the ERP relates to future RMA reforms and policy initiatives.</p> <p>A unique and significant attribute of the plan change is its approach to sustainability and contributing to mitigating the effects of climate change and biodiversity loss. Because of this, the Plan Change delivers a sustainable planning outcome aligned with the climate change and decarbonisation goals of central government and is consistent with both the ERP and the climate change related provisions in the NPSUD. In particular:</p> <ul style="list-style-type: none"> <li>The Plan Change provides for significant areas of ecological corridor revegetation and enhancement as well as significant</li> </ul>



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			<ul style="list-style-type: none"> <li>proposed local commercial land to be occupied by employers that choose to be based in Beachlands and employee mostly local people; Beachlands residents to choose to work at the local commercial land; the employment type to be significant enough in terms of numbers of employees; and to not be a commercial type that generates significant incoming trips by customers or the like, using private vehicle.</li> </ul> <p>These are uncertain assumptions and need to be tested where they not achieved.</p>	<p>areas of forest sequestration to reduce carbon emissions.</p> <ul style="list-style-type: none"> <li>The plan change area also has capacity for 20ha of significantly enhanced open space and road planting measures to provide further carbon sequestration. This equates to an estimated sequestration value that has potential over a 100 year period to offset the estimated carbon emissions of house construction anticipated by the proposed zoning for the land.</li> <li>The Plan Change will provide the opportunity for people to live, work and recreate close to nature offering significant benefits for health and wellbeing and reducing emissions.</li> <li>The proposed provisions will ensure that development is public transport focused with a highly connected street network to enhance walkability and contribute to a reduction in greenhouse emissions.</li> <li>The inclusion of a detailed Sustainability Strategy that outlines initiatives reducing</li> </ul>

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				<p>the effects of climate change and biodiversity loss. This includes forest sequestration within the site, water sensitive design and the requirement for resource consents to be assessed against the Sustainability Strategy.</p>
P19	Geotechnical	<p>Please provide a clear map of the geotechnical risk zones across the entire plan change area to identify potential constraints for development.</p>	<p>The s32 report (section 9.8) identifies that there are historical and recent landslip movements and that there may be other unstable areas requiring further geotechnical site investigations to confirm suitability for development.</p> <p>Further information is required to better understand the potential geotechnical constraints to development both within the live zone area proposed and the Future Urban Zone. The Geotechnical Report comprises of material prepared for previous processes with different land use patterns and does not specifically relate to the current PPC proposal.</p> <p>While this previous information contains relevant geotechnical data it does not provide a comprehensive map that clearly identify geotechnical risk zones to demonstrate low, medium and high risk for development.</p>	<p>A plan of the geotechnical risk zones across the plan change area is enclosed as <b>Attachment 6</b>.</p> <p>This plan identifies areas of moderate/high geotechnical risk (i.e. setback from the coastline, steeper terrain, areas of known instability and poor fill) and areas of low geotechnical risk i.e. generally "good ground" in terms of NZS3604.</p> <p>General development areas are identified which represents generalised zones appropriate for this level of planning in the plan change and future development. It is expected that these generalised development areas would be refined at future subdivision and/or development design stages, based on more site-specific investigations relative to the nature of proposed development.</p>

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				Overall, the development areas proposed within the Plan Change area are considered to be appropriate.
P20	Character	Please clarify how the proposal will maintain or enhance the existing rural character of the Beachlands-Maraetai as a coastal settlement outside the RUB?	<p>The PPC of a large scale, and the proposed growth will of an urban nature. As mentioned in the question above, it does contribute to the Auckland Plan aim of limiting residential development to that which maintains their values. The scale proposed in addition to the existing urban area of Beachlands-Maraetai raises concerns as to whether it would continue be a rural settlement if the PPC was approved.</p> <p>Changes to character relate to more than the built form and include a change to the level of activity that will be occurring throughout the area. Further information is required for us to make an assessment on whether the PPC provides for the retention of the of existing rural character.</p>	<p>The relevant RPS provisions relate to rural and coastal towns and villages (B2.6). It is clear that this Plan Change application is for the expansion of an existing coastal town, and not for a rural settlement. Therefore, references to rural settlements are considered to be irrelevant.</p> <p>We note that objective B2.2.1 requires better maintenance of rural character and rural productivity. However, this is designed to apply to rural areas nearby urban environments to ensure that urban areas are designed in a way to maintain rural production and rural character. The land is currently zoned Countryside Living and therefore any character elements from rural productive activities is not the primary purpose or intent of this current zone.</p>
P21	Section 32	Please provide further support for the statement that there is no economic benefit nor improved social outcomes for the 'Do	The s32 report (p144), specifically table 4 assesses the 'do nothing' option but does not acknowledge that the current Countryside Living (CSL) zoning would enable some further development and consequential economic and social benefit, albeit at different level. This is in accordance with the AUP IHP recommendations provided	This has now been addressed in section 6.12 of the updated Section 32 Report provided as <b>Attachment 3</b> .

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		Nothing' option to retain the Countryside Living zoning).	for the area, where the CSL zoning was determined to be the most appropriate. Further information is required to understand the conclusion that there is no economic benefit or improved social outcomes possible in light of the recent decision for CSL.	
P22	Section 32	Please provide information on the potential development capacity enabled by the Mixed Housing Urban zone in sub-precinct E Golf and how this will be managed.	<p>While a 9-hole golf course is currently proposed, the underlying zone will be Residential: Mixed Housing Urban and the precinct anticipates complementary residential development (Policy 34). There does not appear to be any controls within the precinct to limit or manage residential development.</p> <p>Table IX.4.1 applies to all sub-precincts and accordingly establishes that up to 3 residential units per site would be a permitted activity (A1) and more than 3 residential units would be restricted discretionary (A2). In addition, subdivision is proposed as a controlled activity (A25). It is unclear whether these rules are intended to also apply to sub-precinct E and if they are whether the adverse effects of this potential development have been fully assessed as part of the proposal.</p>	<p>It is proposed to retain the golf course over this part of the plan change area. As Auckland Council generally opposes zoning land Open Space where they have not agreed to acquire the land, an alternative zoning is required. In this instance, the most appropriate 'underlying' zone is considered to be Residential: Mixed Housing Urban.</p> <p>Any additional housing capacity from any future development over the golf course land will be managed by Standard I.7.3 Staging of Development with Transport Upgrades which contain residential thresholds in the Plan Change. It is therefore not necessary to forecast residential development potential over the golf course land as the effects will be appropriately controlled by the proposed precinct provisions of the plan change.</p> <p>In terms of Sub-Precinct E, it is confirmed these provisions will apply to this sub-precinct.</p>

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P23	Section 32	Please provide further evaluation around the appropriateness of the provisions to achieve the objectives of the PPC and RPS.	<p>Section 6.12 of the s32 provides a summary statement that the provisions are the most appropriate to achieve the objectives of the PPC and RPS but does not provide any supporting references to demonstrate how. Section 6 details what provisions are proposed but does not provide an evaluation of why they are appropriate.</p> <p>While it is not considered necessary to do an alternatives assessment of all the provisions, s32 does require some evaluation to support your statement.</p>	See response to 21 above - the s32 report has now been updated to address this matter.
P24	Precinct provisions	Please provide further explanation around how a consent may be considered in the event that transport infrastructure is not provided as set out in Table 2.	<p>Standard 1.7.3(2) Table 2 sets out the thresholds for development aligned with the necessary transport infrastructure required to support it. Subdivision that does not comply with Standard 1.7.3 is identified as a discretionary activity (A22). How do the relevant objectives and policies support the staging of development to avoid potential adverse transport effects where the transport infrastructure is not in place?</p> <p>The provisions rely heavily on the increased capacity for ferry passengers which is not in the applicant's control. If it is anticipated that development could progress without the additional ferry capacity then the policy framework should address this. Alternatively does the precinct rely on existing AUP provisions to address this issue?</p>	<p>It is a discretionary activity for any subdivision or development that does not comply with Standard 1.7.3 Staging of Development with Transport Upgrades. The discretionary activity resource consent process provides for unlimited discretion to assess such an application and against the relevant objectives and policies too. Such an application will also be subject to the normal tests for notification and, as a discretionary activity, Council will have the ability to decline the application.</p> <p>If there are concerns with the actual objectives and policies or the activity status proposed then this is an issue of merit as opposed to further information.</p>
P25	Precinct provisions	Please provide further explanation as to why the riparian planting	Ecological offsetting or compensation is necessary when mitigating the loss of ecological values associated with stream reclamation or	Further response to follow and to be provided separately.

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		required by Standard I.7.5 is appropriately included as part of any ecological offsetting or compensation package.	stream works. This is a separate matter that should not be conflated with the mitigation of the effects of urban development in proximity to streams that are retained. Further information is required to understand why it is appropriate for the precinct provisions to enable riparian margin requirements to also achieve ecological offsetting or compensation.	
<b>Planning, statutory and general matters – Joe McDougall and Chloe Trenouth (non-clause 23)</b> <i>Other comments not within the remit of clause 23 of the First Schedule of the Resource Management Act 1991 (RMA)</i>				
P26	Precinct provisions	Please clarify whether Policy (1) is consistent with the MDRS Policy 1 which refers to 3-storey buildings.	This may be an error as it is noted that the s32 (p34) correctly refers to 3-storeys.	Policy 1 as proposed is correct as the Large Lot Residential zone is also proposed.
P27	Precinct provisions	Please confirm which objective supports the stormwater management policies and stormwater quality standards.	Objective(s) are necessary to support the stormwater policies and standards. Objective (10) refers to water but does not include stormwater and it is unclear whether this is intended to be the supporting objective. An objective that establishes the stormwater outcome(s) should be provided at least at a high level to support the corresponding policies (6), (13), (22)-(23).	Refer objectives 10 and 11. Objective 10 has been modified to include “three waters” to capture stormwater. Objective 11 includes “ecological values within terrestrial, wetland, stream and coastal marine habitats” which broadly encapsulates freshwater and biodiversity values and for these values to be enhanced.
P28	Precinct provisions	Please explain why ‘accommodation’ is used in this	It is unclear why “accommodation” is used in the precinct activity table subheading rather than the ‘residential’ subheading that is used in the equivalent zone activity table subheadings. Accommodation is	The reference to ‘Accommodation’ has been replaced with ‘Residential’ in the [updated]

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		activity table instead of 'residential'.	not defined in the AUP and the actual rows in the table relate to residential activities. The adoption of standard Unitary Plan methods and provisions where possible is preferable.	Beachlands South precinct provisions enclosed as <b>Attachment 7</b> .
P29	Precinct provisions	Please confirm whether (A19) vegetation alteration or removal within the Ecological Protected Area Network is intended to be a restricted discretionary activity.	<p>The section 32 (p33) describes how the ecological values on land are identified with the EPAN and are indicatively illustrated on Precinct Plan 2 – Natural Features. The provisions are identified to include standards that are the most appropriate way to address the potential adverse ecological effects arising from development but does not address this specific rule.</p> <p>Several policies include references to the importance of the EPAN and protection of ecological values. i.e. Policy (6) requires protection and enhancement of biodiversity values particularly within the Ecological Protected Area Network; and Policy (7) encourages native revegetation within the EPAN to enhance carbon sequestration and biodiversity values. However, no matters of discretion or assessment criteria appear to address this activity therefore it is unclear whether the activity status is correctly identified or whether it should be a discretionary activity.</p>	This matter has been addressed by amending the activity status to a discretionary activity for (A19) of the activity table – see <b>Attachment 7</b> .
P30	Precinct provisions	Please clarify how the precinct rule (A25) for subdivision as a controlled activity for 1 or more	It is unclear how the proposed rule relates to the vacant lot subdivision requirements in Chapter 38. It appears that this rule relates to RMA Schedule 3A clause 3, which requires that subdivision	This is an MDRS query. Once Auckland Council notifies its Plan Change, the Beachlands South Plan

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		residential unit per site in a residential zone relates to AUP:OP Auckland-wide provisions for subdivision in Chapter 38.	is a controlled activity for construction and use of residential units associated with MDRS. However, this is not intended to override the subdivision provisions in Chapter 38 entirely. Further discussion is sought around how this provision is drafted in the precinct.	Change will be updated accordingly to confirm it is consistent.
P31	Precinct provisions	Please clarify whether the 10m or 15m building setback is intended to be the limit for buildings or an increased yard setback.	Standard I.7.2(2) states that the front yard requirement in the underlying zones for land adjoining Whitford-Maraetai Road shall be measured from the 10m or 15m building setback. This would therefore result in an increased yard and not a building setback. Further clarity is required to justify the standard as being the most appropriate to achieve the objectives. It is unclear why when a 10m or 15m yard or building setback is applied, that there would be a need to apply the underlying zone's yard in addition to this.	It is confirmed that the underlying zone yard controls (where applicable) do not apply. The proposed precinct provisions effectively apply as a yard control. This standard has been amended accordingly.
<b>Transport matters – Wes Edwards, Arrive Ltd</b>				
T1	Existing Transport Environment	Please extend the road safety history and analysis to include Whitford Road, Sandstone Road, and Ormiston Road to Murphys Road.	The crash history has been summarised for Whitford-Maraetai Road between Beachlands Road and Whitford Park Road, and Whitford Park Road between Whitford-Maraetai Road and Sandstone Road. The intersection of Whitford Road and Sommerville Road has also been included. The crash history of Whitford Road and Sandstone Road-Ormiston Road has not been summarised, but as those roads would carry a significantly higher volume of traffic under the proposal, the road safety history of those roads is relevant.	See detailed response provided in Stantec letter within <b>Attachment 8</b> .  In summary, the majority of crashes resulted in minor or no injuries and occurred as a result of human error and/or illegal driving. These have no link to elements of road design, which suggests that additional safety improvements are not required. The exception may be Whitford Road on Mangemangeroa Bridge which may require



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				ongoing attention by Auckland Transport to address two fatal crashes during the study period. However, the future development that will be enabled by the proposed Plan Change is not expected to exacerbate any road safety issues.
T2	Future Transport Environment	Please clarify the status of the current cycling network and proposed improvements within Beachlands.	The ITA contains a diagram from Future Connect – First Decade and states this shows that “major cycling network links are proposed”. The Future Connect diagram for the “Current” time period is identical to the “First Decade” period, and this would suggest the diagram shows an existing classification rather than proposed improvements	Agree that there is no difference on the Future Connect plans for “Current” time period and “First Decade” and therefore no classification change is proposed as part of Future Connect. This map therefore doesn't expressly indicate if any cycle improvement works are proposed.
T3	Assumed Land Use	Please supply a breakdown of gross and net developable land areas for each proposed zoning and the scale of development within each zone, by activity.	Several “live” urban zones are proposed including: <ul style="list-style-type: none"> <li>• Residential - Terrace Housing and Apartment Building [THAB]</li> <li>• Residential – Mixed Housing Urban [MHU]</li> <li>• Residential – Large Lot [LL]</li> <li>• Business – Local Centre [BLC]</li> <li>• Business – Mixed-Use [BMU]</li> </ul>	It is unnecessary to provide the breakdown as requested because the activities will effectively be controlled by the respective activity tables of the proposed underlying zonings and sub-precincts. The scale of development within the live zoned portion of the plan change area is also effectively controlled or ‘capped’ in Table 2 of Standard I.7.3 Standard of Development with Transport Upgrades which specifies the quantum of residential, light industrial, commercial and retail activities that can be accommodated within the live zoned portion of plan

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			<ul style="list-style-type: none"> <li>• Business – Light Industrial [BLI]</li> <li>• Sport and Active Recreation [SAR]</li> </ul>	change area, relative to the specified transport infrastructure upgrades in Column 2.
T4	Assumed Land Use	Please supply information to show how the development scenarios used for the transport analysis have been derived and how the scenarios relate to the development enabled by the proposed zoning.	<p>The transport assessment is based on a few development scenarios consisting of a mix of activities including:</p> <ul style="list-style-type: none"> <li>• Low-density, medium-density and high-density residential dwellings</li> <li>• Retirement units</li> <li>• Retail including a metro supermarket</li> <li>• An innovation hub and offices</li> <li>• A school of 2,200 year 7-13 students (junior and senior high)</li> <li>• Light industrial activities</li> <li>• A golf course</li> </ul> <p>It is not clear how the development scenarios adopted for the analysis relate to the range and scale of development enabled by the proposed zoning. For example, the proposed zoning enables development of the golf course land for medium-density residential development, and the presence of a school is not guaranteed by the provisions.</p> <p>It is not clear how the assumed number of dwellings or the scale of other activities have been calculated. Some zones, and the BMU zone</p>	Refer response provided in T3 above

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			<p>in particular, enable a wide range of activities, and from the information provided it is not clear how the development assumed for the analysis has been determined.</p> <p>A summary of calculations showing the gross and net developable land areas for each proposed zone and the scale of development within each zone would be of assistance in evaluating how the assumed development pattern compares with the development potential enabled by each zone. It would be useful to provide a comparison with development densities achieved in other areas with similar zoning provisions.</p>	
T5	Assumed Land Use	Please supply more information to support the assumed land use scenario for the Future Urban Zone.	The ITA has also undertaken some analysis of the FUZ land and supplies a development scenario that is like the live-zoned development scenario including a second 9-hole golf course, a second 2,200 student school. The basis for these assumptions is not clear. The illustrative full development plan (ITA Figure 21) shows land not owned by the Requestor but proposed to be zoned FUZ as undeveloped. It is not clear if the development of this land is reflected in the analysis.	We confirm that development of this land is not reflected in the analysis because rezoning of the FUZ land will be subject to a future plan change whereby this matter will be comprehensively addressed.
T6	Transit Oriented Community	Please supply analysis and assessment of development density and accessibility. This would preferably include isochrone maps showing walkable	Some of the lodged material refers to the PCA being 350m from the ferry terminal. The ITA does not supply a description or analysis of accessibility for pedestrians, cyclists, or public transport. Proximity of development to bus stops and ferry terminals is important for understanding the likely mode-share for development. Similar	Further response to follow and to be provided separately.

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		<p>catchments from existing and proposed centres and public transport stops for the 2.5-minute, 5-minute and 10-minute isochrones taking gradient into account. It should also include an assessment of how the development densities enabled by the proposed zoning relate to accessibility.</p>	<p>assessments include isochrone maps showing the areas within 400m and 800m walking distance of public transport stops.</p> <p>Accessibility of public transport is a key metric for assessing the location, density, and zoning of future development to ensure good integration between transport and land-use. The National Policy Statement on Urban Development [NPS-UD] instruct Council to enable more people to live in areas that are near a centre zone or areas well-served by public transport and refers to walkable catchments.</p>	
T7	Transit Oriented Community	<p>Please supply an assessment of how the proposed form and location of the proposed local centre zone has good access and is in an area of good public transport, taking public transport service frequency into account.</p>	<p>Council is still developing its response to those instructions, but to date the Auckland Council Planning Committee has endorsed a definition of "walkable catchment" as including, among other things, development within 800m walking distance of a metropolitan centre or a rapid transit stop, considering terrain and other matters. This definition is subject to refinement but is consistent with other documents such as Ministry for the Environment [MfE] guidance on the topic.</p> <p>The Resource Management (Enabling Housing Supply and Other Matters) Amendment Act requires council to apply Medium Density Residential Standard [MRDS]. Council has indicated that the response to that requirement may be that large local centres with good access have the THAB zone applied to land generally within 200m of the centre. The AUP description of the Local Centre zone says centres are generally located in areas of good public transport. The terms "good</p>	<p>This is not considered to be a CI23 request and no response is provided for reasons as explained in BSLP's legal counsel letters.</p>

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			<p>access" and "good public transport" are not defined, but it suggests that the quality of access and public transport to the local centre should be assessed. Any assessment of public transport must include consideration of the service frequencies.</p> <p>It is noted that some of the land close to the proposed village centre has a Residential Large Lot zone which could be inconsistent with the intentions of the planning instruments to have higher development density on land close to centres.</p>	
T8	Proposed Transportation Network	Please supply a movement plan including proposed public transport route(s) for the development of the "live" zoned land without development of the FUZ land.	<p>The ITA includes a movement plan, and the lodged material includes a proposed Precinct Plan 5 Movement Network. Both plans show a proposed movement network including a spine road intended to carry a bus service and a few points where new roads connect to the existing road network. The movement network covers all the PCA including the FUZ area, although development within the FUZ would not be enabled by the current plan change.</p> <p>The lodged material does not supply information about how the movement network and the proposed public transport services are expected to operate while the southern part of the PCA remains FUZ.</p>	Refer movement plan in <b>Attachments 8 and 9</b> which demonstrates proposed public transport routes can be achieved within the live zoned land.
T9	Proposed Transportation Network	Please provide an assessment of how the proposed transport network achieves a high level of accessibility while recognising	Given the importance of good active mode access to public transport and other facilities it is important that the layout of the street network, which is proposed to be in accordance with the precinct plan, achieves a high level of permeability and accessibility.	Active mode connectivity is a high-priority in the street design and this is appropriately embodied in the precinct provisions by way of Precinct Plan 5 -

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		gradients and other natural features.		<p>Movement Plan and the relevant objectives and policies.</p> <p>Accessibility with respect to gradients and natural feature is considered to be detailed design matter to be assessed in future resource consent stages, and not at this stage in the planning process.</p>
T10	Proposed Transportation Network	Please provide a rationale for including detailed street cross-sections as requirements rather than the more common approach of providing a descriptive table with a minimum road reserve width.	The ITA describes the proposed internal and existing external road network and provides indicative cross-sections for several roads including Jack Lachlan Drive. The proposed cross-section provisions would be more prescriptive and restrictive than most other precincts and may not be compatible with Auckland Transport design guides or preferences, and the outcome of consultation with Auckland Transport on this or other topics is not provided	<p>The Road Design and Cross Section Details in Appendix 1 of the precinct provisions are referenced in policy I.4(15) and assessment criteria I.9.2(7)(h) which applies to subdivision in the precinct. They are not requirements of the precinct by way of inclusion as a development standard. Appendix 1 already includes a descriptive table with specified design parameters for the particular road types listed, followed by illustrative cross sections to demonstrate the intended outcomes.</p> <p>We note that these road design and cross section details have been prepared in accordance with current Auckland Transport TDM standards. Therefore, the rationale for their inclusion in the precinct provisions is to ensure that at the subdivision stage (where roads to be vested are usually established) appropriate space allocation is</p>

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				provided for road corridors to ensure these will be designed and constructed to AT standards for vesting but also to provide opportunity for assessment at the resource consent stage.
T11	Proposed Transportation Network	Please supply information about the ability to upgrade Jack Lachlan Drive to Auckland Transport standards, including identification of additional land required to achieve the upgrade.	Concept designs for intersections are provided, but no concept design has been supplied for Jack Lachlan Drive showing that the proposed corridor could be provided while meeting design standards. There may be a need to provide for widening of the Jack Lachlan Drive reserve, particularly at bends, to provide an adequate corridor. The suggested upgrading of Jack Lachlan Drive is not required by the precinct provisions as currently drafted.	This is provided and discussed in <b>Attachment 8</b> .  In summary, it is considered that the cross section proposed satisfies the connectivity requirements and will conform to AT's TDM.
T12	Proposed Transportation Network	Please advise when the upgrading of Jack Lachlan Drive would be needed and include this project in the thresholds table.		The upgrade to Jack Lachlan Drive will be required prior to the operation of any light industrial activities in sub-precinct F or education facility in sub-precinct C.  This requirement is already included the proposed precinct provisions as Standard I.7.3(1).
T13	Bus Network	Please provide the outcome of discussions with Auckland Transport with respect to changing or increasing bus services.	The ITA states it is appropriate to assume that Auckland Transport will increase the frequency of bus services to Beachlands; however, AT is known to have challenges funding service improvements, and increased services may lag development resulting in higher vehicle use, at least in the earlier stages of development.	It is note BSLP's responsibility to change of increase bus services.  Under the LG(AC)A, Auckland Transport is responsible for the planning, development and management of all of Auckland region's transport

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			The ITA includes a map showing a proposed diversion of the existing 739 bus route. If Auckland Transport chose to change the bus route, and adopted the suggested route, the diversion would result in some existing dwellings having poorer access to bus services than at present.	system including the planning and funding of public transport <sup>2</sup> .
T14	Bus Network	Please supply an assessment of how access to public transport for existing development would change because of the suggested change in bus route, including consideration of MDRS across existing development areas.		See detailed response provided in <b>Attachment 8</b> .  The bus network can be adapted depending on where growth in the plan change area occurs because it is simply proposed to add a loop to the existing bus route. No changes in accessibility for existing users are expected.
T15	Ferry Patronage	Please supply additional data and analysis to support the assumed peak-period ferry and bus mode-share figures used in the analysis, including changes to any bus services required to achieved the assumed bus mode share.	The ITA supplies Census 2018 data showing that 6% of people in the wider Beachlands area used the Ferry to travel to work or education destinations and notes this ferry mode share is higher than average for Auckland. This includes a significant but unknown proportion of ferry passengers that travel by car to the ferry terminal park and ride facility. It would be helpful if information was provided on how Beachlands area residents currently travel to and from the ferry terminal.  The ITA uses Hobsonville Point as a case study for ferry patronage as it is said to have some similarities with Beachlands South, and the ITA	This is discussed in further detail in <b>Attachment 8</b> .  In summary, the ferry mode share is a function of multiple inputs: externalisation of trips from the plan change area, proportion of those external trip to the city centre, and; proportion of those city centre trips using ferry. The latter two factors are expected to be higher than in Hobsonville Point due to the location of the plan change area, and the competitive nature of the ferry over driving to the city centre.

<sup>2</sup> Paragraph 5.2 Statement of Evidence of Josephine Tam on behalf of Auckland Transport for PPC 48, PPC 49 and PPC 50 to the Auckland Unitary Plan dated 14 October 2021.



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T16	Ferry Patronage	If the existing Beachlands travel behaviour is not considered to be the most appropriate source for informing this analysis, please supply additional evidence to support that position.	<p>presents some data on Hobsonville Point population and ferry patronage over four years, with ferry mode share increasing from 0.4% to 1.3%. The ITA suggests the Hobsonville Point data shows that ferry patronage increased faster than population, and the ITA suggests that the same pattern would occur at Beachlands South.</p> <p>The ITA adopts ferry mode share of 6% initially, increasing to 13% by 2038, and bus mode share increasing from 1% now to 4% by 2024. To put a ferry mode share of 13% in context, that is higher than all other areas of Auckland served by ferry except for Waiheke Island (average 18%), Bayswater (15%) and Devonport (21%), none of which are like Beachlands.</p> <p>The Hobsonville Point case study does not supply sufficient information to support the hypothesis that significant increases in population alone cause significant increases in the proportion of the population using a ferry service using peak periods. It is probable that features of Hobsonville that are not present or proposed at Beachlands have contributed to the significant growth in ferry patronage. These include the location of development over time in relation to the ferry terminal location, the addition of ferry sailings during the weekday, the addition of evening and weekend sailings, changes to bus timetables to connect with the ferry, the addition of integrated ticketing, and substantial hospitality and other</p>	<p><b>Attachment 8</b> discusses this issue in more detail.</p> <p>In summary, the existing Beachlands travel behaviour is a function of multiple inputs, most notably: proximity and density of housing and activity centres to the ferry terminal, and; transport linkages to the ferry terminal. The former has low density housing far from the terminal, compared to the development's mid-to-high density nearer the terminal. The latter input consists of the roading network and an infrequent bus route, while the development proposes safe cycling links and a frequent shuttle to the terminal – i.e., far better transport linkages than what exists currently. Because both of these inputs have significant differences between the existing Beachlands area and the proposed development, the existing Beachlands travel behaviour cannot be considered appropriate to infer future development travel behaviour from.</p>
T17	Ferry Patronage	Please supply a revised transport assessment that uses a 6% ferry mode share and 1% bus mode share for all scenarios, either as		<p>As explained in item T16, the 13% figure is appropriate given the inputs it is derived from.</p> <p>A full remodelling assuming no ferry uptake increase is considered unwarranted / unrealistic as</p>

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		the principal scenario or a sensitivity test.	<p>development adjacent to the ferry terminal that attract significant ferry patronage outside peak travel times.</p> <p>The ITA supplies no evidence to support the assertion that bus patronage would increase by 300% other than the assumption that Auckland Transport may increase the frequency of the service.</p>	such a scenario would assume that road capacity continues to be provided to accommodate growing travel demand so that car travel mode is maintained and that the PT network is not improved.
T18	Ferry Patronage	Please confirm that there is sufficient ability at the Downtown Ferry Terminal to accommodate the recommended increases in ferry size, service frequency and service periods.	<p>The best predictor of future Beachlands travel characteristics is likely to be the existing Beachlands travel characteristics, particularly as there is little change proposed to the accessibility of the area by public transport (number of destinations served, service frequency, service times, travel times, distance between dwellings and ferry terminal), other than a recommendation to provide some additional interpeak, evening, and weekend sailings that are not reflected in the proposed precinct provisions.</p> <p>The ITA analyses how larger vessels could increase the capacity of the ferry service to accommodate the predicted growth in patronage due to the proposal. It is not clear to what extent increases in ferry patronage from other sources, such as development in Maraetai, have been allowed for in estimating when larger ferry vessels may need to be provided. It is noted the ITA supplies growth numbers from the Beachlands area, but it is not clear what developments are assumed to drive that growth.</p>	<p>We note that it is not BSLP's responsibility to provide the ferry services or confirmation that there is capacity to accommodate the recommended increases. That is the responsibility of the ferry service operator.</p> <p>Notwithstanding this, we note that the existing service is run on weekdays using a single pier at the recently redeveloped Downtown Ferry Terminal (Pier 3). Each Pier in the Terminal is allocated for exclusive use by a single ferry service, so if the existing Pier 3 is unable to cater for larger vessels, it is possible to rearrange the pier allocations so that the Pine Harbour service can use one of the new piers 4-9, which were constructed to be future-proofed for larger vessels. A single Pier is able to cater for 15-minute frequencies, as is demonstrated with the Devonport service. Hence the Downtown Ferry Terminal will have sufficient ability to</p>

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			<p>The potential impact of the proposed development on the demand for parking at the ferry terminal park and ride and the implications of demand exceeding supply is not assessed. Any assessment should allow for growth in parking demand from other sources such as growth in Beachlands and Maraetai.</p>	<p>accommodate the increases in vessel size, frequency and span.</p>
T19	Ferry Patronage	<p>Please confirm if growth in ferry patronage from other sources, including the MDRS, has been allowed for in the ferry capacity analysis, and provide a revised analysis including such sources as necessary.</p>	<p>The ITA recommends that a shuttle bus service be provided to take passengers to and from the ferry terminal, but no further details on who would fund the operation of this service, schedule or route are provided, and this recommendation is not reflected in the proposed precinct provisions. It is not clear to what extent assumptions around the provision of such a service have influenced the numerical transport analysis.</p> <p>Ferry sailings in Auckland sometimes need to be cancelled in severe weather. In some instances, such as the Gulf Harbour ferry service, a special bus service is provided as a replacement so that ferry passengers are provided with an alternative means of travel to avoid significant additional private car travel. It is not clear how often this happens for the Beachlands service or if replacement bus services have been considered.</p>	<p>We confirm that the patronage was modelled with a level of background growth in the wider Beachlands area. However, this does not include any growth projections as a result of changes from the MDRS.</p> <p>We anticipate receiving that information from the Council and will respond accordingly once the Council's intensification planning instrument is notified and we have a better understanding of the contents and potential implications to properly undertake this assessment.</p>
T20	Ferry Patronage	<p>Please provide analysis and assessment of supply and demand for park and ride parking, taking growth from other sources into account.</p>		<p>BSLP are not intending to increase the size or capacity of the park and ride as part of this plan change and therefore this analysis is not provided.</p>

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T21	Ferry Patronage	Please supply information about the proposed shuttle bus service, or any changes to other bus services, including route schedule capacity and funding.		Any change to bus services is the responsibility of Auckland Transport and not BSLP's and noted in the response to T13 above.
T22	Ferry Patronage	Please supply information on how often the Beachlands ferry service is cancelled, and proposed replacement bus services (if any).		The cancellation of ferry services and its regularity is outside of BSLP's control and this is not information that can be provided by the applicant.
T23	Traffic Counts	Please supply updated analysis based on count data corrected for the lower traffic volumes observed during the Alert Level 1 periods.	<p>The analysis has been informed by peak-period turning movement counts at key intersections counted on 3 November 2020, with an assumed background growth factor used to convert the 2020 counts to a 2024 baseline.</p> <p>On 3 November 2020 Auckland was about three weeks into Covid-19 Health Order Alert Level 1 (down from Level 2 on 7 October). Waka Kotahi New Zealand Transport Agency [WKNZTA] research from the first week of the earlier Level 1 period (9 June to 12 August) notes "trip numbers remain significantly lower than pre-alert levels for both work trips and non-essential trips." During that level 1 period heavy traffic was like the previous year, but light vehicle traffic is well below the previous year early in Level 1, and still about 4% below previous</p>	<p>Validation of traffic survey data is addressed in section 6 of <b>Attachment 8</b>.</p> <p>In summary, a historical analysis of SCATS data taken from the Ormiston Road / Murphy's Road intersection showed that the November 2020 traffic surveys were actually higher than those observed pre-Covid. This data source is considered more relevant to this locale than the SH20 Hillsborough off-ramp referred to in the reasons for request because that location serves the airport</p>

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			<p>year figures for the second half of Level 1 in August two months after the drop from level 2.</p> <div data-bbox="846 491 1585 938" data-label="Figure"> <p><b>Auckland weekday light vehicle traffic</b> based off data from SH20 Queenstown Rd Off Ramp to Hillsborough Rd Off Ramp Queenstown Rd On Ramp to Hillsborough Rd On Ramp SB</p> <p>Legend: Light Vehicles - Current Year (solid blue line), Light Vehicles - Previous Year (dashed green line)</p> <p>Alert Levels: Alert Level 4 - 26/3 Alert Level 3 - 24/3 Alert Level 3 - 28/4 Alert Level 2 - 14/5 Alert Level 1 - 9/6 Level 3</p> </div> <p>Other WKNZTA research for 12-15 November 2021, one week after the counts, that journeys to work in Auckland were still about 4% below pre-lockdown levels, other essential journeys were near-normal, but discretionary travel was still lower than pre-lockdown levels. The research also shows that public transport use was lower at these times.</p>	<p>and experienced more significant fluctuations during lockdowns due to flight restrictions.</p>

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			<p>This data suggests that the turning movement counts recorded traffic volumes that were likely to be at least 4%, and potentially up to 10%, below pre-lockdown traffic levels. This has not been accounted for in the ITA analysis.</p>	
T24	Background Traffic Growth Rate	<p>Please supply evidence to corroborate the assumed growth rates used in the analysis and provide a sensitivity analysis that uses annual peak-period growth rates much closer to the historic average.</p>	<p>The ITA states that historical growth from traffic count data on Whitford-Maraetai Road varies widely and is unsuitable for predicting future background growth. No traffic data from any other roads in the area has been presented as an alternative indicator. A population growth forecast (Auckland regional transport land use scenario i11.5) for surrounding areas has been used as a proxy for background traffic growth in the area.</p> <p>The historic traffic count data for the five count locations on Whitford-Maraetai Road over the 2016-2019 period (pre-Covid) varies from 3.9% to 9.8% per annum, with an average of 6.5% (when special-purpose WK and HC counts are excluded). While some sites showed some variability in data the overall trend across all sites along the road was relatively consistent over that period and is sufficiently robust for analysis. The AM peak hour averaged 3.2% pa and the PM peak growth averaged 4.5% despite the route being acknowledged as being near or at capacity during peak periods.</p>	<p>As described in Section 9.2 of the ITA, the historic traffic growth trend is considered an unreliable source for estimating future background traffic growth. Due to the geographical isolation of the Beachlands conurbation, background growth closely follows major development. Increases in traffic from 2016-2019 is the result of growth in residential housing within Beachlands.</p> <p>As such, the MSM model was used to establish background growth. The MSM model included projected growth in Beachlands of 235 households between 2020 and 2024, and approx. 200 households in the Maraetai FUZ area over the same period. It is considered that there is no considerable further growth expected beyond those sites that could be developed, and the assumptions used in the ITA are therefore valid.</p>

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T25	Background Traffic Growth Rate	Please include traffic generated by development in Beachlands from 2024 and from Maraetai 2 in the 2031 and 2051 scenarios.	<p>The historic traffic count data on Whitford-Maraetai Road is significantly higher than the 0% to 1.1% values that have been used in the ITA analysis.</p> <p>The ITA notes that a 235-household development in Beachlands is being considered under the fast-track consenting process and is expected to be constructed by 2024. It appears this development has not been allowed for in the formulation of the 2024 baseline scenario, potentially as consent had not been granted at that time, but if consent has subsequently been granted this development should be included in the baseline. If the land that development is situated on has a live zoning, development of that site should be included regardless of consenting status.</p>	As per response to T24, both of these developments are accounted for within the assumed traffic growth.
T26	Background Traffic Growth Rate	Please provide analysis that accounts for the growth in traffic volumes arising from implementation of the MDRS, including any change in local employment.	<p>The ITA assumes that development of 89 hectares of FUZ at Maraetai would be completed in 2051 so should not be included in the Beachlands South analysis. The Future Urban Land Supply Strategy [FULSS] is a non-statutory prioritisation of growth areas for provision of bulk infrastructure. Maraetai 1 (110 dwellings) was planned for the first half of the first decade (2012-17) and Maraetai 2 (217 dwellings) is planned for the first half of decade two (2028-2032) with the wastewater treatment plant to be upgraded.</p>	As per response in T19 above - we anticipate receiving that information from the Council and will respond accordingly once the intensification planning instrument is notified and we have a better understanding of the contents and potential implications to properly undertake this assessment.
T27	Background Traffic Growth Rate	Please supply further information on how internalisation of background traffic is applied to Maraetai traffic travelling along Whitford-Maraetai Road, and how the assumed rates are dependent on a secondary school being provided.		The transfer of current external trips to internal destinations assumed within the ITA is considered very low and therefore very conservative. Only 1.5% of the 5% internalisation transfer corresponds to education trips. The actual transfer is expected to be significantly higher, but was kept low to ensure a robust analysis.

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			<p data-bbox="831 336 1585 363">Figure 1: Historical traffic volume on Whitford-Maraetai Rd showing consi</p>  <table border="1" data-bbox="831 375 1585 1125"> <caption>Whitford-Maraetai Road Traffic Volumes Average Weekday</caption> <thead> <tr> <th>Date</th> <th>Beachlands RAB - Sportsground</th> <th>Waikopua-Passing Lane</th> <th>Clifton-Passing Lane</th> <th>Trig-Turan</th> </tr> </thead> <tbody> <tr> <td>18/08/2016</td> <td>6200</td> <td>11700</td> <td>13800</td> <td>13100</td> </tr> <tr> <td>22/09/2017</td> <td>6800</td> <td>12300</td> <td>11300</td> <td>13200</td> </tr> <tr> <td>27/10/2018</td> <td>7200</td> <td>13200</td> <td>12500</td> <td>14500</td> </tr> <tr> <td>15/05/2018</td> <td>7500</td> <td>13500</td> <td>13000</td> <td>14800</td> </tr> </tbody> </table> <p data-bbox="824 1173 1552 1281">Taken together, the likely 4-10% reduction in traffic volumes due to Health Orders, the low assumed growth rates, and no allowance for development of the Beachlands proposal and Maraetai FUZ areas</p>	Date	Beachlands RAB - Sportsground	Waikopua-Passing Lane	Clifton-Passing Lane	Trig-Turan	18/08/2016	6200	11700	13800	13100	22/09/2017	6800	12300	11300	13200	27/10/2018	7200	13200	12500	14500	15/05/2018	7500	13500	13000	14800	
Date	Beachlands RAB - Sportsground	Waikopua-Passing Lane	Clifton-Passing Lane	Trig-Turan																									
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			<p>indicate the scenarios used in the ITA analysis have insufficient traffic volume.</p> <p>The ITA is of the view that increased employment and services including a secondary school would result in greater internalisation of trips within the Beachlands area. This is accepted in principle, but it is not clear to what extent the assumed internalisation of background growth is dependent upon a secondary school being provided, noting the timing of school provision is unknown. It is also not clear how much of the background internalisation could be applied to the Beachlands Rd and Jack Lachlan Drive intersections on Whitford-Maraetai Road given much of the background growth is in Maraetai and would still travel through those intersections.</p>	
T28	Trip Generation	Please supply the units of measurement for the trip generation rates.	<p>The units of measurement for the trip generation rates are not stated. It is assumed they are per-dwelling, per student, and per 100m<sup>2</sup> GFA, but this should be clarified.</p> <p>The trip rates for residential development of medium-density (0.65v/h/du) and high-density (0.29 v/h/du) is based on RMS survey data.</p> <p>The high-density trip rate of 0.29 v/h/du matches the rate recommended in the 2002 RMS Guide for "metropolitan sub-regional centres." A metropolitan sub-regional centre would be a reasonable</p>	<p>The units of measurements are provided below:</p> <ul style="list-style-type: none"> <li>• Commercial – per 100sqm GFA</li> <li>• Education – per pupil</li> <li>• Residential – per dwelling</li> <li>• Retail – per 100sqm GFA</li> <li>• Retirement – per dwelling units</li> <li>• Light Industrial – per 100sqm of GFA</li> </ul>

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T29	Trip Generation	Please either supply additional evidence to substantiate the assumed trip rates or adopt higher trip generation rates, particularly for the residential activities.	<p>match for Manukau or Albany but a poor match for Beachlands, so that trip rate is unsuitable.</p> <p>The RMS guide was updated in 2013 using high-density residential data from surveys of 12 sites in 2012, all more than six stories in height. All eight sites in metropolitan Sydney were within the walkable catchment of a rapid transit station or a major centre, and usually both. The other two sites were in regional NSW locations that were close to high-frequency bus routes (0.39-0.67 v/h/unit AM, 0.22-0.42 veh/h/unit PM). None of the RMS sites have similar characteristics to what is proposed at Beachlands which would have low-frequency public transport and significantly poorer accessibility than the sites surveyed. It is therefore expected that dwellings in Beachlands would have higher vehicle trip rates.</p> <p>The medium-density trip rate of 0.65 v/h/du matches the RMS 2002 recommended rate for “medium density residential flat buildings – larger units and town houses (three or more bedrooms)”. The medium-density residential flat building may be a reasonable match for some dwellings in the THAB zone, but it is likely to be a poor match for dwellings in the MHU zone.</p> <p>The rate adopted for commercial activities is averaged from the Australian and North American data at 1.87 v/h/100m<sup>2</sup>. This rate is below the rate of 2.0 recommended in the 2002 NSW report which is more likely to represent conditions in Beachlands than the ITE data. The RMS 2013 update had lower rates at 1.6 AM and 1.2 PM, but</p>	<p>Refer detailed response provided in <b>Attachment 8</b>.</p> <p>In summary, the rates used are considered to be appropriate for the purposes of this assessment.</p>

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			<p>most sites surveyed had good access to rail stations so would be expected to have lower rates than Beachlands.</p> <p>The source of the trip rate adopted for light industrial (0.78 AM, 0.68 PM) is not clear, but this is significantly lower than the trip rate recommended by the RMS for business parks or industrial estates.</p> <p>The ITA analysis assumes the golf course would have no trip generation during peak periods. The TDB database has survey data from five golf courses or driving ranges, and the ITE data contains data from 15 sites suggesting the trip generation from a 9-hole course would be around 10-20v/h AM and 25-45 v/h PM. Also note the request to assess the proposed MHU zoning rather than possible golf-course use.</p>	
T30	Trip Distribution	Please supply further data to substantiate the inbound/outbound trip distribution for residential development and/ or adjust the distribution to be less evenly balanced.	<p>The ITA has made assumptions about the proportion of traffic entering vs exiting in the peak hours. The source of these assumptions is not clear. For example, all residential development is assumed to have 63% of traffic arriving in the evening peak hour and this is lower than the ITE average of 69% entering for single-family attached housing (e.g., terraced housing) which is likely to be the predominant form.</p> <p>The ITA has also factored the trip generation to make a deduction for trips that would remain within the Beachlands area. For example, 35</p>	The inbound and outbound percentages distribution for the various land uses is based on the data sourced from ITE. Specific reference is made to the PM residential trip distribution which has been sourced from the ITE Trip Generation Manual, 11th Edition. The data for a single-family attached house shows 62% entering and 38% exiting in the PM peak hour of the generator in a weekday.

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T31	Trip Distribution	Please reduce the internal capture proportions for residential to better reflect the internal capture already represented in the trip generation rates.	to 45% of all residential trips are assumed to remain within Beachlands. The trip generation rates recommended by RMS for low and medium density residential already represent some internal capture and the RMS 2013 guide notes "the above rates do not include trips made internal to the subdivision, which may add up to an additional 25%". By using rates like those recommended by the RMS and applying an internal capture reduction the analysis has double counted the internal capture. Likewise, if residential trip generation was determined from surveys on the periphery of Beachlands that would have excluded most internal trips.	The methodology used in the ITA is sound because the RMS internal capture statement relates to trips within a minor development, not a suburb / village / town. In this setting, there is a significant transport decision made between trips remaining in the wider Beachlands conurbation or travelling significant distance to an external destination. This is not captured in the RMS discussion relating to trips within the plan change area.
T32	Trip Distribution	Please supply further data to substantiate the internal trip assumptions for the retail and commercial activities and/ or reduce the internal capture proportions.	The internal capture proportions for retail and commercial activities appear to be too high when the scale of the surrounding catchment (including Whitford and Maraetai etc) is considered, as these activities are likely to attract customers from the wider catchment, potentially with some proportion being diverted from an existing journey. The ITA suggests it is unlikely that trips would be made into Beachlands for retail purposes during peak periods, but assertion requires further evidence, particularly as some activities such as the supermarket and food retailing are open extended hours.	The internal trip assumptions for retail and commercial activities are considered appropriate given the geographical location of Beachlands to surrounding population centres. The retail and commercial activities are expected to predominantly serve the Beachlands catchment.
T33	Trip Distribution	Please advise what allowance is made in the trip distribution spreadsheet for internal traffic passing through intersections within the Beachlands area	There should also be some agreement between the internal capture figures. For example, if some residential traffic is captured by local retail and employment activities, the captured traffic volumes for	The internal network does not require detailed modelling at this stage because intersections will be designed to accommodate likely traffic at subsequent resource consent stages. There is adequate land available to ensure that there will be no internal congestion issues.

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T34	Trip Distribution	Please advise what allowance the trip distribution spreadsheet has made for external traffic using the new internal roads.	residential traffic exiting in the morning peak should be like the captured volumes for traffic entering the other activities. The format of the information presented in the ITA does not allow for this to be compared.	As above, internal roads have not been modelled and this will be done at the subsequent resource consent stages.
T35	Trip Distribution	Please supply updated modelling results for the revised traffic count, growth, ferry mode-share, trip-rate, internal capture, and trip distribution assumptions.	<p>The ITA analysis has calculated the distribution of traffic using a spreadsheet as regional and district transport models are unavailable or unreliable for this area. Outputs from this spreadsheet for the various scenarios have not been supplied so it is not possible to compare turning movements at an intersection for a baseline scenario and development scenario for the same year. It is therefore not possible to ascertain if internal trips made between Beachlands South and Beachlands are included in the analysis of intersections along Jack Lauchlan Drive for example.</p> <p>It is also not possible to determine if any allowance has been made for external traffic to detour along the new spine road (or other Beachlands South roads) in future. For example, some external traffic may travel to the ferry terminal via the new spine road instead of via the Whitford-Maraetai Road / Jack Lachlan Drive intersection.</p> <p>The modelling includes a new road intersecting Whitford-Maraetai Road at #712 for the 2038 scenario. That land is proposed to be zoned FUZ which is unlikely to be compatible with construction of that road in that timeframe. It appears that any traffic assumed to be using this access should be reassigned to Jack Lachlan Drive instead.</p>	No remodelling will be undertaken to capture changes in assumptions for the reason given in the responses above in T34 and T35.

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T36	Intersection Modelling and Concept Designs	Please include results from the 2031, 2038, and FUZ Baseline scenarios.	<p>Modelling results are supplied for both the baseline and development scenarios for 2024, but no baseline scenario results are provided for the 2031, 2038 or FUZ scenarios. This information would be useful to understand the impact of the proposal in future years.</p> <p>Two intersections along Whitford-Maraetai Road included in the road safety history assessment are not included in the efficiency analysis, being Clifton Road/ Trig Road (east) and Henson Road. We understand concerns have been raised by the Local Board about safety and capacity at the Whitford-Maraetai Road / Clifton Road intersection which is acknowledged in the ITA as an intersection with complex movements.</p> <p>Concept design drawings are supplied for the intersection upgrades to demonstrate their feasibility and the need for any third-party land which are very useful. It is presumed the dashed lines show the edge of the AT road widening designation. The drawings show vehicle lanes and footpaths in some locations, but the drawings do not show the possible extent of batters or retaining structures that may require more land. Cycle facilities such as either on-road cycle lanes or off-road paths are not shown on roads that would in future be expected to carry cyclists, such as Jack Lachlan Drive.</p>	<p>The baseline scenarios for 2031 and 2038 were not modelled because by these years it is expected that development within the plan change area would be underway and would not provide a useful comparison with the development scenario.</p> <p>In terms of the FUZ baseline scenario, the baseline scenarios is not dissimilar to the range of activities that can be established to the current Countryside Living zone. The FUZ mainly provides for rural uses, a limited range of commerce and community activity (most of which not permitted as of right and require resource consent) and one dwelling per site as a permitted activity.</p>
T37	Intersection Modelling and Concept Designs	Please supply survey information and model outputs demonstrating how the intersection models were calibrated and validated.	<p>Concept design drawings are supplied for the intersection upgrades to demonstrate their feasibility and the need for any third-party land which are very useful. It is presumed the dashed lines show the edge of the AT road widening designation. The drawings show vehicle lanes and footpaths in some locations, but the drawings do not show the possible extent of batters or retaining structures that may require more land. Cycle facilities such as either on-road cycle lanes or off-road paths are not shown on roads that would in future be expected to carry cyclists, such as Jack Lachlan Drive.</p>	<p>The base year (2020) Sidra results were validated based on the observed queue lengths from the survey videos. These were consistent with regular daily site observations during the study period. However, most intersections significantly change in the future therefore base year validation is not particularly relevant.</p>

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T38	Intersection Modelling and Concept Designs	Please supply analysis for the Whitford-Maraetai/ Henson intersection and the Whitford-Maraetai/ Clifton/ Trig intersections.	The ITA expects that Auckland Transport may have widened Whitford-Maraetai Road to four lanes prior to 2051. None of the concept intersection designs show that the proposed changes to the intersection to accommodate development of the PCA would be compatible with the AT design intentions for Whitford-Maraetai Road, but the modelled layouts for 2051 all reflect a four-laned road.	Further response to follow and to be provided separately.
T39	Intersection Modelling and Concept Designs	Please supply diagrams showing the predicted 95th percentile queue lengths for the 2038 baseline and development scenarios on the concept intersection designs.	<p>It would be useful for the 95th percentile queue lengths predicted by the SIDRA models to be plotted on the concept intersection designs to allow a comparison between the proposed queue storage and the expected queue lengths.</p> <p>The SIDRA model of the Kahawairahi Drive intersection has a short lane on the side road that is not present at this intersection. Are changes to the intersection proposed?</p> <p>The concept design for the Trig Road (west) intersection (Site 4) proposed to occur in 2031 is different to the SIDRA model layouts for 2031 and 2038. The concept design has an additional eastbound lane, an additional approach lane on Trig Rd, and a left turn slip lane. The concept design appears to have no space for any path on the northern side of the road. The FUZ model for this intersection is different to earlier versions, presumably to represent an AT proposal for the intersection.</p> <p>The concept design for the Whitford roundabout appears to have geometry that does not conform with entry deflection requirements,</p>	Intersection modelling and concept designs are considered to be detailed design matters that would normally be addressed and provided as part of the resource consent process. It is considered unnecessary to provide this level of detail at this stage of the planning process for a private plan change and therefore the diagrams/drawings requested are not provided.
T40	Intersection Modelling and Concept Designs	Please update the concept design drawings for changes to intersections to show the ability to provide for cyclist facilities and earthworks or retaining structures.		Refer response in T39 above.
T41	Intersection Modelling and Concept Designs	Please provide concept designs for intersections along Whitford-Maraetai Road with a four-lane mid-block carriageway in place to		Refer response in T39 above.

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		show the concept designs would be compatible with Auckland Transport's design intentions for the road.	and it appears raised speed tables have been proposed to address that deficiency. While raised tables can provide significant safety benefits where zebra pedestrian crossings are present, their use on routes with significant volumes of heavy vehicles can be undesirable, particularly for vehicles carrying livestock. The ability of the design to accommodate the tracking of large vehicles is not shown and it is unclear what the impact of the proposed change on the large tree in the centre of the roundabout might be. It is not clear if the proposed installation of raised tables is reflected in the saturation flows used in the modelling.	
T42	Intersection Modelling and Concept Designs	Please clarify the apparent mismatches between SIDRA modelled intersection layouts and the existing intersection layout or the concept design drawings.	<p>Traffic signals can provide significant benefits to pedestrians and cyclists compared with two-lane roundabouts. Have traffic signals been considered for the Whitford intersection?</p> <p>The new intersections on Whitford-Maraetai Road at #712 and #650 (spine road) are located on the inside of broad bends and it is not clear from the diagrams what sight distances may be available along Whitford-Maraetai Road or if additional land may need to be vested to provide for adequate sight distances. Please show the required SISD sightline on the drawings.</p>	There is a mismatch between the Trig Road concept design and the corresponding SIDRA model layout. The concept design was significantly oversized to demonstrate that a larger intersection than required could fit within land constraints to ensure future proofing. The precise layout of the intersection will be developed with revised traffic modelling and corresponding concept design at the subsequent and relevant resource consent stage. At Plan Change stage, the requirement is to demonstrate that an upgrade is feasible, which has been achieved.
T43	Intersection Modelling and Concept Designs	Please supply additional information, including vehicle tracking and entry deflection analysis to allow the viability of the proposed concept design for the Whitford roundabout to be determined.	The intersection at #712 is proposed to prohibit right-turn movements; however, those prohibitions are likely to result in wrong-way or U-turn movements being made either side of the intersection with potentially poor outcomes for road safety. The	Refer response in T39 above.



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T44	Intersection Modelling and Concept Designs	Please advise what saturation flows have been used in the modelling of the Whitford roundabout approaches where raised tables are proposed.	<p>modelled layout differs from the concept design as it includes a short northbound departure lane.</p> <p>The proposed intersections along Jack Lachlan Drive are located near existing access points where sight distances along Jack Lachlan Drive are constrained.</p>	<p>A 5% capacity adjustment was made to the approach capacities at the Whitford roundabout approaches. The tweaks were made to consider any capacity constraints introduced by pedestrians and/or by the road hump. This methodology was recently used and peer reviewed in the recently approved Drury East private plan changes (PC 48, 49 and 50) which has been established as an acceptable method of replicating actual conditions.</p> <p>Traffic signals were considered as an optional treatment for this roundabout upgrade but was discounted due to poorer performance and space requirements.</p>
T45	Intersection Modelling and Concept Designs	Please supply sight distance measurements at the new intersections on Jack Lachlan Drive and advise if the provision of adequate sight distance is dependent on Auckland Transport lowering the speed limit, or changes to the form of Jack Lachlan Drive.		Refer response in T39 above.

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T46	Intersection Modelling and Concept Designs	Please supply further information to justify the left-in left-out intersection layout at #712, or supply a design that accommodates all turning movements.		Refer response in T39 above.
T47	Intersection Modelling and Concept Designs	Please supply assessment of the Whitford / Chapel / Oranewood intersection and the Ormiston / Murphys intersection.		It is considered unnecessary to provide this information because these two particular intersections are sufficiently far away from the plan change area to not be adversely affected.
T48	Intersection Modelling and Concept Designs	Please provide an assessment of the most appropriate form of control for each intersection, including assessment of safety using the safe system framework and impacts on various transport modes including walking and cycling.		Refer response in T39 above.
T49	Link Analysis	Please supply analysis of the impact of the proposal on the	The ITA presents the results of modelling several intersections along key routes, but it does not provide any analysis of the impact of the	This analysis is already provided in the ITA and appropriate analysis evaluating the safety of these

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		safety of routes providing access to Beachlands including Whitford-Maraetai Road, Whitford Road, and Sandstone-Ormiston Rd.	<p>additional traffic on the mid-block performance of the routes, despite acknowledging that the route is already near or at capacity during peak periods and that no funding has yet been identified to provide capacity upgrades to the route.</p> <p>While the road safety history of the main route to Beachlands is provided, no analysis or assessment has been made of the impact the proposed plan change would have on road safety. Analysis following the procedures in the WKNZTA Crash Estimation Compendium is recommended.</p> <p>Consideration should be given to increases in risk arising from additional queuing across side roads and driveways where more than one approach lane is present.</p>	<p>routes have been undertaken to the extent that we are comfortable traffic safety would be maintained with the proposed transport infrastructure upgrades as captured in the proposed precinct provisions.</p> <p>The detailed information of road design is expected to follow with the necessary resource consent documentation and it will be up to the road controlling authority (AT) to approve these.</p>
T50	Link Analysis	Please clarify what safety measures, such as improved signage, delineation or lighting are proposed and what impact they could have on mitigating the hazards.	<p>The ITA recommends that safety measures such as more signage and delineation should be considered in addition to any road infrastructure upgrades, but that recommendation is not reflected in the summary of recommend infrastructure upgrades or the precinct provisions.</p>	Refer response in T39 above.
T51	Link Analysis	Please supply analysis and assessment of the impact of the proposal on the efficient operation of mid-block sections of access routes to Beachlands including		Refer response in T39 above.

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		Whitford-Maraetai Road, Whitford Road, and Sandstone-Ormiston Rd.		
T52	Integration with Transport Policy	Please provide an assessment of the proposal against the transport-related aspects of the Regional Policy Statement.	The ITA sets out an assessment of the proposal against several items of transport planning policy. For the Auckland Unitary Plan, the objectives of Chapter E27 Transport are considered. The Regional Policy Statement section on urban growth and form in Chapter B2 have not been evaluated in the ITA.	This evaluation against Chapter B2 of the RPS is provided in Section 32 Analysis Report and the objectives and policies table (see <b>Attachments 3 and 4</b> ).
T53	Proposed Precinct Provisions	Please supply a rationale for the exclusion of AUP Rule E27.6.1 Trip Generation including proposed methods for managing adverse effects of larger-scale or unanticipated development.	<p>The precinct provisions propose that AUP Rule E27.6.1 Trip Generation should not apply to the precinct, and the reason for this, and any alternate methods proposed to address and manage potential effects in lieu of this rule are not discussed in the lodged material or ITA.</p> <p>Table 2 in the proposed precinct provisions sets out the thresholds for subdivision and development and the required transport infrastructure. Some of the land use descriptions have more than one type of land use. For example, row (c) is:</p> <p>A provision of:</p> <p style="text-align: center;"><i>More than 550 and up to 820 dwellings or residential lots;</i></p>	<p>This Auckland-wide trip generation standard is proposed to be excluded from applying to the plan change area because the precinct provisions include Standard 1.7.3 Staging of Development with Transport Upgrades which contains specific development thresholds developed for the plan change area which will apply instead.</p> <p>The purpose of this standard is to manage the adverse effects of traffic generation on the safety and efficiency of the surrounding road network by ensuring subdivision and development is coordinated with infrastructure upgrades.</p>

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T54	Proposed Precinct Provisions	Please clarify how the infrastructure requirement thresholds in Table 2 are proposed to work and provide an amended table to provide greater clarity.	<p><i>ii More than 3,500m2 and up to 5,700m2 light industrial GFA;</i></p> <p><i>iii Up to 400m2 retail GFA; and</i></p> <p><i>iv Up to 1,100m2 commercial GFA.</i></p> <p>As currently written, the standard could be interpreted, with the word "and", to require the additional infrastructure only if a development proposal breached all the land use thresholds. It is presumed the intention of the standard is that once more than 550 dwellings, or more than 3,500m2 light industrial GFA, or more than 400m2 retail GFA, or any commercial GFA is sought the additional infrastructure would be required.</p> <p>The required transport infrastructure includes the provision of more ferry capacity for the morning peak period only and does not reference the evening peak or any minimum service provision at other times. The reasons for this are not clear.</p>	<p>An amended table has not been provided because this is considered to be sufficiently clear and implementable in a consent process.</p> <p>Table 2 of Standard I.7.3 Staging of Development with Transport Upgrades is intended to be reviewed in conjunction with Precinct Plan 6 which specifies the transport staging boundary and indicative location of transport upgrades as specified in Column 2, relative to the nature and extent of development thresholds specified in Column 1. Subdivision and development within the precinct must comply with the transport triggers/upgrades in Table 2. Discretionary activity consent will be required to infringe this standard where the specified transport infrastructure is not provided.</p> <p>This approach was similarly applied to the recently approved Drury East plan changes (PCs 48-50) which were all located within the same transport staging boundary and had the same transport infrastructure upgrade standard. The Independent Hearing</p>

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				<p>Commissioners that approved PCs 48-50 recorded the following<sup>3</sup> in their decision:</p> <p><i>Transport triggers and related plan provisions are a commonly used mechanism in plans (and in the AUP OP) and can be effective to allowing development to occur in a staged manner, but importantly to enable development to be refused prior to the necessary infrastructure being implemented if necessary.</i></p>
T55	Proposed Precinct Provisions	Please clarify why more ferry capacity is only required for the morning peak period.		The AM Peak was used as the worst-case example of passenger demand. It is assumed that the upgrade to service frequency will be required in the PM Peak hour, but to a lesser extent as the PM peak is flatter.
T56	Funding	Please clarify if the Requestor would fund the capital cost of supplying new public transport vehicles and/ or would fund the	The Structure Plan document states that all infrastructure is to be funded with Crown Infrastructure Partners and recouped through a targeted levy. It is not clear if this funding extends to the provision of public transport vehicles such as new vessels used for ferry service.	<p>BSLP will not be funding or contributing to the capital cost of providing new public transport.</p> <p>Under the LG(AC)A, Auckland Transport is responsible for the planning, development and</p>

<sup>3</sup> Paragraph 220 of PC 50 Decision.

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		cost of operating additional public transport services.	It is not clear if any funding is available to operate and maintain new or additional vessels or public transport services including the recommended shuttle bus service, or if responsibility for that funding would fall to Auckland Transport.	management of all of Auckland region's transport system including the planning and funding of public transport <sup>4</sup> .
<b>Economic matters – Derek Foy, Formative</b>				
ECO1	Enabling Housing Supply Act	Please update the housing capacity assessment to include the additional capacity that would be enabled by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021.	The Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 was passed in December 2021, after much of the economics assessment would have been completed. The Act has significant implications for residential dwelling provision in Auckland. The Act would significantly increase enabled dwelling intensity throughout Auckland in three main ways. First, by requiring Council to apply Medium Density Residential Standards across all relevant residential zones. Second, by amending the National Policy Statement on Urban Development Capacity's Policy 3(d) to encourage intensification in more locations throughout Auckland. Third, by requiring Council to change their plan rules to enable intensification under Policy 3 by notifying an Intensification Planning Instrument (IPI) by 20th August 2022. Auckland Council has released its proposed intensification policy which will enable significantly more housing supply than the AUP. The Act is prescriptive and directive,	It is not for this plan change to assess any additional capacity enabled by the Amendment Act. This is a matter for Council to consider. It is our understanding from Council that housing capacity figures reflecting the MDRS / Policy 3 will not be available until after Auckland Council's Planning Committee have determined the provisions for notification. As such, we cannot address this matter of additional capacity until the Council notifies the intensification planning instrument and we have had the opportunity to review this.  However, we confirm that the section 32 report for this Private Plan Change has been prepared in accordance with this Act and the proposed precinct

<sup>4</sup> Paragraph 5.2 Statement of Evidence of Josephine Tam on behalf of Auckland Transport for PPC 48, PPC 49 and PPC 50 to the Auckland Unitary Plan dated 14 October 2021.

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			<p>which means that for most of the urban area the development potential will increase significantly.</p> <p>Please note that the data to assist with this can be facilitated via the processing planner or economics peer reviewer.</p>	<p>provisions take into account the MDRS as part of this Act.</p>
ECO2	Growth projections	<p>a. Please discuss the implication of the most recent Statistics NZ population projections on assessment of retail and residential demand.</p>	<p>Statistics NZ has now released 2018-base Statistical Area 2 population projections for Auckland. The Property Economics report notes that those projections had not been released at the time of writing. Projected population growth underpins much of the economic assessment, and it will be important to understand how sensitive the assessment is to different demand projections used, and the assumptions on which those projections are based.</p> <p>The most recent projections have changed from previous projections, and it will be important to understand whether they affect the conclusions drawn in relation to both sustainable retail space and the residential dwelling demand-supply balance. The Statistics NZ projections are available <a href="#">here</a>.</p> <p>The inclusion of the Auckland Council Growth Model projections will be useful to understand consistency of the proposal with Council's internal assumptions about the sub-regional distribution of growth.</p>	<p>We do not consider this to be a valid clause 23 further information request as population projections and demand are not relevant district plan considerations. Regardless we provide the following response.</p> <p>Population estimates at the Statistical Area 2 (SA2) level were released last year by Stats NZ. All the growth projections have increased from the projection series available at the time of preparing the Economic Report.</p> <p>The immediate Beachlands area had a high projection of 17,800 by 2048. This projection has now increased to 21,000 by 2048. The medium projection, similarly, was 15,800 by 2048 and has now increased to 18,600 by 2048.</p>



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			<p>Please note that gaining the Auckland Council Growth Model data to assist with this can be facilitated by the processing planner or economics peer reviewer. This may need to occur in liaison with Council officers from the Research and Evaluation Unit (RIMU) and could be facilitated by the processing planner or economics peer reviewer.</p>	<p>The larger area, including the Howick Local Board, has the highest project of 234,900 people by 2048. This is has also increased to 240,500 by 2048 under the latest projections. Similarly, the medium projection was 208,700 by 2048 and is now 209,000 by 2048.</p> <p>As these projections reflect anticipated growth by area, the projected number of households has also increased. Stats NZ has updated their Household projections to reflect changes to the growth in people per dwelling. Previously, Stats NZ's household projections had a notable decline in the number of people per dwelling over the projection period.</p> <p>The new projections show a more muted decline to reflect the rise in multigenerational households, communal living, and difficulty for many people to enter the housing market. These are trends particularly true in urban fringe locations with newer, low density housing stock.</p> <p>Overall, the population and household projections have increased from when the Economics Report was</p>

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		<p>b. Please confirm whether the Statistics NZ projections used in the Property Economics assessment are constrained or unconstrained as to capacity and the supply of residential land.</p>		<p>originally completed which only increases retail and residential demand in the area.</p> <p>We do not consider this to be a valid clause 23 further information request as population projections and demand are not relevant district plan considerations. Regardless we provide the following response.</p> <p>Whether the projections are "constrained" or "unconstrained" is a question for Stats NZ as Property Economics have utilised their projection series.</p> <p>However, it is our understanding that Stats NZ does consider the available capacity in an area to accommodate growth in population / households when generating their projections.</p> <p>It is unclear to us if Stats NZ considers residential market factors such as development feasibility. However, we consider that their modelling does not include such changeable variables because these</p>

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		<p>c. Please confirm at what geographic resolution the base Statistics NZ projections were published, what statistical areas the Beachlands catchment in Figure 2 (page 20) is an aggregation of, and what assumptions (if any) were used in spatially allocating growth from the base statistical areas to the statistical areas that comprise the catchment.</p>		<p>would introduce significant sensitivities and a loss of generality.</p> <p>We do not consider this to be a valid clause 23 further information request as population projections and demand are not relevant district plan considerations. Regardless we provide the following response.</p> <p>As identified above, the projections for Beachlands were based on Stats NZ previous projection series. These utilised base geostatistical areas that have now been updated. These earlier projections from Stats NZ were based on Area Units 2017, and are roughly equivalent in size to today's Statistical Area 2s though not in extent.</p> <p>For completeness, the Beachlands Catchment in the Property Economics report comprised the area units of Beachlands-Maraetai and Tūranga.</p>

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ECO3	Net additional growth	Please confirm that the assumed dwelling yield for Beachlands South would be in addition to growth projected in the 2018-base Statistics NZ projections, and if so then explain why the growth requested to be enabled in Beachlands South would not result in any diversion of growth away from other areas within Auckland.	The Property Economics report addresses this on page 62, but the rationale for assuming that all new dwellings in Beachlands South would be in addition to the base (Statistics NZ) demographic projections is not clear. Understanding this rationale is relevant to assessing the catchment retail demand projections and sustainable floorspace assessment, and potential effects of other centres arising from the proposal.	<p>The population projections for the localised market used the medium projections plus the proposed PPC development. This was utilised because the Stats NZ projections could not have anticipated the Beachlands South development so the increase in population is a net addition to the projections. Projected demand is an estimate, whereas supply perpetuates actual demand. In this context, the PPC would catalyse growth in Beachlands.</p> <p>The market for the development is assumed to draw from the wider Auckland region and not just from the immediate Beachlands area so the population for the supportable market represents a net increase in population for the area. The proposed PPC may divert some growth away from other areas within Auckland, but this would represent a net addition to Beachlands. The loss of growth in 'other areas of Auckland' would be negligible on an individual area basis.</p>
ECO4	Net additional growth	Please confirm that the household projections from Figure 13 relate to the same catchment as the retail demand projections in Table	The Beachlands catchment retail spend projections in Table 15 appear to indicate a decrease in average spend per household over time. It is important to understand why this trend exists in the projections, because that has implications for the quantum of	The household projections do relate to the same catchment as the retail demand projections in Table 15.

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		<p>15 of the Property Economics report.</p> <p>If so, please explain why those projections indicate a decrease in the average spend per household over the course of the projections.</p>	<p>floorspace sustainable in the proposed local centre, the appropriate size of that centre.</p>	<p>The average retail spend per household decreases over time because the average number of people per household is dropping. Fewer people per household means less spend per household. This is despite the fact the Property Economics Retail Model incorporates an annual increase in real retail spend.</p> <p>The average number of people per dwelling was 2.93 and was projected to drop to 2.64 over the forecast period.</p>
ECO5	Office space	<p>Please assess the appropriate location for office activity to be accommodated within the precinct and clarify whether the assessment includes allowance for work from home office space.</p>	<p>The assessment in section 5.9 of the Property Economics report quantifies that up to 5,600m<sup>2</sup> of office space might be supported in the Beachlands-Maraetai catchment, based on the number of workers resident in the catchment and a target local retention rate. There does not appear to have been any consideration in that assessment of the tendency for a proportion of the workforce to be engaged in small businesses working from home, and therefore that not all will require office space. Appropriately accounting for small businesses who will not wish to work from commercial office space, even shared office space, will be important to avoid an oversupply of office space in Beachlands South.</p>	<p>The location of office space is planned to occur within those parts of plan change area to be rezoned Business – Local Centre and Business – Mixed Use and located within the Village Centre, Community and Employment sub-precincts. These locations are considered to be appropriate because these locations are intended to be the local business and employment hubs of the precinct thereby offering appropriate opportunities for the development of office space/activities.</p>

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				<p>The office space projections are based on the anticipated number of commercial office workers. Allowance for home office employment is made implicitly in the productivity of office space per worker Property Economics apply, i.e., we assume that some office workers will work from home.</p> <p>We note that this was assessed pre-COVID, so the proportion of office workers working from home may increase in the post-COVID world and may not actually resume to normal levels. However, offsetting this trend is the plan change offering the opportunity for office workers to establish a new office locally within Beachlands (i.e. the innovation hub). This is likely to be an attractive option for people who work from home currently, as well as an attractive option for those travelling outside of Beachlands, thereby internalising more office workers.</p>
ECO6	Diversion of growth	Please expand on the discussion about the economic cost of diversion of growth (page 77), particularly in light of the Enabling Housing Supply Act	The diversion of some growth away from other locations in Auckland would potentially reduce intensification in and around key growth nodes. It would assist assessment of the merits of the proposal to understand how diverting growth from locations such as around	The exact diversion of growth cannot be quantified as the marginal propensity to generate higher density dwellings in response to the unlocking of land is not known and continuously in flux. In theory, however,

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			<p>Metropolitan Centres might affect intensification in and around those nodes, and the significance of the associated costs.</p>	<p>allowing additional greenfield land, will divert some growth away from existing infill capacity.</p> <p>This is a cost because the most economically efficient residential development occurs in and around centres where the development benefits from the existing amenity and infrastructure as well as access to employment, retail and community activity with lower transport costs.</p> <p>This cost is somewhat lower for Beachlands than for other fringe locations because the main coastal town of Beachlands is within a short walking distance to the plan change area. There is significant public transport infrastructure in place (ferry) and the proposed PPC intends to help internalise a large portion of employment / retail opportunity to generate a more efficient and liveable location.</p> <p>As such, looking at a singular economic cost in isolation does not represent a fair reflection of the merits of the plan change. A more accurate picture of the economic costs and benefits of the plan change can be determined when considering all the economic costs and benefits as a whole.</p>

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<b>Economic matters – Derek Foy, Formative (non-clause 23)</b> <i>Other comments not within the remit of clause 23 of the First Schedule of the Resource Management Act 1991 (RMA)</i>				
ECO7	Growth projections	<p>Please provide an assessment of the residential demand-supply balance under a scenario that uses Auckland Council's Growth Model (I11v6) projections as the demand projections, instead of Statistics NZ's projection.</p> <p>Alternatively please update the assessment to also include Auckland Council's Growth Model population and household projections.</p>		<p>We do not consider this to be a valid clause 23 further information request as population projections and demand are not relevant district plan considerations. Regardless we provide the following response.</p> <p>We have been provided with a copy of Auckland Council's Growth Model (I11v6). This Growth Model appears to be older projections, i.e., generated before the latest Stats NZ projections outlined in the answer to ECO2(a) above and are also based on older data. The projections appear to show a substantially lower population base, around 10,000 fewer people in 2020, than even the Stats NZ estimate for the same year (this is based on a rough approximation of the indicated area provided).</p> <p>By 2051, the Auckland Council Growth projections suggest the catchment will have a population base in the order of 192,000. This figure is around 16,000 fewer than Stats NZ old Medium Growth projections</p>



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				<p>by 2048, and 17,000 fewer than Stats NZ latest (2021) Medium Growth projections by 2048.</p> <p>Using linear interpolation, Stats NZ latest Medium Growth population projections would show a total population of around 216,000 people by 2051. Over 24,000 more people than Council's projections.</p> <p>It appears the Council's Growth Model projections were developed after the original Stats NZ projections utilised in the Property Economics report, but before the latest 2021 Stats NZ projections.</p> <p>As such the latest 2021 Stats NZ projections represent the most up-to-date projection series, which as outlined earlier are higher than both the projections applied by Property Economics at the time of writing the report, and higher than Council's Growth Model projections.</p> <p>Therefore, the latest projections would increase demand for dwellings and retail activity relative to the analysis in the economic report, and any previous projections.</p>
Urban design matters – Rebecca Skidmore, R A Skidmore Urban Design -				

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UD1	Assessment Independence	<p>While noting the principal author of the Urban Design Assessment report as being Alistair Ray (Senior Urban Designer, Jasmx), the report notes that it has been prepared by the full design team for the project, comprising a number of consultant firms.</p> <p>Please confirm the independence of the assessment provided.</p>	This information is required to better understand the nature of the effect the plan change will have on the environment, in respect of your provided assessment on urban design.	The report was not an 'independent' assessment rather an 'objective' urban design assessment of the PPC and accompanying spatial framework / illustrative master-plan. It assessed the proposal against recognised and accepted best practice urban design principles.
UD2	Assessment methodology	Please set out the statutory provisions that are relevant to assessing the proposal in the report's assessment methodology (such as the NPS:UD and the AUP:RPS) and amend the assessment as necessary to address these matters.	Section 2 of the report sets out the assessment methodology. It draws on frameworks from non-statutory documents including the NZ Urban Design Protocol (2005) and Building for Life 12 (2015, Design Council, UK). The relevant statutory documents as listed in Appendix 1, Section 1.3 should be considered as well. This information is required to better understand the proposed urban design methodology and assessment and whether required documents were taken into account.	<p>In lieu of recognised criteria for urban design assessments in New Zealand we based our assessment methodology on best-practice guidance. This aligns with relevant documents listed in Appendix 1.3 of the AUP such as National Policy Statements and the Auckland Design Manual. Section 3.1.2 of the report refers to some of these but also states that issues relating to the strategic planning justification for this Plan Change are covered in much greater detail within the Section 32 Analysis Report by Unio.</p> <p>The Beachlands South Structure Plan was prepared in accordance with the requirements of Appendix 1</p>

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				<p>of the AUP and with reference to the documents listed under section 1.3 of Appendix 1. The Structure Plan subsequently informed and essentially provided the foundations for development of the masterplan and Masterplan Design Report and therefore the relevant statutory documents have been taken into account.</p>
UD3	Structure Plan	<p>Please identify the relationship between the Structure Plan that has been prepared and its role in guiding/informing the urban design assessment.</p>	<p>Section 1.2 in Appendix 1 of the AUP notes that the RPS promotes the preparation of structure plans as a precursor to plan changes. However, it appears that the Structure Plan has been prepared concurrently with the plan change, both drawing on the master planning exercise carried out for the Site.</p> <p>This information is required to better understand the nature of the effect the plan change will have on the environment, in respect to your provided assessment on urban design.</p>	<p>The Structure Plan was prepared prior to preparation of the Masterplan Design Report. However, we acknowledge that there has been some overlap between the Structure Plan and development of the plan change documentation.</p> <p>This has enabled the benefit to test at a master planning level the principles of the Structure Plan. The urban design assessment assessed the proposed plan change with a focus on the Masterplan Design Report (Appendix 5). Although this was informed by the preceding Structure Plan the urban design assessment does not assess the Structure Plan per se.</p>

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UD4	Structure Plan	<p>The structure planning process includes the preparation of a Neighbourhood Design Statement.</p> <p>Please advise how this document has informed the proposed Precinct provisions.</p>	<p>The purpose of the Neighbourhood Design Statement is identified as being to support the Structure Plan by setting out the high-level design considerations for certain elements across the site in order to achieve good quality urban outcomes. However, further clarification is sought to understand how the NDS has informed the precinct provisions.</p>	<p>The Neighbourhood Design Statement (NDS) was prepared as a supporting document to the Beachlands South Structure Plan and as part of the requirements specified in Appendix 1 Structure Plan Guidelines of the Auckland Unitary Plan for plan change applications to rezone land.</p> <p>The Structure Plan acted as the foundation for establishing the pattern of land use, transport and services network within the plan change area. This has subsequently informed development of the Beachlands South Masterplan Design Report (Appendix 5 of the application material) which responds to the key outcomes and objectives of both the Structure Plan and NDS. The Masterplan Design Report also describes the specific character, activity and built form outcomes of each sub-precinct across the plan change area and this in turn has informed development of the proposed precinct provisions.</p>
UD5	Urban Design Assessment	<p>Please can the UDA identify key urban design outcomes that the masterplan has identified as being important and assess how these</p>	<p>The PC request is accompanied by a Masterplan Design Report (Appendix 5). The 'Purpose of this Document' (Section 1.1) of the Urban Design Assessment report (the "UDA") confirms that the content of the masterplan is illustrative only.</p>	<p>The precinct provisions have been developed to give effect to key urban design outcomes of the Masterplan Design Report. This is evident from the precinct description, various sub-precincts and</p>

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		<p>would be achieved by the proposed precinct provisions.</p>	<p>It goes on to note that “this content has been assessed as part of this urban design assessment, but it is recognised that certain aspects of the design are “envisaged” as opposed to being formally guaranteed as part of the Plan Change documentation.” The report notes that the focus of the report relates to: the Masterplan Design Report; the Sustainability Strategy; and the Neighbourhood Design Statement.</p> <p>No mention is made in the methodology section of the proposed precinct provisions being assessed. The Masterplan report is helpful to identify the design approach that has been tested and applied to the Site and forms an important foundation for developing precinct provisions. However, as noted in the UDA, it provides only an example of outcomes that may be achieved.</p> <p>Without pre-determining the matters that will be identified, it is suggested that key aspects that require consideration include:</p> <ul style="list-style-type: none"> <li>• The extent and distribution of proposed zones;</li> <li>• Provision of public realm elements – will these be public or private, how will they be delivered;</li> <li>• Zone and precinct provisions – how will these deliver the urban design outcomes described (in terms of building scale and form outcomes, relationship between private and public realm, distribution of activities, achieving key connections).</li> </ul>	<p>related objectives and policies, standards and the precinct plans.</p> <p>Section 4 of the Masterplan Design Report identifies the key design outcomes of the masterplan which is expected to be delivered through the proposed precinct provisions. This is captured by way of specific objectives and policies for each sub-precinct which were developed from the overview, movement, built form and open space descriptions for each sub-precinct from the Masterplan Design Report. The Design Outcomes in Section 4 of the Masterplan Design Report were also adapted and converted into assessment criteria within the precinct provisions. For example, the Fairway Reserve within the Marina Point sub-precinct is considered to be a key urban design outcome described in the Design Report. This has been captured in the precinct provisions by its indicative location on Precinct Plan 1 and a specific development standard I.7.8 which requires this to be formed.</p> <p>Separately, it is anticipated that a Design Review Panel (DRP) will be appointed to assess future development applications in the PPC area as</p>

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			<p>Section 4 – Conclusions includes a brief section (4.1) setting out an assessment of the proposed precinct provisions. As noted above, the analysis of the proposed precinct provisions should be the focus of the report to understand how the urban design outcomes will be achieved.</p> <p>We require this further information to understand how the masterplan has influenced the development of the plan change's provisions and how the proposed provisions will address and achieve the key outcomes identified in the masterplan.</p>	<p>described on page 11 of the Design Report. A set of Design Guidelines are also intended to be developed and these will be assessed by the DRP to ensure that the design outcomes in the Design Report are achieved beyond that required by the proposed precinct provisions.</p> <p>The design guidelines are intended to provide the next level of urban design guidance. The guidelines will not only provide clear rules for developers to follow but would also be an important tool for the Design Review Panel to use when assessing the validity of developers' proposals.</p>
UD6	Urban Design Assessment	Precinct Plan 5 – Movement Network, drills down to a fine level of detail, indicating a number of local street connections. In considering the above, please address why these connections have been identified as being spatially important from an urban design perspective.	This information is required to better understand the urban design purposes of proposed precinct provisions.	These connections are spatially important in terms of providing east-west movement across the site and public access to the coastline along with being important connections within the sub-precincts. Local roads beyond these have not been prescribed.

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UD7	Urban Design Assessment	Many of the illustrative renders depict open frontages to the public realm. In considering the above requests, please advise how this outcome would be achieved through the zone and precinct provisions.	It is unclear how the urban design outcomes illustrated by the renders would be achieved by the proposed precinct provisions. This information is required to better understand the nature of the effect the plan change will have on the environment, in respect to your provided assessment on urban design.	<p>The precinct provisions identify desired outcomes (For example, 'encourage development to achieve attractive and safe streets and public open spaces, including by providing for passive surveillance'). The illustrative renders embody the design outcomes listed in Section 4 of the Design Report and these were subsequently converted into assessment criteria for new buildings requiring resource consent in the PPC area, if the underlying zoning/assessment criteria did not already address those particular design matters. Future applications in the precinct will then need to be assessed against the relevant objectives and policies precinct-wide and per the sub-precincts which were developed from the desired outcomes described in the Design Report.</p> <p>As per our response to UD5 above, the desired outcomes would be further achieved through a private Design Review Panel and set of Design Guidelines.</p>
UD8	Design Review Panel	The UDA report includes a number of references to a proposed private Design Review Panel and the application of design guidelines. As this is a non-	Further explanation is required to understand how the Design Review Panel will operate to achieve the urban design outcomes and how this would be supported by appropriate precinct provisions. If there is no Design Review Panel will the same quality urban design outcomes be achieved with reliance on the precinct provisions. We	The Design Review Panel is considered to be a necessary element in ensuring that the desired urban design outcomes are met. The precinct provisions are considered to be adequate and appropriate to achieve urban design outcomes

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		statutory mechanism to achieve urban design outcomes sought, please assess the risk of the outcomes not being achieved in the context of the plan change provisions.	require this information to be better understand the efficiency and effectiveness of this part of the proposed plan change.	sought. However, the DRP and design guidelines will strengthen achieving these important outcomes.
UD9	Urban Design Assessment	While a 9-hole golf course is currently proposed, it is proposed to zone this area Residential: Mixed Housing Urban. Please identify any constraints to integrating this area with the wider urban environment to create a well-connected urban structure, if the golf course is disestablished.	We require this information to be better understand the efficiency and effectiveness of this part of the proposed plan change.	<p>We envisage that the golf course will remain for some time given the community's interest in it. However, if it were to go, the main structuring elements of the area would remain. This includes the natural features, movement network and green connections. If housing was to replace the golf course, the development of such could be well-integrated into the rest of the precinct.</p> <p>We note that the golf course has been accordingly accounted for in the proposed precinct provisions.</p>
UD10	Masterplan	Please include the zone map, Precinct Plan 1, 3 and 5 with the masterplan overlaid to better understand the relationship between the two.	While I appreciate that the masterplan is for illustrative purposes only and represents just one design outcome within the PC area, it has clearly been an important foundation for the distribution of zones proposed and features identified on a number of Precinct Plans.	Refer plans provided in <b>Attachment 9</b> .



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<b>Landscape and visual effects – Rebecca Skidmore, R A Skidmore Urban Design - VJ</b>				
LV1	Planted buffer	<p>On p. 9 of the Landscape report, a description is provided of the proposed precinct provision requiring a 15m planted buffer adjacent to Whitford-Maraetai Road within the proposed Business: Light Industry zone (Rule I.7.2).</p> <p>Please advise the timeframe that would be required to achieve an effective filtering of views to development within the zone.</p>	This information is required to better understand the nature of the effect the plan change will have on the visual environment, in respect to your provided assessment on the landscape.	<p>The native tree planting and shrubs would comprise a mixture of species - stepping down from pohutukawa, puriri, kauri, kowhai, karaka, tawa, nikau, titoki, puka and ngaio to understory species that include, taupata, koromiko, kohokohe, phuehue, makaka, wiwi, tauhinu and ureure.</p> <p>It is anticipated that the planting should start to achieve canopy closure within approximately 8-10 years.</p>
LV2	Viewpoints	Please provide a visual simulation and viewpoint assessment from the vicinity of the ferry terminal or the area where a path would link to the access walkway across the coastal bridge.	The selection of viewpoints used to structure the assessment is agreed as representative of those who will view development within the PC area. However these two additional viewpoints would be helpful to analyse given a key rationale for the proposed settlement expansion to the scale and intensity proposed, is its relationship to the ferry service at Pine Harbour and the direct relationship of the Site to the coastal edge.	Further response to follow and to be provided separately.

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		Secondly, please provide a visual simulation and a viewpoint assessment from the foreshore area to the south of this, immediately to the west of the PC area.	This information is required to better understand the nature of the effect the plan change will have on the visual environment, in respect to your provided assessment on the landscape.	
LV3	Viewpoints	Please confirm the assumptions that have been made in the modelling. Has the indicative masterplan formed the basis for the modelling and do building heights reflect the maximum heights sought for the different areas of the Precinct?	<p>The assessment is informed by a series of visual simulations (contained in Annexure A to the report) that include modelling of potential development within the proposed PC provisions.</p> <p>This information is required to better understand the nature of the effect the plan change will have on the visual environment, in respect to your provided assessment on the landscape.</p>	Further response to follow and to be provided separately.
LV4	Viewpoints	Please provide additional visual simulations (particularly for Viewpoints 6 – 9) that depict development in accordance with the current proposed provisions (live zoning only).	<p>The visual simulations depict full development across the Plan Change area (including the land within the proposed FUZ). While it is helpful to understand the potential effects resulting from the ultimate development pattern, the current PC only seeks live zoning of or the northern portion of the PC area.</p> <p>This information is required to better understand the nature of the effect the plan change will have on the visual environment in respect to your provided assessment on the landscape.</p>	Further response to follow and to be provided separately.

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LV5	Landscape assessment	Please make any amendments necessary to the Assessment section (Section 5.4) to clearly differentiate between the assessment that relates to the current PC provisions and the assessment that relates to the longer term 'build out' once the FUZ is also developed.	The current PC only seeks live zoning for the northern portion of the PC area. The primary focus of the assessment should be on the zoning currently proposed by the PC request. This information is required to better understand the nature of the effect the plan change will have on the visual environment, in respect to your provided assessment on the landscape.	Further response to follow and to be provided separately.
LV6	Viewpoints	Please provide a broader analysis of the proposed PC boundary location in terms of the natural and physical characteristics of the landscape and the use of landscape features to contribute to the defensibility of the urban edge.	In addition to the analysis provided from each viewpoint this analysis is required in relation to defensibility of the urban edge. A series of criteria are set out to structure the assessment from each of the identified viewpoints. This includes 'E – establishment of a defensible urban-rural boundary'. This analysis is made in terms of perceptual effects from each of the viewpoints.  We require this information to understand the development of the plan change provisions from a landscape values perspective.	Further response to follow and to be provided separately.
<b>Stormwater and flooding matters – Eseta Maka-Fonokalafi, Zheng Qian, Healthy Waters</b>				
SW1	Flood Risk and Hazard - Modelling	Please revise the following model parameters for flood risk impact	This is a fundamental piece of information required to understand flood risk effects within the plan change area and beyond to inform	Current rainfall depth with climate change was used for the 10% and 1% AEP ED scenarios. This is done to

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		<p>assessment and provide an updated hydraulic model for review.</p> <ul style="list-style-type: none"> <li>• <b>Design rainfall depth</b> Use current rainfall data without climate change factor for ED scenarios.</li> <li>• <b>Boundary condition</b> Use 2.58mRL as boundary condition: 1.58mRL (MHWS10) plus 1.0m sea level rise.</li> <li>• <b>Ground model</b> Clarify what LiDAR data and topographical survey data has been used in the model. Clarify where model ground surface was modified to facilitate drainage on page 52 of the SMP.</li> </ul> <p>Comment on data accuracy in relation to model reliability in predicting flood impact assessment.</p> <ul style="list-style-type: none"> <li>• <b>Culvert structures</b></li> </ul>	<p>our assessment of stormwater, flooding and freshwater effects of the plan change.</p>	<p>enable comparison of the impacts of the development on the flood hazards within and beyond the site independent of the projected impacts of climate change. Comparing ED without climate change to MPD with climate change does not provide for a like-for-like comparison of effects associated with the earthworks, streamworks, and land-use changes anticipated by the Plan Change. For reference the 10% and 1% AEP rainfall depths would reduce from 154 and 243 mm (per SMP Table 10, Section 6.2) to around 136 and 208 mm respectively with climate change removed which is a significant change from the MPD values.</p> <p>The coastal boundary level used in the assessment is 4.5 m RL based on an assumed coastal boundary level of 2.5 m RL plus 2 m SLR (per SMP section 6.2.1). This is based on the recent work undertaken by Auckland Council contained in the Technical Report 2020/024 'Auckland's Exposure to Coastal Inundation by Storm-tides and Waves', and presented on GeoMaps in the 'Coastal Inundation' layer within the 'Climate Impact' dataset. The 1% AEP coastal inundation extent including 2 metres of sea-level rise correlates with the 4.5 m contour across the subject site boundary.</p>

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		<p>Clarify any culvert structures in the mode, if not, add key culvert structures in the model.</p> <ul style="list-style-type: none"> <li>• <b>Imperviousness</b></li> </ul> <p>Clarify the percentage of imperviousness of current land use in the model.</p> <ul style="list-style-type: none"> <li>• <b>Surface roughness</b></li> </ul> <p>Revise the surface roughness values used in the model.</p> <ul style="list-style-type: none"> <li>• <b>Unrealistic model outputs in the SMP</b></li> </ul> <p>Revise the model and model results quoted in the SMP.</p>		<p>The coastal boundary levels used in the SMP are higher than those recommended by the Council in the RFI and are therefore more conservative (assuming a more extreme coastal event and further restricting the conveyance capacity of the receiving streams). The existing and finished levels of the developable areas of the site are raised at least 10 metres above this coastal boundary level in all cases. Re-running the model with reduced coastal boundary levels (to 1.58/2.58 m RL) will not have any effect on the model results and should not be required at this stage.</p> <p>Topographical survey data provided by SurveyWorx has been combined with Council LiDAR data to create a surface covering the subject site and adjacent catchment areas. Refer to the attached map in <b>Attachment 10</b> 'Map002-A2001228-RFI-02-Topography' indicating the extents of the topographical survey data and LiDAR data forming the combined surface.</p> <p>Major drainage culverts were only included in the model where required to facilitate drainage through the site and across the adjacent Jack Lachlan Drive.</p>

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				Please refer to the attached map in Attachment 10 'Map003-A2001228-RFI-03-Culverts' indicating the locations of culvert structures included in the hydraulic model.
SW2	Flood Risk and Hazard - Attenuation	a. Please confirm how the contributing catchment of each attenuation pond has decided, and whether the ponds cover the entire plan change area including the future urban zone.	<p>Insufficient information has been provided on sizing and location of the ponds to provide flood attenuation. Indicative sizing and location is needed to understand if the effects of development can be managed within the plan change area.</p> <p>There are significant flooding problems caused by high flow in the stream on Jack Lachlan Drive downstream of the proposed development. The flood hazard that could be posed by the proposed plan change needs to be minimised.</p>	<p>The SMP proposes peak flow attenuation of rainfall events to the peak pre-development flow rate in events up to the 1% AEP event for all northern (stream) catchments, and peak flow attenuation of rainfall events to the peak pre-development flow rate in events up to the 50% AEP event for the western (coastal) catchments.</p> <p>The contributing catchments of the attenuation ponds were determined by assessing the existing sub-catchment boundaries and an early draft concept development earthworks surface for the site. Those catchments which are sufficiently large to be feasibly mitigated by large-scale communal devices were labelled as 'communal stormwater management catchments' with high-level supporting calculations for treatment and peak flow attenuation devices provided in the SMP. Smaller sub-catchments which are typically located along the coastal site boundaries or having diffuse runoff pathways were labelled as</p>

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				<p>'onsite stormwater management catchments' and are intended to be mitigated using smaller-scale treatment and peak flow devices within those catchments.</p> <p>The attenuation ponds presented in the SMP are sized to mitigate runoff from the communal stormwater management catchments. This includes the live zoned and Future Urban zone within the site. These catchments are shown on drawings A2001228-470 to -473 Rev 2 within Appendix 1 of the SMP. The remaining catchments, which are mostly small and located near the coast, would likely be serviced by smaller scale devices with small outlets into minor tributaries or to the coast. The calculations provided form a high-level assessment based on the TP108 graphical method that can be refined through future approvals processes for the subject site.</p> <p>The use of these large-scale attenuation devices in conjunction with smaller devices in local catchments is sufficient to mitigate the flooding problems caused by high flows in the stream north of Jack Lachlan Drive. Please note that the attenuation devices are not included in the modelling undertaken to date,</p>

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		<p>b. Please provide a clearer plan that identifies the locations of attenuation ponds, proposed zoning and current land ownership.</p> <p>c. Please consider revising the number of attenuation ponds to provide less ponds and larger ponds if possible.</p>		<p>i.e., the hydraulic modelling results show un-attenuated discharges based on the current and proposed catchment boundaries, earthworks, and land uses. Further modelling assessments required to be undertaken to support future consent and engineering approvals processes should include treatment and attenuation features to demonstrate this.</p> <p>Large-scale stormwater treatment devices will sit at the foot of each sub-catchment and will be vested in Auckland Council. Specific locations for these devices within each catchment have not been determined.</p> <p>The number of ponds and sub-catchment in the plan change area has been reduced from initial estimates throughout the concept design and modelling process. Further reducing the number of attenuation ponds from what has been proposed would likely compromise the integrity of the sub-catchment boundaries delineated as part of this SMP and cause unwanted diversions altering the hydrology of different on-site tributary stream reaches.</p>



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		<p>d. Please confirm whether the attenuation ponds will be public or private. If they are to be public, explore the opportunity to combine with the water quality treatment devices.</p>		<p>The intention is for the attenuation ponds to be public and vested with the Council. All attenuation devices should have a treatment function included as part of a stormwater treatment train approach. In some catchments, multi-function devices incorporating wetland treatment and peak flow attenuation may be the BPO. Table 13 in Section 6.3.2 of the SMP provides for treatment of runoff from all new impervious areas prior to discharge into the receiving environment as part of the 'minimum requirements' imposed by the SMP. The 'recommended approaches' included in Table 13 also lists the use of a treatment train approach comprising at-source pre-treatment with a second stage of treatment prior to discharge along with the use of multi-purpose devices to create resilience in the network.</p>
		<p>e. Please provide 2-, 10- and 100-year flood attenuation within northern stream catchments 1 &amp; 2.</p>		<p>Provided for in the SMP per Table 12. The 1% AEP peak flow attenuation ultimately drives the peak flow attenuation device storage volume. Smaller/less extreme rainfall events can be attenuated within this storage volume also.</p>

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SW3	Stream Hydrology - Water Quality Treatment / Hydrology mitigation	<p>Please confirm the design standard for: bioretention rain gardens and swales for water quality treatment; retention and detention component for hydrology mitigation; the target surface area; and location of any communal the devices.</p>	<p>Section 6.3 discusses the stormwater management approach but does not contain sufficient details to understand how stormwater will be managed. Further information is required to understand whether potential adverse stormwater effects will be adequately managed.</p> <p>Section 6.3.4 of the SMP indicates a range of options to achieve hydrological mitigation for private lots. However, there is insufficient detail to understand how the toolbox approach will be implemented. Further discussion within the SMP is required to understand this. It is noted that the precinct provisions require rain tanks</p> <p>Section 6.3.8 of the SMP identifies that water quality treatment will be provided for runoff from all new impervious areas through bioretention swales, rain gardens, and communal wetlands. However, the SMP is not clear how this will be achieved. It is noted that the proposed precinct provisions (1.7.7 Stormwater Quality) require carparks and roads to be treated and use of inert building materials. The s32 report (p112) only identifies runoff from roads and high contaminant generating carparks.</p>	<p>The design standard is per Auckland Council Guidance Documents. This is outlined in the 'minimum requirements' in Table 13.</p> <p>The requirements for stream hydrology are aligned with the current SMAF1 requirements set out in AUP OP Table E10.6.3.1.1 Hydrology mitigation requirements.</p> <p>The requirements for water quality treatment are aligned with standard requirements under the Auckland Council Code of Practice for Stormwater. The design standard should be informed by Council's guidance documents, i.e., the use of the Water Quality Volume (WQV) or Water Quality Flow (WQF) method as appropriate for volume-based or flow-based devices.</p>
		<p>Please confirm whether any wetlands are proposed for water quality treatment and/or hydrology mitigation and the intended design standards for these.</p>	<p>The SMP (section 6.3.9) identifies an estimated 1,500 lineal metres of bioretention rain gardens and 4,300 lineal metres of bioretention swales to provide for hydrological mitigation for the proposed public roads. The quantity of the proposed rain gardens and swales is very large and has not been adequately justified. It is also not clear whether devices will be located within the road reserve because they</p>	<p>The high-level sizing completed for the attenuation devices includes WQV treatment volumes in line with the standard design approach for GD01 wetlands. In line with Council's preference for multi-purpose devices, these devices can be designed to provide water quality treatment, hydrological mitigation, and various peak flow attenuation functions up to the 1%</p>

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			<p>are not identified on the road cross sections within the precinct and are only identified in some of the road types.</p> <p>The SMP identifies that hydrological mitigation and peak flow attenuation within multi-purpose attenuation basins as a second line of defence. The use of on-site hydrological mitigation in accordance with SMAF1 controls through capture and non-potable reuse of roof runoff.</p>	<p>AEP event (northern catchments 1 &amp; 2) and up to the 50% AEP event (western catchments 3, 4, &amp; 5).</p>
		<p>Please confirm whether all private lots will be installed with rainwater tanks to provide retention and detention.</p>	<p>Healthy Waters prefer larger but fewer communal devices to provide both water quality treatment and flood attenuation as well as fewer wetlands and raingardens.</p>	<p>All private lots can be installed with rain water tanks to provide hydrology mitigation volumes in line with the precinct provisions.</p>
		<p>Provide clear information on the devices including their design standard, intended catchment area, location etc.</p>	<p>We require this further information to understand how the stormwater management approach is likely to be implemented and its effects on the environment.</p>	<p>Specific locations of these devices within each catchment have not been determined.</p> <p>The quoted extent of bioretention devices provided within the subject site is a high-level estimate based on a percentage of the new impervious areas anticipated within future public roads based on a concept layout used in this assessment.</p> <p>These devices would be located within the road reserve as far as practicable to align with Auckland Council's preferences for at-source management of runoff.</p> <p>Healthy Waters prefers a smaller number of large-</p>

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				scale treatment and attenuation devices as well as a treatment train for stormwater management. The raingardens and swales anticipated in the road reserves of the developed site comprise the initial stage of water quality treatment in that treatment train for contaminant-laden runoff generated on road surfaces.
SW4	Development staging and stormwater infrastructure	Please provide an indicative staging plan to understand how effects will be managed through development to full MPD.	It is not clear how stormwater will be managed under the potential development scenarios (i.e, whether the development will occur in parts or as a whole and anticipated timelines). We require this further information to understand how the stormwater management approach is likely to be implemented in an integrated manner to manage effects downstream.	Development will be staged over several years given the large scale of the site. The stormwater related effects associated with individual development stages can be addressed and mitigated through the treatment, hydrological mitigation, and peak flow attenuation measures proposed in the SMP.
SW5	Geotechnical	Please provide information on soakage and infiltration testing undertaken within the development area.	A soakage assessment is required to determine what the soil conditions are and their properties and whether the infiltration rates will support appropriate retention times. This information is needed because it is proposed that raingardens will provide for retention of stormwater volumes; therefore, soakage and infiltration results are needed to determine whether runoff can permeate the soil and at the rate at which this will occur. Soil infiltration testing should be provided at indicative locations across the plan change area.	This can be addressed at a future resource consent stage. Where soakage capacity is limited, small-scale devices (swales and rain gardens) can be designed to provide the retention volume that cannot be infiltrated to ground as detention volume contributing to the total R&D volume requirement.

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<b>Stormwater and flooding matters – Eseta Maka-Fonokalafi, Zheng Qian, Healthy Waters (non-clause 23)</b> <i>Other comments not within the remit of clause 23 of the First Schedule of the Resource Management Act 1991 (RMA)</i>				
SW6	SMP	Please amend the SMP to include an assessment to determine that the proposed stormwater management approach is the Best Practicable Option.	<p>Section 6.3 of the SMP sets out the proposed stormwater management approach. However, the SMP does not demonstrate that this is the best practicable option which is a requirement under the NDC.</p> <p>The SMP should reflect what public assets will be vested, the number, location and scale. It is accepted that this detail does not need to be fully provided at the cl23 stage but will be required to enable the SMP to be adopted in principle by Healthy Waters.</p> <p>It is recommended that the applicant meet with Healthy Waters to confirm what amendments may be required to the SMP to enable it to be adopted in principle prior to notification of the plan change.</p>	<p>The SMP includes a multi-criteria analysis and a life-cycle cost assessment of different devices (refer to Appendix B) in the toolbox, that can be used to achieve the stormwater management requirements. These assessments combined with the expectations set by Ngāi Tai ki Tāmaki clearly indicate a preference for bioretention devices and that the total life-cycle cost of the stormwater management devices does depend on the type of devices used. Given the large size of the site and the varying nature and requirements of the difference catchments there is no one BPO however a set of devices that together form the BPO - comprising communal wetlands with peak flow attenuation functions supported by bioretention swales and rain gardens within the public roads and rain water tanks on the site.</p>
<b>Parks and Open Space – Lea van Heerden, Parks and Recreation Policy</b>				

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OP1	Vesting of Esplanades	Please clarify how the esplanades will be managed and maintained if they are not vested to Council.	The proposal is relying on the underlying zones to establish open spaces which is considered appropriate. Under subdivisions, we rely on qualifying and permanent streams and coastlines for the establishments of esplanades to enable public access and recreational use whilst protecting conservational values. The proposal has several ecological protective networks, However, it is not clear whether these ecological networks will vest and how it will vest, i.e. will vest as esplanade reserves or drainage reserves in Council. The proposal should clarify who the owners of these ecological networks will be to understand the effects of the plan change.	<p>Any proposed esplanade reserves along the mark MHWS of the coastal edge to the PPC area and alongside streams (where the bed has an average of 3m or more) is expected to be vested to the Council in accordance with section 230 of the RMA.</p> <p>This requirement for esplanade reserves is already clearly outlined in section 230 of the RMA and there are also existing Auckland-wide provisions in Chapter 38 Subdivision – Urban for subdivision for establishing an esplanade reserve, or where a reduction or waiver is sought.</p> <p>The requirement for an esplanade reserve applies at the time of subdivision and is therefore a future consideration for when such an application is lodged for within the plan change area.</p>
<p><b>Parks and Open Space – Lea van Heerden, Parks and Recreation Policy (non-clause 23)</b></p> <p><i>Other comments not within the remit of clause 23 of the First Schedule of the Resource Management Act 1991 (RMA)</i></p>				
OP2	Provision of parks	There is an overprovision of neighbourhood parks: some are too close together and one is in the proposed Residential - Large Lot Zone area. Council does not		The Neighbourhood Parks as shown on Precinct Plan 3 are <i>indicative</i> only.

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		acquire open space in this zone – refer to the Open Space Provision Policy 2016 open space provision metrics.		
OP3	Park location	The proposed suburb park should be more centrally located to facilitate equitable access to residents from across the plan change area – also based on the Open Space Provision Policy 2016 open space provision policy metrics.		The Suburb Park as shown on Precinct Plan 3 is <i>indicative</i> only. The final optimal location will be further investigated at future resource consent and development stages.
OP4	Park acquisition	It is likely that a sports park would not be supportable for acquisition due to the proximity of existing active recreation provision at Beachlands Domain and Te Puru Park. Council sports field, and sports and active recreation Subject Matter Experts will need to provide input into the s 42A reporting process with regard to these matters.		Noted

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<b>Heritage – Rebecca Ramsay, Heritage Unit, Plans and Places</b>				
H1	Historic Heritage Sites and Values	<p>Please identify all forms of historic heritage (as defined in the RMA) within the plan change area, including: any archaeological sites or heritage places associated with European period occupation, kauri logging, gum digging and farming; early tracks; and any plantings of historic heritage value. If none exist, please provide confirmation of this in the assessment.</p> <p>If the amended archaeological assessment identifies any additional historic heritage, please include information on any adverse effects on this historic heritage. Please address any adverse effects on these values in</p>	<p>Although the Archaeological Assessment (2022) identifies a historic heritage landscape within the Plan Change Area (page 65), the assessment only addresses matters in relation to archaeological sites and lacks explicit confirmation that extant buildings, structures and potential notable trees within the plan change area have been identified and assessed in relation to historic heritage values.</p> <p>Further, the historic building site within the plan change area at coordinates E 1777670 N 5913801, has been associated to post-1900 activity from anecdotal evidence but is not assessed further due to an apparent lack of archaeological values. The historic heritage values of this site should be assessed and any adverse effects on the site outlined. If none are anticipated, or the report should provide confirmation that none are anticipated.</p>	<p>All places of archaeological and historic heritage value evident within the proposed Plan Change area were included in the assessment report, with the exception of any historic heritage in the private properties along the Whitford-Maraetai Road, which were not available for inspection and assessment. From a desktop review there are no places of archaeological or historic heritage value evident on these sites. Only two private properties, 740 and 678 Whitford-Maraetai Road, have the potential for structures and associated remains pre-dating 1941<sup>5</sup>, based on the survey plan in Figure 14 of the assessment report and early aerial photographs. There was no evidence to suggest there was any kauri logging or gum digging activities either. These properties are within the Future Urban Zone and any historic heritage within the properties will be addressed when the FUZ land is re-zoned. In the future, as part of any rezoning for urban development of the FUZ land a detailed heritage and archaeological</p>

<sup>5</sup> The survey plans available only date back to 1941 and there is insufficient detail to confirm any pre-1900 sites. A site inspection will be required if there are any pre-1900 structures or associated remains.



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		<p>the plan change documents and amend the plan change provisions as necessary. Otherwise please confirm that no adverse effects are anticipated.</p>		<p>assessment can be undertaken and any places of value can be appropriately identified at that time. This approach is similar to Council's approach for FUZ zoned land.</p> <p>The only post-1900 historic heritage item identified was the site of a former accommodation building thought to be of 20th century date (p.48 of the assessment report), and this is in a location within the EPAN that is unlikely to be affected as a result of the proposed Plan Change because the precinct provisions do not permit development within the EPAN. An assessment of the site based on the Policy B5.2.2 of the RPS is provided in <b>Attachment 11</b>. This indicates that the site is of limited historic heritage significance. It would not meet the criteria for scheduling in the AUP.</p> <p>No adverse effects on archaeological and historic heritage other than those identified in the report are anticipated as a result of the proposed Plan Change, with the possible exception of the building referred to in H.6 at 740 Whitford-Maraetai Road and any heritage remains at 678 Whitford-Maraetai Road, as they are on private property and have not been assessed. No historic heritage within these properties</p>

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				has been scheduled in the AUP or is currently included in the Auckland Council's Cultural Heritage Inventory.  Assessment of plantings/notable trees was outside the scope of the assessment (see H.7 response).
H2	Historic Heritage Assessment	Please provide an updated historic heritage assessment that addresses the full plan change area and the actual or potential effects of all forms of development.	The Archaeological assessment of the plan change area relies on previous archaeological survey of 110 Jack Lachlan Drive (1995) and 620 Whitford-Maraetai Road (2011-2012) with "recent reassessment of the pā site R11/1619 in the Ahuareka block in August 2021 and a field visit to the golf course area on 15 December 2021 to assess the potential effects of an indicative coastal walkway proposed along the coastal margin of the plan change area" (2022 p.27 and Figure 20 p.35).  However, confirmation is required that the properties within private ownership <sup>6</sup> have been accessed and assessed as part of this proposed plan change.	As noted above, the private properties along the Whitford-Maraetai Road were not accessible for inspection. However, no pre-1900 archaeological sites relating to Māori settlement would be expected within the properties as they are located some distance away from the coast and known locations of archaeological sites. Apart from the building referred to in H.6, at 740 Whitford-Maraetai Road and potentially some of the smaller structures at 678 Whitford-Maraetai Road, the buildings within private properties were constructed after 1960, based on aerial photographs and the 1964 subdivision plan of those properties (DP 54105). These properties are within the area to be rezoned Future Urban and any historic heritage within these properties are unlikely to be affected as a result of the proposed Plan Change. A further plan change will be required to rezone these properties from FUZ to live

<sup>6</sup> 770, 758, 746, 740, 732, 722, 702, 692, 682 and 680 Whitford-Maraetai Road

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				zonings and therefore any potential effects on historic heritage can be appropriately assessed at that time.
H3	Historic Heritage Assessment	Please update Precinct Plan 4: Cultural Landscape map with the corrected archaeological site locations and extents as shown in the Archaeological Assessment (2022) Figures 56-59 any other identified historic heritage features.		This has now been corrected and Precinct Plan 4 has been accordingly updated in the updated precinct provisions provided with this response.
H4	Significance Evaluations	Please provide an assessment of the significance of the identified historic heritage place (pā site R11/1619 and any related features) within the proposed plan change area against the criteria in B5 (historic heritage regional policy statement) in the AUP.	<p>The archaeological assessment has briefly evaluated the pā site R11/1619 under the wider historic heritage landscape as having considerable significance due to its knowledge (or archaeological) value (2020 p. 62-65). The archaeological assessment states this site should be the “primary cultural and historic heritage focus of the plan change” (2020 p. 76). However, this evaluation is incomplete, lacks detail and, due to its significance, the pā should be evaluated separately to clearly identify its values in addition to its contribution to the wider historic heritage landscape.</p> <p>Historic heritage places may meet the criteria for inclusion in Schedule 14.1 Schedule of Historic Heritage of the Auckland Unitary Plan (Operative in part) (Unitary Plan) if they have considerable or</p>	<p>The more detailed assessment of the pa is provided in <b>Attachment 11</b>.</p> <p>The Pa site has considerable regional and local significance. However, given that any activities or structures within the pa site boundary as defined in Precinct Plan 4 requires a discretionary activity resource consent, it is unnecessary to schedule this place because the precinct provisions provide sufficient or equivalent protection, <u>as</u> if it were to be scheduled. By way of explanation, Standard D21.4.1(A5) of the AUP also specifies a discretionary activity status for new buildings and structures</p>

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			<p>outstanding value in relation to one or more of the evaluation criteria in the Regional Policy Statement (RPS) Policy B5.2.2 (1) of the Unitary Plan and have considerable or outstanding overall significance to the locality or greater geographic area.</p>	<p>within the Sites and Places of Significance to Mana Whenua Overlay.</p>
H5	Significance Evaluations	<p>Please identify how any adverse effects on any potential significant historic heritage place/s identified within the proposed plan change area will be managed in accordance with the B5 objectives and policies.</p>	<p>This site may potentially meet the historic heritage significance criteria in B5.2 of the Unitary Plan. If this is the case, the site/place or area should be considered for scheduling as part of the plan change and the proposed plan change provisions amended so that they are consistent with the objectives and policies in B5 Ngā rawa tuku iho me te āhua - Historic heritage and special character of the Unitary Plan.</p>	<p>Avoidance of adverse effects on the significant pa site R11/1619 and future protection are proposed through appropriate planning provisions, as discussed on p. 66 of the assessment report. The standards in 1.7.10 Mana Whenua should ensure that no buildings or structures are permitted, that any modifications to the pa or earthworks within its surrounds are discretionary activities and that subdivision resulting in the pa extending across contiguous lots is also a discretionary activity.</p> <p>In addition, it is noted that the pa is protected under the provisions of the Heritage New Zealand Pouhere Taonga Act 2022, and that authorities to modify pa sites are only granted by Heritage NZ in exceptional circumstances under their Statement of General Policy for the administration of the archaeological provisions of their Act.</p> <p>Avoidance of most of the other historic heritage sites is proposed, with proposed management and mitigation measures set out in section 6 of the</p>

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				<p>report. These include a vegetation management plan and planting biodiversity plan to ensure the protection of archaeological sites within the EPAN. Any unavoidable adverse effects on pre-1900 archaeological sites can be appropriately mitigated through information recovery under the archaeological provisions of the Heritage New Zealand Pouhere Taonga Act 2014.</p>
<p><b>Heritage – Rebecca Ramsay, Heritage Unit, Plans and Places (non-clause 23)</b></p> <p><i>Other comments not within the remit of clause 23 of the First Schedule of the Resource Management Act 1991 (RMA)</i></p>				
H6	For information purposes	One extant building of potential historic heritage value is located at 740 Whitford-Maraetai Road, with associations to the Kelly family, longstanding farmers in the Maraetai area.		Noted - This is on private property that was not accessible for assessment. The structure can be assessed in the future at the resource consent stage by a built heritage specialist, and appropriate mitigation measure such as relocation or detailed recording determined if the building cannot be retained in situ. The building is not scheduled on the AUP or included in the Auckland Council's Cultural Heritage Inventory.
H7	For information purposes	A large specimen macrocarpa tree (E 1777665, N 5913755) in the immediate vicinity of the historic		Noted - This assessment would have to be undertaken by an arborist. Heritage significance is only one component of the notable tree criteria and

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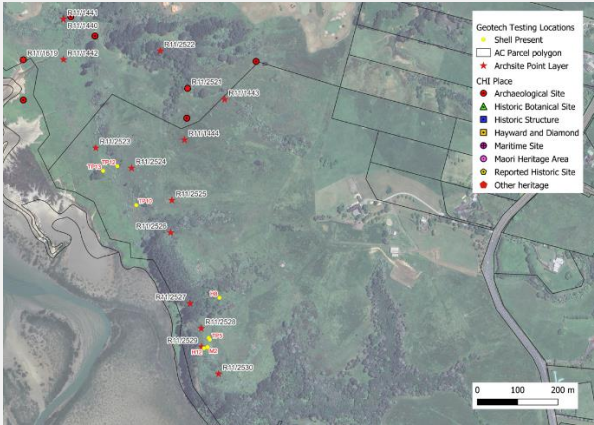
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		building site and evident in historic and modern aerials, may meet the notable tree criteria.		cannot be assessed without an estimate of the age of the tree by the arborist.
H8	For information purposes	<p>Within the geotechnical investigation report for 620 Whitford-Maraetai Road provided in Appendix D, a stratigraphic layer is described as follows:</p> <p><i>“comprising black silt intermixed with shell fragments, was also encountered on the west facing slopes at the site. This surficial layer generally ranged between approximately 0.2 m and 0.3 m depth, however the material was encountered to a depth of approximately 0.9 m on the lower bench in the north western part of the site”</i> (Fraser Thomas Ltd 2012. page 7)</p> <p>Shell fragments and black friable soils were found in a number of</p>		<p>Noted - From this it was noted that shell material was identified in eight geotechnical testing locations (see Figure 1). These appear in two main clusters, with one isolated case. The first cluster, consisting of Test Pits 10, 12 and 13, was situated in the area near the recorded sites R11/2523 and R11/2524. Within Test Pit 12 shell material was identified to a depth of 0.9m, which the FT report interprets as “deposited dredging materials, which are believed to have been spread over the west facing slopes” (Fraser Thomas Ltd 2012. page 7). It is considered likely that the material identified relates to R11/2424, which is described as loose shell spread across some 48m along the west facing slopes. These test results suggest the site is somewhat larger than that. These sites are situated within the EPAN and are unlikely to be impacted as a result of the proposed Plan Change, subject to the recommended vegetation and planting management plan which is included as a Special Information Requirement in the precinct provisions.</p>

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		<p>test pits, machine boreholes and hand augers.</p> <p>It is highly likely this layer is archaeological in nature and corresponds with the archaeological sites recorded along the coastal edge. These results should be provided to the project archaeologist to further support and/or refine their provided site extents and identify other areas of archaeological potential.</p>		<p>The second cluster consists of Test Pits 5 and 6, Borehole 2 and Hand Auger 12. These testing sites were all positioned in between sites R11/2528 and R11/2529. The sites primarily describe loosely scattered material on the pine clad slopes, with these findings situated further to the inland of the recorded sites. This would suggest that the sites are somewhat larger than recorded. These sites, including the geotechnical test locations are situated within the EPAN and are unlikely to be impacted as result of the proposed Plan Change subject to the recommended vegetation and planting management plan.</p> <p>The isolated test pit, Hand Auger 8, identified shell on a small spur some 70m inland from the recorded location of R11/2527. This is potentially a new archaeological site. The site appears to be close to the edge of the EPAN, and therefore may be impacted.</p>

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				 <p data-bbox="1599 778 2157 847">Figure 1. Plan showing geotechnical testing locations in relation to recorded archaeological sites</p>
H9	Advice note on Accidental Discovery Rules and Protocols	<p data-bbox="421 903 799 1166">The Regional and District land disturbance chapters (E11 &amp; E12) of the Unitary Plan contain an accidental discovery rule (ADR). ADRs also appear in the infrastructure and coastal chapters.</p> <p data-bbox="421 1198 799 1305">Individual mana whenua engagement protocols cannot replace the requirement to comply</p>		<p data-bbox="1599 903 2157 1086">Noted - This is correct, and the ADR is noted on p.6 of the assessment report. It is also noted (pp. 6-7) that if an Authority under the Heritage New Zealand Pouhere Taonga Act 2014 is in place, the ADR would no longer apply in respect to archaeological sites.</p>



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		with the ADR. Should applicants seek to adopt a supplementary protocol or protocols, the protocol/s must align with the plan rule, and it must be made clear that they do not replace the rule.		
<b>Coastal Hazards – Sam Morgan, 4Sight Consulting</b>				
CH1	Coastal hazards	<p>Please supply two indicative cross sections for each of the different coastal hazard cells.</p> <p>On the indicative cross-sections please show the position of MHWS, respective erosion hazard lines and proximity of any infrastructure/housing.</p>	We require this information to better understand the effect the proposal will have on the coastal environment.	See indicative cross sections provided in <b>Attachment 12</b> .
<b>Ecology – Jason Smith, Morphum (non-clause 23)</b>				
<i>Other comments not within the remit of clause 23 of the First Schedule of the Resource Management Act 1991 (RMA)</i>				
E1	Revegetation	The intention to use the revegetation planting within the plan change area to count as		Further response to follow and to be provided separately.

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		<p>compensation at the time of resource consenting is not consistent with best practice. Revegetation is proposed within riparian margins to mitigate effects of development on the health of streams and cannot also be counted for compensation of loss of other streams.</p>		
E2	EPAN	<p>The rules sought for the EPAN may be inconsistent (less stringent) than those of the NES:FW provisions relating to vegetation clearance such as Regulation 54(a). The rules refer to 'wetland vegetation' but there is no definition provided for wetland vegetation.</p>		<p>Precinct Plan 2 demonstrates that there are no natural wetlands within the live zoned portion of the plan change area.</p> <p>Notwithstanding, the EPAN standard is not intended to replace the NES-F regulations and those regulations, where applicable, will apply to any existing or future development activities within the plan change area.</p>
E3	Wetlands	<p>With regard to the legal opinion of the wetland classifications for the wetlands within the golf course with regard to the weight that should be placed on the (non-</p>		<p>Irrespective of the MFE guidance the NPSFW and the NESF regulations prevail. This is because a non-statutory document cannot change the interpretation or meaning of definitions or rules in statutory documents. Recent decisions of the</p>

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		<p>statutory) guidance from MfE. Auckland Council Regulatory Serviced interpretations would mean that some of these wetlands should be considered natural wetlands, having been induced or modified from streams as opposed to artificially created entirely.</p>		<p>Environment Court cited in the legal opinion provided with the Plan Change application support this view.</p> <p>It is not lawful or appropriate for the Council to seek to limit the types of wetlands that fall within the exclusion for “wetlands constructed by artificial means” through reliance on non-statutory guidance documents (whether MfE’s guidance or the Council’s internal interpretation guidance).</p> <p>The intention of the NPS-FM and NES is clear on its wording and the concept of “induced wetlands” seeks to limit, or is contrary to, those statutory documents.</p> <p>The statutory definition is located in the NPS-FM and does not include any element of whether the wetland was intentionally or unintentionally constructed. Nor does it include a requirement that the wetland was “artificially created entirely”. The requirement for a specific “intention” has no basis in the statutory documents, nor does an interpretation that a wetland cannot be constructed by artificial means if it has been “induced or modified from streams”.</p>

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				<p>BSLP is aware of MfE's recent exposure draft changes to the NPSFM which would incorporate the concept of deliberately constructed wetlands. However, this is still a draft document that is subject to a further consultation process.</p> <p>BSLP's consultants have carried out the appropriate assessment in accordance with the requirements of the statutory documents as they currently exist. The legal advice BSLP has received is that it is correct to stand by that assessment and request that the Council process the Plan Change on the basis of the information that has been provided to it.</p>
E4	Precinct provisions	There is a lack of ecological provisions (objectives and policies) for areas other than those identified by the applicant as high value. Is it the applicant's view that there is no other areas that warrant ecological management?		<p>There are comprehensive objectives and policies within the Plan Change addressing ecology. Refer Objectives 11, 12 and 13 Policies 8, 9 and 10. These provisions support the rules/standards within the Plan Change and will also be applied to any future resource consent applications required by existing AUP provisions.</p> <p>This will result in a comprehensive approach to managing ecological values of the land and water affected by the Plan Change.</p>

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E5	Precinct provisions	Although catchment limits are proposed through the application material, the precinct provisions lack a mechanism to enforce this. Is it intended that the AUP:OP contains sufficient provisions to address this issue?		There is a specific standard in the Plan Change that enforces the catchment limits. Refer to Standard I.7.11 – Earthworks Catchment. This standard requires a maximum area exposed at any one time for bulk earthworks not to exceed 4 hectares for each catchment, as identified on Precinct Plan 7.

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