
I hereby give notice that a hearing by commissioners will be held on:

Date: Monday 25th and Tuesday 26th March 2024
Time: 9.30am
Meeting room: Main hall
Venue: Papatoetoe Town Hall,
31 Saint George Street, Papatoetoe, Auckland

PRIVATE PLAN CHANGE 90
ADDENDUM HEARING REPORT
8 SPARKY ROAD, OTARA
HIGHBROOK LIVING LIMITED

COMMISSIONERS

Chairperson Peter Reaburn (Chairperson)
Commissioners Lee Beattie
James Whetu

Chayla Walker
KAITOHUTOHU WHAKAWĀTANGA
HEARINGS ADVISOR

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Note: The reports contained within this document are for consideration and should not be construed as a decision of Council. Should commissioners require further information relating to any reports, please contact the hearings advisor.

WHAT HAPPENS AT A HEARING

Te Reo Māori and Sign Language Interpretation

Any party intending to give evidence in Māori or NZ sign language should advise the hearings advisor at least ten working days before the hearing so a qualified interpreter can be arranged.

Hearing Schedule

If you would like to appear at the hearing please return the appearance form to the hearings advisor by the date requested. A schedule will be prepared approximately one week before the hearing with speaking slots for those who have returned the appearance form. If changes need to be made to the schedule the hearings advisor will advise you of the changes.

Please note: during the course of the hearing changing circumstances may mean the proposed schedule may run ahead or behind time.

Cross Examination

No cross examination by the applicant or submitters is allowed at the hearing. Only the hearing commissioners are able to ask questions of the applicant or submitters. Attendees may suggest questions to the commissioners and they will decide whether or not to ask them.

The Hearing Procedure

The usual hearing procedure is:

- **The chairperson** will introduce the commissioners and will briefly outline the hearing procedure. The Chairperson may then call upon the parties present to introduce themselves. The Chairperson is addressed as Madam Chair or Mr Chairman.
- **The applicant** will be called upon to present their case. The applicant may be represented by legal counsel or consultants and may call witnesses in support of the application. After the applicant has presented their case, members of the hearing panel may ask questions to clarify the information presented.
- **Submitters** (for and against the application) are then called upon to speak. Submitters' active participation in the hearing process is completed after the presentation of their evidence so ensure you tell the hearing panel everything you want them to know during your presentation time. Submitters may be represented by legal counsel or consultants and may call witnesses on their behalf. The hearing panel may then question each speaker.
 - Late submissions: The council officer's report will identify submissions received outside of the submission period. At the hearing, late submitters may be asked to address the panel on why their submission should be accepted. Late submitters can speak only if the hearing panel accepts the late submission.
 - Should you wish to present written evidence in support of your submission please ensure you provide the number of copies indicated in the notification letter.
- **Council Officers** will then have the opportunity to clarify their position and provide any comments based on what they have heard at the hearing.
- The applicant or their representative has the right to summarise the application and reply to matters raised by submitters. Hearing panel members may further question the applicant at this stage. The applicants reply may be provided in writing after the hearing has adjourned.
- **The chair** will outline the next steps in the process and adjourn or close the hearing.
- If adjourned the hearing panel will decide when they have enough information to make a decision and close the hearing. The hearings advisor will contact you once the hearing is closed.

Please note

- that the hearing will be audio recorded and this will be publicly available after the hearing
- catering is not provided at the hearing

**A NOTIFIED PRIVATE PLAN CHANGE TO THE AUCKLAND UNITARY PLAN BY
HIGHBROOK LIVING LIMITED**

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Reporting officer, Tania Richmond, Planner

Addendum to report on proposed Private Plan Change 90 - 8 Sparky Road, Otara to rezone 4.4 hectares on the north-western side of Highbrook Drive at 8 Sparky Rd from Business - Light Industry to Residential - Terrace Housing and Apartment and to apply the Highbrook Precinct to the rezoned land.

APPLICANT: HIGHBROOK LIVING LIMITED



Addendum to Hearing Report for Proposed Private Plan Change 90: (8 Sparky Road, Ōtara) to the Auckland Unitary Plan (Operative in part)

Report to:	Hearing Commissioners
Addendum Author:	Tania Richmond, Consultant Planner
Addendum Approver:	Marc Dendale – Team Leader, Planning Central South, Plans and Places
Hearing Dates:	25, 26 and 27 March 2024
Report produced:	23 February 2024

Note:

- This is not the decision on the proposed plan change.
- This addendum is provided to make available to Hearing Commissioners the council officers' opinions and recommendations on the evidence of the requestor and revised Precinct provisions.
- This addendum has yet to be considered by the Hearing Commissioners.
- A decision will be made by the Hearing Commissioners only after they have considered the request and heard from the requestor, submitters and council officers.

1. Scope of this addendum report

1. This report is prepared in accordance with section 42A of the Resource Management Act 1991 (**RMA**) and is an addendum to the section 42A report prepared on 20 September 2023 for Proposed Private Plan Change 90: (PPC90) to the Auckland Unitary Plan (Operative in part) (**AUP**).
2. The addendum assesses the following matters:
 - a. Additional information provided in the requestor's evidence.
 - b. Accessibility of the site, potential for industrial use and coastal hazard assessment.
 - c. The requestor's amendments for the Highbrook Precinct including amendments to the Highbrook Precinct in response to discussions with Goodman (NZ) Limited (**Goodman**).
 - d. Revised recommendations.
3. Attachment 1 to this report is addendum memorandum from the following Council appointed specialists:
 - Jason Smith (ecology)
 - Kala Sivaguru (coastal)
 - Rhys Hegley (acoustics)
 - Derek Foy (economics)
 - Andrew Temperley (transportation)
 - Gabrielle Howdle (landscape)
4. In the s42A report I recommended PPC90 be declined. The requestor's evidence has addressed some matters in dispute or identified as outstanding at the time of writing of the section 42A report. I confirm this does not alter my recommendation that PPC90 be refused for the fundamental reason that the location of the site is not suitable for proposed Residential Terrace and Apartment Building zone (**THAB**).

2. Additional information provided in the requestor's evidence

2.1. National Policy Statement for Indigenous Biodiversity

5. The evidence of Treffery Barnett (ecology) and Sukhi Singh (planning) addresses the National Policy Statement for Indigenous Biodiversity (**NPS:IB**). They both express the opinion that the plan change is consistent with the NPS:IB.
6. The NPS:IB came into effect after PPC90 was lodged and the completion of the technical memorandum of Mr Jason Smith. I did not address the NPS:IB in the section 42A report and given the site's coastal location and proximity to Significant Ecological Area¹, I agree with Ms Singh that it is a relevant policy document to be considered.
7. Mr Smith has provided an addendum memorandum at Attachment 1. Mr Smith agrees that the plan change is consistent with the NPS:IB and in summary, the reasons for this are:
 - Indigenous biodiversity would be expected to be maintained.
 - There are no areas of significant indigenous vegetation and significant habitats of indigenous fauna, or Significant Natural Areas within the plan change boundary or that would be anticipated to be impacted by the plan change.

¹ SEA-M2-45w2, Significant wading bird area, Marine 2 and SEA-M2-45c, Marine 2

- Whilst the restoration of indigenous biodiversity is not specifically promoted and provided for within the plan change, the plan change would not alter the existing provisions of the AUP.

8. I agree with assessment and consider this matter is not in dispute between the Council and the requestor.

2.2. Avifauna

9. The evidence of Dr Michael Gareth Anderson specifically addresses the effects on ornithology (birds). This was raised as a matter of concern in submissions.² The section 42A report does not consider this an outstanding matter between the Council and the requestor.

10. Dr Kala Sivaguru has reviewed Dr Anderson's evidence, and she agrees with Dr. Anderson's assessment that there will be limited potential effects on avifauna. Dr Sivaguru agrees that Coastal Protection Yard of 20m introduced in the evidence would likely provide some buffer from potential increase in disturbance from the change in land use activity PC90 for foraging and/or roosting birds.

11. Relying on the advice of Dr Kala Sivaguru, this matter is not in dispute between the Council and the requestor.

2.3. Road noise

12. In the section 42A report I advised that an acoustic assessment was not included with the plan change and the requestor elected not to provide this in response to a clause 23 request.³

13. The requestor has since provided evidence of Peter Runcie (acoustics) to address the effects of road noise on future residents within the plan change area.

14. Ms Singh advises that Auckland Transport and Waka Kotahi submissions points on road noise⁴ have been met by the provision of the results of Mr Runcie's site-specific monitoring data.⁵ The evidence of Matt Ford (planning) on behalf of Auckland Transport does not address noise and no evidence has been filed from Waka Kotahi.

15. Notwithstanding that Auckland Transport and Waka Kotahi are not pursuing this matter, levels of outdoor noise on external amenity of future residents is an outstanding issue. In summary, Mr Hegley's outstanding concerns are:

- The noise contours provided are not sufficient to determine the level of noise that PPC90 area would be exposed to is similar to PC51.
- If the residents are exposed to the upper range of predicted outdoor noise levels (above mid 60's and 70dB or more) the effects on external amenity must be considered as people would likely not choose to spend time outside, reducing the amenity of the outdoor space.
- In the absence of detailed analysis to confirm predicted outdoor noise the Highbrook Precinct would need to include mitigation provisions to address outdoor amenity. Mitigation, such as through site layout, building design and installation of barriers can be used to address the level of noise in outdoor amenity areas. Assessment criteria is preferred over a standard as the efficacy cannot be established with the available information.

² Including submission 10, the Director General of Conservation and submission 1, STET Limited (Shaun Lee)

³ Section 42A report, paragraph 253

⁴ Submission points 14.10, 14.11 and 16.4

⁵ Sukhi Singh, paragraphs 8.8 and 8.9.

16. Should the Hearings Commissioners agree levels of outdoor noise on external amenity of future residents can be addressed by including Mr Hegley’s suggested assessment criterion in the Highbrook Precinct, this would require consequential amendments.
- I4.1 Precinct Description and Objective I4.2(1) encompass this criterion. No amendments are needed to these sections.
 - Policy I4.3(1) would require amendment or alternatively an additional policy inserted.
 - I4.8.1(3) (a) Matters of discretion would require the addition of the word ‘design’ to read (a) Site layout, configuration and design.
 - 14.8.2(3) Matters of discretion would require the addition of Mr Hegley’s suggested wording.
 - (3) New buildings
 - (a) ...
 - (b) ...
 - (c) The extent to which the site layout, configuration and design of the subdivision and of the future dwellings minimise road traffic noise to the outdoor amenity areas of the individual dwellings. Consideration shall be given, but not limited, to the use of buffer areas (such as internal road locations), the use of noise barriers and the layout of the subdivision and the development of the individual sites so that individual dwellings can be used to screen their outdoor amenity areas.
17. In his addendum review, Mr Rhys Hegley reiterates that standard 14.6.5 Road noise attenuation proposed Highbrook Precinct represents best practice for internal noise within residential buildings.⁶

2.4. The requestor’s response to the Cultural Impact Assessment of Ngaati Te Ata Waiohua

18. Ngaati Te Ata Waiohua made a submission on the plan change, seeking that it be rejected unless the matters raised in their submission are adequately addressed (point 6.1). One of the matters requested is a Cultural Impact Assessment (CIA) be prepared (point 6.2). The CIA was provided to the Council on 18 September 2023.
19. At paragraph 214 of the section 42A report I note that in the limited time available between when it was provided and the report being due, specialists have not had the opportunity to assess whether the CIA of Ngaati Te Ata Waiohua changes their assessment. I also noted that the requestor will respond to the Ngaati Te Ata Waiohua submission/CIA in their evidence.
20. The evidence of Mr Rob Pryor (landscape and visual) responds to the concern of Ngaati Te Ata Waiohua that none of the viewpoints chosen within the landscape visual assessment (LVA) were from Pukewairiki towards the subject Plan Change Area. Mr Pryor addresses this in his evidence at paragraphs 8.2 and 8.3 where he considers that the visual attributes of terraced housing and apartment buildings with separations between built forms are greater in visual amenity than a monolithic industrial building. He also notes there are no protected views or viewshafts to and from Pukewairiki.
21. Ms Gabrielle Howdle considers the impact of PC90 on Pukewairiki / Highbrook Park at paragraphs 11 – 15 of her addendum memoranda included in Attachment 1. Ms Howdle has a similar opinion to Mr Pryor regarding the visual outcome of buildings permitted under the current zone and proposed zone from Pukewairiki towards the subject Plan Change Area.

⁶ Rhys Hegley (addendum memo), paragraph 2

22. Ms Howdle supports the inclusion of an open space / esplanade reserve and a 20m coastal yard as part of the precinct provisions as this will help to manage the relationship between built form and the coastal edge. The addition, Ms Howdle maintains her initial recommendation for standard or assessment criteria that the height of built form on site is graduated (lower to the north and coastal edge). This could result in smaller building footprints along the coastal edge if designed to respond to the site constraints / opportunities. This is discussed further in section 5 of this addendum report.
23. Ms Singh confirms that consultation with mana whenua is ongoing, and any update will be provided at the hearing.

3. Response to specific matters raised in requestor's evidence

3.1. Accessibility of the PPC90 area

24. The addendum memorandum of Mr Derek Foy and Mr Temperley respond to the locational attributes of PPC90 site for residential activity raised in the requestors evidence.⁷
25. Mr Foy and Mr Temperley maintain that at over 2km and at 30+ minutes walk to the Ōtāhuhu, Ōtara and Hunters Corner centres, this is well outside what is considered to be a convenient walking distance, including the walkable catchment areas used in Plan Change 78.
26. Mr Temperley acknowledges the opportunities for cycling routes set out in the evidence of Mr Carr but considers the attractiveness of these routes is reduced by their proximity to heavily trafficked arterial roads and the southern motorway. Mr Temperley also notes that most journeys using these routes between the PPC90 site and key nearby destinations require pedestrians and cyclists to follow parts of these arterial roads and do not provide the most direct route.
27. Mr Temperley maintains that with the expected number of dwellings on the PPC90 site, the private shuttle service is unlikely to increase the connectivity of the development to the wider public transport network. Mr Temperley considers further information is required to establish whether the private shuttle bus service requirement in Albany 10 Precinct is a comparable example to support the proposed shuttle bus service in the Highbrook Precinct. Notwithstanding the absence of this information, Mr Temperley highlights that the Albany 10 Precinct benefits from closer proximity and more direct travel routes to the nearest local centre and in turn, overall better walkability to nearby services and amenities than the PPC90 site.

3.1. Potential for industrial use

28. In response to Mr Doughney's corporate evidence regarding maximising returns to a land owner, Mr Foy's view is that maximising returns to a land owner is not a matter to be taken into account when establishing the most appropriate zoning for a site. Mr Foy notes that this position was taken in a recent Environment Court decision.⁸

3.2. Coastal Hazard assessment

29. Dr Sivaguru considers there are unsubstantiated or outstanding matters in evidence of Dr Mead (coastal hazards), and as a result, Dr Kala Sivaguru maintains the rezoning of the land to THAB is inappropriate. Dr Sivaguru is concerned that some of the assumptions on rates

⁷ Mr Heath (economics), Mr Evans (urban design), Mr McKenzie (transportation) and Mr Carr (transportation peer review).

⁸ Middle Hill Limited v Auckland Council [2022] NZEnvC 162 (26 August 2022)

erosion over the 100-year sea level rise assessment have not been unsubstantiated.⁹ A lack of information on erosion mitigation is an outstanding matter.

30. With regard to erosion mitigation on areas susceptible to coastal instability and erosion (**ASCIE**), Dr Sivaguru considers the plan change does not propose mitigation works, nor has it demonstrated that such works are possible or likely to be effective, particularly on the 8.8m of land beyond the 20m Coastal Protection Yard amendment tabled in requestor's evidence. Suggested mitigation could include, for example, defining building platforms on the Precinct Plan and/or setting minimum finished floor levels.
31. Dr Sivaguru is of the opinion that it is not appropriate to reserve this mitigation against coastal hazards to a future restricted discretionary activity resource consent under Table E36.4.1 Activity table of the AUP.¹⁰ I agree, summarising that:
 - Assumptions on rates erosion over the 100-year sea level are not substantiated (this matter may be resolved through rebuttal evidence).
 - A greater level of uncertainty is required to rezone the land to enable more vulnerable uses than provided for under the existing business zoning.
 - The configuration of the site requires a greater level of understanding between the mitigation required and how this may impact on achieving the benefits from visual amenity, landscape and unique urban setting provided by the Tāmaki River environments¹¹ and a development that integrates within the context of the open space environment adjoining Tāmaki River.¹²

4. Assessment of amendments to the Highbrook Precinct

32. This section of my section 42A addendum report responds to the amendments proposed to the Highbrook Precinct. This includes those amendments agreed between the applicant and Goodman as set out in Memorandum of Counsel for Highbrook Living Limited dated 24 November 2023.

4.1. Coastal protection yard / indicative esplanade reserve

33. I support the introduction of standard 14.6.6 Coastal Protection Yard in response to submission point 10.2 from the Director-General of Conservation and concerns raised in the section 42A report about the lack of esplanade reserve shown on the Precinct Map.
34. Dr Kala Sivaguru supports the 20m Coastal Protection Yard as this provides protection for future residential use from natural hazards by way of physical space separation.¹³
35. Ms Howdle also supports this amendment as it supports the inclusion of an esplanade reserve / open space area, in ensuring the natural landscape features of the site (vegetation) are maintained. In addition, it supports opportunities for potential connections identified in the Otara-Papatoetoe Greenways Plan.¹⁴

⁹ Dr Sivaguru (addendum memo), pages 3 – 5

¹⁰ Dr Sivaguru (addendum memo), page 5

¹¹ I4.1.Precinct Description

¹² Highbrook Precinct, new assessment criteria 14.8.2(3)

¹³ Dr Kala Sivaguru (addendum memo), page 2

¹⁴ Gabrielle Howdle (addendum memo), paragraphs 5, 6, 7

36. Ms Howdle considers the Precinct should direct that future master planning or subdivision or development of the site require the esplanade reserve and that it be vegetated, noting it is currently noted as 'indicative' on the Precinct Map. An example wording for inclusion is:

“Require a vegetated esplanade reserve within the site along the Tāmaki River as identified on the Highbrook Precinct Plan 1 and where provided for by the Resource Management Act 1991 and Unitary Plan.”

37. I agree this would be consistent with policy E38.3 (24) to require esplanade reserves or strips when subdividing land adjoining the coast and other qualifying water-bodies, along with higher order documents such as the New Zealand Coastal Policy Statement (**NZCPS**). However, given the uncertainty around the mitigation required to address coastal hazards, I consider this amendment too directive. A comprehensive assessment of policies E38.3 (25) and (26) is needed before determining if the land is vested an esplanade reserve or strip, especially if the Council becomes responsible for management of any coastal hazard mitigation location within an esplanade reserve.

4.2. Coastal provisions

38. The introduction of the 20m Coastal Protection Yard, which is intended to secure the land for a future esplanade reserve/strip, addresses the decision sought by Director-General of Conservation (point 10.2).
39. In her addendum memo, Ms Howdle confirms that plan change revised through evidence is considered to result in low natural character values and be generally consistent with the provisions of the NZCPS (Policy 13, 14, 18 and 19) and the RPS - B8 Toitū te taiwhenua - Coastal environment (B8.2.1 (2) and B8.3.1 (2)). I agree and add that the plan change now gives effect to objective 2 of the NZCPS and objective 8(f) of the Hauraki Gulf Marine Park Act 2000.
40. On the advice of Dr Sivaguru, there are outstanding issues with the coastal hazards assessment. Dr Sivaguru maintains her interpretation of Policy 25(a) and (b) of the NZCPS and considers that the plan change has not sufficiently addressed (a) avoid increasing the risk of social, environmental and economic harm from coastal hazards; and (b) avoid redevelopment, or change in land use, that would increase the risk of adverse effects from coastal hazards.¹⁵
41. My assessment in the section 42A report that the plan change does not give effect to Policy 25 of NZCPS and B10 - Ngā tūpono ki te taiao - Environmental risk of the ARPS in the section 42A report remains unchanged.

4.3. New buildings – assessment criterion 14.8.3(3)

42. Ms Howdle and I support the introduction of assessment criterion 14.8.3(3) applying to new buildings. However, I agree with Ms Howdle that this does not go far enough to achieve the landscape and design outcomes relied upon within the Development Concept Plan. Paragraph 18 of Ms Howdle's memo sets out the two outstanding matters that she recommends are addressed in the Highbrook Precinct.
43. To incorporate Ms Howdle's landscape provisions, an additional policy, standard(s), assessment criteria and amendments to the Precinct Map would be needed.

¹⁵ Dr Sivaguru (addendum memo), page 5

4.4. Removal of 200 dwelling unit threshold and introduction of transport infrastructure assessment criterion

44. The updated precinct provisions amend all references to the maximum number of dwellings (or dwelling unit equivalents) in the Highbrook Precinct must not exceed 200. Instead, the provisions are amended to a total traffic generation threshold of 130 vehicles per hour for any land use. Assessment criterion I4.8.1 (2) is introduced to enable the assessment of a resource consent condition requiring the monitoring of trip generation.
45. Mr Temperly acknowledges this may allow for some flexibility in land use activity but is concerned that a threshold is likely to be harder to enforce in practice over time and presents uncertainty over whether the site can be developed to its full potential particularly if a staged development occurs.¹⁶ If there is uncertainty about administration and enforcement of the standard, in my view this should be eliminated if any non-compliance results in the activity status of prohibited activity as proposed with Standard I4.6.1 Total traffic generated.
46. A trip generation threshold is an effects-based provision that provides opportunities for more than 200 dwellings if there are alternatives to reliance on private vehicles. For the reasons outlined in the section 42A report and evidence of Matthew Ford (planning) on behalf of Auckland Transport, this site is not well-served by existing or planned public transport.¹⁷
47. Changing the standard to a trip generation threshold is unlikely to result in more than a 200 unit equivalent. For this reason, Mr Foy maintains his conclusion that the likely maximum dwelling yield of the PPC area is much lower than he would expect would typically be achieved in new developments in Auckland's THAB zone.¹⁸

4.5. Prohibited activity status

48. The memorandum filed on behalf of the requestor advises that one of the outcomes of discussions with Goodman is the activity status for activities that do not comply with Standard I4.6.1 Maximum Number of dwellings is prohibited. In their submission, Goodman sought a non-complying activity status (point 12.4).
49. Subject to review of supplementary evidence providing a full explanation and section 32AA for the amendments, my preliminary view of this activity status is that:
 - As the most restrictive activity status, there should be a robust analysis of why this is necessary.
 - Prohibited activity status should not be used for an activity that requires ongoing monitoring and can change over time.
 - Prohibited activity status should not be used where it is reliant on a monitoring condition that has unproven or limited options for (a) mitigation or (b) remedy once activities are established.
 - The AUP, including in existing Precincts, reserves prohibited activity status for section 6 matters of national importance, selected activities in the coastal marine area, protection of regionally significant infrastructure that is not designated, containing urbanisation within the Rural Urban Boundary and managing reverse sensitivity effects on the development and operation of the Wiri Oil Terminal.
 - No activities in Chapter E27 Transport are a prohibited activity.

¹⁶ Mr Andrew Temperley (addendum memo) paragraphs 4.1, 4.2, 4.3 and 5.4

¹⁷ Mr Matthew Ford, paragraph 5.12

¹⁸ Mr Foy (addendum memo) paragraph 4.4

5. Revised recommendations

50. That, the Hearing Commissioners accept, accept in part or reject submissions as outlined in the section 42A report.
51. That, I continue to recommend that PPC90 should be **declined** as the re-zoning of the land from Business – Light Industry to Residential - Terrace and Apartment Building together with the Highbrook Precinct as amended in the Memorandum of Counsel for Highbrook Living Limited dated 24 November 2023:
- Would not assist the council to achieve the purpose of the RMA;
 - It does not give effect to the NZCPS Policy 25;
 - It does not give effect to the NPS-UD (Objectives 2 and 5, Policy 1); and
 - It does not give effect to B10 of the ARPS or the corresponding district objectives and policies of Chapter E36 of the AUP.
52. If the Hearing Commissioners are minded to approve PPC90, I recommend incorporating the recommendation of Mr Hegley on outdoor noise and the two outstanding recommendations of Ms Howdle on landscape matters into the Highbrook Precinct. Incorporating these recommendations requires amendments to the Precinct Map and various consequential changes to the text.

6. Signatories

Name and title of signatories	
Author	 Tania Richmond, Consultant Planner
Reviewer / Approved for release	 Marc Dendale – Team Leader, Planning Central South, Plans and Places

Attachments

Attachment 1	Council’s Technical Expert Addendum Memorandums
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Attachment 1 - Council's Technical Expert Addendum Memorandums

Memorandum (addendum to technical specialist report - ecology)

12 October 2023

To: Tania Richmond - Reporting Planner
From: Jason Smith, Senior Environmental Scientist, Consultant to Auckland Council (As Regulator)

Subject: Private Plan Change 90 – Freshwater and Terrestrial Ecology Addendum

1.0 Introduction

- 1.1 My name is Jason Graham Smith, and I am a Senior Environmental Scientist at Morphem Environmental Limited.
- 1.2 I have previously provided a technical assessment on Private Plan Change 90 (**PC90**) in relation to ecological effects (dated 23/06/2023).
- 1.3 This memorandum addresses:
 - 1.3.1 Changes to PC90 proposed through the applicant's evidence.
 - 1.3.2 The National Policy Statement for Indigenous Biodiversity (**NPS:IB**) which has come in to force since my original assessment was prepared.
 - 1.3.3 The applicant's evidence provided by Treffery Barnett and Michael Anderson.
- 1.4 I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2023 and have complied with it in preparing this evidence. Other than where I state that I am relying on the advice of another person, this evidence is within my area(s) of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.
- 1.5 I have qualified my evidence where I consider that any part of it may be incomplete or inaccurate, and identified any information or knowledge gaps, or uncertainties in any scientific information or mathematical models and analyses that I am aware of, and their potential implications. I have stated in my evidence where my opinion is not firm or concluded because of insufficient research or data or for any other reason, and have provided an assessment of my level of confidence, and the likelihood of any outcomes specified, in my conclusion.
- 1.6 I have the skills and qualifications as set out in my original assessment.

2. Changes to the Plan Change

- 2.1 Changes are sought to PC90 through the applicant's evidence. These are provided as tracked changes to Appendix A of the evidence of Sukdeep (Sukhi) Singh, planner for the applicant.
- 2.2 As it relates to matters within the scope of this technical assessment, the changes are:
 - 2.2.1 The addition of standard I4.6.6 Coastal Protection Yard (**CPY**).
 - 2.2.2 Precinct Plan 1 has been updated to show the 20 m CPY as "indicative open space / esplanade reserve area".
 - 2.2.3 I4.8.2(3)(a) Assessment Criteria has been amended to refer to wider site development integrating with the open space environment (being the CPY).
- 2.3 As notified PC90, did not include specific consideration of the CPY.

- 2.4 Accordingly, as PC90 was notified, the width of the CPY would reflect the standard width of the zones in the Auckland Unitary Plan: Operative in Part (**AUP:OP**).
- 2.5 For the site's current Business Light Industry Zone, the width of the CPY is 25 m; under the Residential – Terrace Housing and Apartment Building Zone sought through PC90 the CPY would be 10 m.
- 2.6 From an ecological perspective the greater width of the CPY the greater the degree of buffering of the coastal environment and associated values (including biodiversity) from the development.
- 2.7 Whilst 20 m CPY is less than the current zoning requirement; this is more than the 10 m CPY that would be provided for under the zoning sought through the plan change. The standard proposed by the applicant also specifically requires buildings to be set back 20 m from the coast.
- 2.8 Accordingly, I am supportive of the proposed addition of the CPY standard, updated precinct plan and assessment criteria.

3 National Policy Statement for Indigenous Biodiversity

- 3.1 The National Policy Statement for Indigenous Biodiversity (**NPS:IB**) came into effect in July 2023, after the plan change had been notified.
- 3.2 Accordingly the gazetted version of the NPS:IB is not specifically addressed in the application material.
- 3.3 Without repeating the objective and the policies of the NPS:IB, from a technical ecological perspective I could consider the plan change consistent with the NPS:IB as:
 - 3.3.1 Indigenous biodiversity would be expected to be maintained.
 - 3.3.2 There are no areas of significant indigenous vegetation and significant habitats of indigenous fauna, or Significant Natural Areas (SNAs) within the plan change boundary or that would be anticipated to be impacted by the plan change.
- 3.4 Whilst the restoration of indigenous biodiversity is not specifically promoted and provided for within the plan change, the plan change would not alter the existing provisions of the AUP:OP in this regard.
- 3.5 Furthermore, I do not identify any other areas where the plan change would be contrary to the NPS:IB.

4 Applicant's evidence

- 4.1 The applicant's ecology evidence has been provided by Treffery Barnett (ecology), Michael Anderson (coastal/avifauna) and Sukhi Singh (planning).
- 4.2 I have reviewed the Evidence in Chief (**EiC**) of the applicant's experts.
- 4.3 As already covered in section 2.8 above, there is no ecological concern with adopting the CPY widths.
- 4.4 I also note that the EiC of Treffery Barnett refers to the: potential for any future esplanade reserve to be planted (point 2.6), for residential development to offer opportunities for planting (point 7.3), as well as, infill planting and enrichment planting (point 7.5).
- 4.5 Point 6.9 of the Michael Anderson's EiC states support for Treffery Barnett's recommendation for the CPY to be enhanced with indigenous planting; however, in my review I have noted no such recommendation in Treffery Barnett's EiC.

- 4.6 Michael Anderson's EiC point 6.10 goes onto say that provided a vegetated coastal yard of at least 10 m width is provided, the plan change would not result in significant adverse effects on the adjacent habitat value of coastal birds that currently use it.
- 4.7 Again, I note no such provision in PC90 that would secure a planted coastal yard; although as this statement relates specifically to coastal birds I defer to Council's specialist Kala Sivaguru for comment.
- 4.8 PC90 does not provide a mechanism to recognise this potential planting; however there is no equivalent requirement under the existing AUP:OP provisions either, and hence no specific concern in this regard.
- 4.9 The provision of any planting would be a positive outcome.
- 4.10 As outlined the AUP:OP manages vegetation alteration and removal through Chapter E15, and this includes provision for vegetation alteration and removal within 20 m of Mean High Water Springs does afford a degree of protection in that resource consent would be required for the majority any vegetation alteration or removal which could be proposed.
- 4.11 The EiC of the applicant's experts also provides some detail on the potential for esplanade reserve, which could be a matter of any future subdivision.
- 4.12 I otherwise present no concerns with the EiC of the applicant's experts in relation to matters within the scope of this assessment.

5 Conclusions and recommendations

- 5.1 I have reviewed the evidence provided by the applicant's experts.
- 5.2 Whilst there have been changes to the plan change provisions, and new legislation that has come into effect, these do not fundamentally alter my original assessment.
- 5.3 Overall, it remains that I support the plan change, as it was notified and modified by the applicant's evidence.



.....
Jason Smith

Technical Memo (Addendum)

Date: 11 October 2023
To: Nicholas Lau, Senior Policy Planner, Central/South
Tania Richmond, Consultant Planner
cc: Alan Moore, Principal Specialist, Specialist Unit
From: Kala Sivaguru, Senior Coastal Specialist

Subject: Private Plan Change PC90: 8 Sparky Road, Otara

1.0 Scope of addendum

This addendum responds to matters raised in the Applicant's evidence in relation to coastal hazards that arise from the proposed plan change and potential effects in the CMA from the plan change. I have not repeated my comments in the Technical Memo, dated 11 September 2023.

This addendum, addresses:

- Coastal hazard assessment and New Zealand Coastal Policy Statement (Statement of Evidence of Dr. Shaw Mead, Coastal Hazards, dated 02 October 2023).
- Effects on avifauna (Statement of Evidence of Dr. Michael Gareth Anderson, Ecology-Ornithology, dated 02 October 2023).

2.0 Coastal hazard assessment

In Section 9 of his evidence, Dr. Mead states that, several aspects of my review are incorrect and / or that I have misinterpreted the results of his area susceptible to coastal instability and erosion (ASCIE). I do not agree with Dr Mead, and note the following with respect to these matters:

- Reliance on esplanade reserve
- Erosion rates
- Mangroves acting as natural defence under sea level rise conditions
- Site geology
- NZCPS, Policy 25

Reliance on esplanade reserve

As stated in my Technical Memo, Dr Mead's CHA Report has provided the following conclusions and recommendations based on the site specific 100-year ASCIE in relation to future coastal erosion:

- *The maximum future erosion projections to the year 2130 at the property are 28.8 m, 17.62 m, and 2.47 m for the central, NW, and SW sections. While the NW and SW projections do not impact on the property or potential proposed dwellings due to the 20 m wide esplanade reserve, the erosion projection extends some 8.8 m into the property in the central area, and so locations of proposed dwellings should be considered. However, it is noted that these erosion projections are considered very conservative due to the very benign location and the presence of an expanding belt of mangroves along the coastal boundary of the property, which reduces potential erosion.¹*

The conclusions above acknowledge that the site is within the 100-year ASCIE planning horizon in accordance with his calculated ASCIE. For clarity I note that Dr Mead refers to a 20m wide esplanade reserve whereas the plan change application refers to a 20m wide coastal protection yard. In effect, these are two different references to the same area.

Dr Mead relies on the 20 m wide esplanade reserve to act as a buffer for the land proposed to be zoned Terraced Housing and Apartment Buildings (THAB). That is, any erosion over this time period would largely affect the proposed esplanade reserve/ coastal yard.

The effects of the 100-year ASCIE on any potential future land use, including future esplanade reserve, should be addressed as part of the plan change. This is particularly so if it is to form part of the public amenity and public access relied on in the plan change proposal. The proposed plan change should also signal if any erosion mitigation, in the form of hard structures, may be necessary to protect the future land use activity enabled by the plan change.

In the absence of a greater level of detail, which is my preference, I support the amendment introducing the 20m Coastal Protection Yard (or esplanade reserve as referred to by Dr.Mead) in the proposed Highbrook Precinct.

One of the listed purposes of this standard is 'to provide protection from natural hazards' by way of physical space separation. This provides a level of management on the location of future dwellings in addition to provisions in Chapter E36 of the Auckland Unitary Plan that may come into play later in any resource consent processes. Ms Richmond will address the introduction of assessment criteria at 14.8.2 (3) for new buildings.

However, in the central portion of the site, Dr Mead's 100-year ASCIE calculation as 28.8m from the current MHWS. This extends 8.8m into the proposed THAB zone. This projected ASCIE has implications for the application and future development of the zone. If the area within the ASCIE is zoned THAB, this would indicate a clear intent that the area is suitable for that purpose.

¹ Coastal Hazard Assessment: 8 Sparky Road, Otahuhu, Auckland, eCoast, September 2023. Section 9, Page 28.

It may be that this area can be made suitable for this activity by the use of hazard mitigation works. However, the proposed plan change does not propose any such mitigation works, nor has it demonstrated that such works are possible or likely to be effective. Accordingly, the applicant has not demonstrated that this area is suitable for the proposed THAB zone.

Erosion rates

Dr.Mead measured the erosion rates from aerial photos and found that the northern and southern sections are accreting, while the central section is eroding. However, the Report did not provide any justification to explain why this is occurring.

Accordingly, the eCoast report coauthored by Dr.Mead assigns a LTH of 0m/yr for the northern and southern sections in its calculations. This approach lacks conservatism, especially as the mechanism for this accretion is not understood. A more appropriate long term approach would be to apply a minimum erosion rate applicable to the lithology, as per the Table below in Tonkin & Taylor, January 2021 Report. The table 5.3 in Tonkin & Taylor report recommends adopting long term erosion rates (LT values) as per lithology.

eCoast Report under site description section (page 8) states that according to the geological map of the Auckland area, the southwestern and central section of the site is underlain by pumiceous deposits of the Puketoka Formation (PUP), and the northeastern section to be underlain by Auckland Volcanic Field. As such, the minimum long term erosion rate adopted in the 100 year ASCIE calculation should have been 2m for the Plan Change area.

Table 5.3: Summary of adopted LT values (excluding uncertainty) per lithology

Lithology	LT (m/century) excluding uncertainty
Puketoka Formation	2 to 15
Awhitu Group	3
AVF/CVZ	2 to 10
Waitakere Group	1 to 2
ECBF	1 to 15 (typically 3-6)
Pākiri Formation	1 to 10
Northland Allochthon	4 to 10
Waipapa Group	3 to 5

Further, Dr Mead’s evidence did not consider whether these accretion trends would continue under the 100-year sea level rise scenario over this time period, as required by policy 25 of the NZCPS. This is important as whilst Dr Mead has relied on this accretion continuing for his assessment, he has provided no assessment as to whether this accretion will continue over the 100-year sea level rise assessment period.

Mangroves acting as natural defence under sea level rise conditions

eCoast report describes the site being “*at the base of the slope, a small mangrove stand, with the largest thicket surrounding the northwest section, which buffers the coastline to the north;*² *It is apparent that the site is a low energy environment that has been subject to*

² Coastal Hazard Assessment:8 Sparky Road, Otahuhu, Auckland, eCoast, September 2023, Section 2, page 8

significant sedimentation and mangrove development. Thus, the properties are under little threat from coastal erosion via wave action".³

It is accepted that the mangrove stands are likely to provide a level of wave mitigation against erosion of the current shoreline. It is also accepted that the Tamaki estuary is an area subject to sedimentation. However, no evidence has been presented that demonstrates the rate of sedimentation will match the projected rate of sea level rise. If it doesn't, then water depths are likely to become intolerable to the current mangrove stands over time.

At the site, based on current SLR projections, some 1.98m of sediment would need to settle in order to preserve the mangrove habitat that currently exists. It has not been demonstrated where this amount of sediment would come from nor has the effects of sea level rise been considered on hydrodynamics at the site, and hence the argument is theoretical, provides no certainty and is insufficiently reliable upon which to base planning decisions.

I do note that, there are areas where current sedimentation rates have kept pace, and/or exceeded historic SLR rates – I believe the Firth of Thames is one such case. The Tamaki Estuary is a developed catchment. Developed catchments tend to have lower sediment input rates compared to developing catchments, and hence reduced sedimentation rates. Accordingly, the contention that sedimentation rates in this location will keep pace with SLR and therefore maintain mangrove stands is simply unsubstantiated.

Site geology

The eCoast report co-authored by Dr. Mead discusses the site geology but there is no data (e.g. test-pits, hand augers, borehole logs) or even site observation to show what the actual soil conditions are on the coastline. Stable slope angles (alpha) and shoreline response factors to SLR ('m' parameter in the equation) used in the ASCIE calculation therefore have no clear basis. While this is likely to be based on the underlying geological rock formation part of the site has been reclaimed and it is not known what other ground works may have occurred. The implication is that the values used to calculate the Cliff Toe Erosion and Current ASCIE in Table 9.1 (page 28, CHA Report) may not be accurate.

The above points raise the concerns on the reliability of the calculated ASCIE values. The CHA appears to have been done as a desktop exercise with limited, if any, actual site data.

In paragraph 9.2, Dr. Mead states the following:

*The future ASCIE (that is, areas **susceptible to coastal inundation and erosion**) line is a theoretical maximum erosion projection; it is not a long-term chronic erosion trend.*

Although the historic trend in the central part of the property has been retreat in the past 50 years (at an average rate of 0.16 m/yr), the mangrove fringe appeared as recently as 2005 and will likely continue to expand as mangroves have and do throughout the Auckland Region estuaries and sheltered areas.

The above statements indicate that the site is susceptible to coastal erosion. Further, the above statement assumes that the mangroves will continue to expand at the site regardless of changes likely to occur due to SLR and climate change. As noted above, mangrove

³ Regional Assessment of Areas Susceptible to Coastal Instability and Erosion, Tonkin & Taylor, dated January 2021, Page 39

expansion is influenced by sedimentation rate and sea level rise, as such there is no certainty that the mangroves at the site would continue to expand over the 100-year assessment horizon.

Dr, Mead continues to use similar arguments in paragraphs 9.3-9.5 of his evidence without any clear basis for his arguments.

NZCPS Policy 25

In paragraph 9.5 Dr. Mead considers that I am interpreting the erosion or inundation of land as a matter to be avoided or mitigated to meet the requirements of the NZCPS and the AUP.

It has been established that land included in the plan change would be potentially affected within the 100-year planning horizon. As such, I consider that Policy 25(a) and (b) of the NZCPS should be addressed as far as is reasonable under the plan change to (a) avoid increasing the risk of social, environmental and economic harm from coastal hazards; and (b) avoid redevelopment, or change in land use, that would increase the risk of adverse effects from coastal hazards. Changing the zone from the current Light industrial to residential zone does not avoid increasing the risk of adverse effects from coastal hazards on future residents.

It is acknowledged that any future development that is subject to resource consents will trigger consideration of the natural hazards including chapter E36 and E38 of the AUP. However, as this plan change will introduce more vulnerable land uses, the options for avoiding risk of adverse effects from coastal hazards should be identified and quantified as part of this process. This could include, for example, setting defined building platforms and finished floor levels for residential use.

3.0 Effects on avifauna

I agree with Dr. Anderson's evidence on the assessment of potential effects on avifauna, including that the proposed Coastal Protection Yard of 20 m would likely provide some buffer from potential increase in disturbance from the change in land use activity for foraging and/or roosting birds.

4.0 Conclusions

On the basis of assessments undertaken by the Dr. Mead, my Technical Memo and in this addendum, the area subject to the Proposed Plan Change is likely to be susceptible to coastal instability and erosion over 100 years assessment period. This is especially true for the central part of the site that is identified as an ASCIE. Accordingly, the proposal does not avoid the natural hazard.

The proposal does not consider or offer any form of mitigation to address this natural hazard, and no evidence has been provided that demonstrates that this natural hazard can be adequately managed or mitigated.

Accordingly, the zoning of that part of the site identified as ASCIE (over 100 year period) is not precautionary as it does not avoid the natural hazard. The zoning of this area as THAB zone is inappropriate without natural hazard mitigation works, and it has not been demonstrated that such works are feasible or would be effective.

Memo prepared by:

Dr. Kala Sivaguru



**Senior Coastal Specialist
Specialist Unit, Resource Consents**

Date:

11 October 2023

Memo reviewed by:

Alan Moore



**Principal Specialist
Specialist Unit, Resource Consents**

Date:

12 October 2023

11 October 2023

Tania Richmond
Richmond Planning Limited
PO Box 25734
St Heliers
Auckland 1740

Dear Tania

PC 90 - ADDENDUM

1. In September of this year, I provided a technical review of the acoustic implications of Proposed Plan Change 90 (PC 90). Since then, I have read the evidence prepared by the applicant's acoustic consultant, Mr Runcie. This addendum to my review addresses the one issue that I consider remains unresolved, the potentially high levels of road traffic noise on outdoor amenity of future residents. This is not an issue with the current Business – Light Industry Zone.
2. The approach proposed by PC 90 with respect to mitigating the effects of road traffic noise is to note the similarities between the proposal to PC 51 and, therefore, the adoption of the PC 51 rule for the control of road traffic noise. This rule relates to the control of internal noise (through building design). I agree that this rule represents best practice and recommend that it should be adopted for PC 90.
3. My concern relates to the assumption that PC 90 is similar to PC 51 as this has not been demonstrated. Road traffic noise levels over PC 51 were the subject of detailed analysis. This showed the uppermost levels to the most exposed areas of the Plan Change area to be in the mid 60dB range. I note that Plan Changes 48, 50 and 61 were also similar to PC 51 in that for each, there was detailed information as to the expected level of road traffic noise and that the upmost levels were also in the mid 60dB range.
4. By comparison, PC 90 does not include sufficient information to determine the road traffic noise expected to the most exposed areas of the Plan Change. The noise contours prepared by Waka Kotahi and provided with the application do not include the Plan Change boundaries leaving it to the reader to interpret the resulting level. Doing so indicates noise could be somewhere from the mid 60dB to the low 70dB range. Mr Runcie's evidence does not provide such information but instead confirms in paragraph 6.3 that the noise contours appeared to be within 3dB of the predicted levels.
5. Looking at the contours, I cannot determine the level of noise that PC 90 area would be exposed to. However, should noise be in excess of 70dB, my view is that this represents a clear difference to PC 51 (and PCs 48, 50 and 61), where the predicted levels were in the mid 60dB range.

6. As I noted in my review, external amenity is not generally considered when discussing road traffic noise and there are no objective criteria for doing so. While levels in the mid 60dB range (PC 48, 50, 51 and 61) are undesirable, they are typically accepted as the compromise necessary for the integration of residential use with its associated infrastructure. However, there comes a point when the effects of the compromise on external amenity must be considered. At levels of 70dB or more conversations would be strained and people would likely not choose to spend time outside, reducing the amenity of the outdoor space.
7. In his paragraph 7.5, Mr Runcie agrees with the Panel decision on PC 51 that outdoor amenity would be best addressed as a region-wide matter. I agree that this would be the ideal solution for future projects but, in the interim, the issue remains relevant to PC 90. My view is that there is potential two ways to address the effects of high levels of road traffic noise on outdoor amenity for future residents.
8. The first would be for the applicant to provide a more accurate understanding of the level of noise expected by the Plan Change. The noise contours provided by Waka Kotahi indicate levels from the mid 60 to the low 70dB range are possible. If the actual levels could be confirmed as being closer to those of PC 51, I agree that the PC 51 approach would be suitable for PC 90.
9. The second would apply in either the absence of external levels or confirmation that they are above the mid 60dB range. The Plan Change could include rules and/or assessment criteria that address the level of noise in the outdoor amenity area. Mr Runcie and I are in agreement as to mitigation options available for outdoor areas (Mr Runcie's paragraph 7.7). Mr Runcie notes that it is likely that the proposed requirement to control noise within dwellings would encourage a design that also considers noise in outdoor amenity spaces. While this may be the case, it equally, may not. I prefer that the requirement to consider external noise be included in the Plan Change to direct this outcome.
10. I have considered, and dismissed, proposing a rule requiring a noise barrier about the perimeter of the Plan Change area (other than for the single accessway onto Highbrook Drive) on the basis that while such a barrier adjacent to Highbrook Drive would likely be effective, I am unsure as to its efficacy of such a barrier for State Highway 1.
11. While not a prescriptive solution, I consider a more pragmatic approach would be the inclusion of assessment criteria that requires consideration of outdoor amenity and suggest:

The extent to which the site layout, configuration and design of the subdivision and of the future dwellings minimise road traffic noise to the outdoor amenity areas of the individual dwellings. Consideration shall be given, but not limited, to the use of buffer areas (such as internal road locations), the use of noise barriers and the layout of the subdivision and the development of the individual sites so that individual dwellings can be used to screen their outdoor amenity areas.
12. The above suggestion does not provide a definitive solution to this issue, but rather a framework for such a solution.

Should you have any questions regarding the above please do not hesitate to contact me.

Yours sincerely
Hegley Acoustic Consultants

Rhys Hegley



Memo: Technical specialist rebuttal on economics matters

9 February 2024

To: Tania Richmond, Consultant Planner, Plans and Places, Auckland Council

From: Derek Foy, Director, Formative Limited

Subject: Private Plan Change – PC90 8 Sparky Road, Ōtara – Economic Assessment**1.0 Introduction**

1.1 I provided my assessment of the merits of the application from an economics perspective in my technical specialist report (dated 19 July 2023) to contribute towards Council’s section 42A hearing report. My qualifications and experience are contained in my July report.

1.2 Having now read the applicant’s evidence, I consider it necessary to provide rebuttal on two matters raised in the evidence of Mr Heath and Mr Doughney (both dated 2 October 2023):

- The suitability of the PPC area to accommodate residential activity.
- The suitability of the Site to accommodate industrial activity.

1.3 While I have already addressed both matters to some extent, evidence provided by Mr Heath and Mr Doughney requires some response.

2.0 Response to locational attributes of the PPC area

2.1 To assess the suitability of the PPC area for residential development, Mr Heath provides a map to show that the PPC area is in close proximity to:

an array of established infrastructure, services and amenities”. These include existing commercial centres, main employment clusters, educational institutions, healthcare facilities, childcare services, key arterial roads, and existing cycle networks (for active transport modes).

A variety of conveniences, amenities and services are accessible within a 5-minute drive (roughly 2km walking distance) from the Plan Change Area. These include retail centres, educational institutions, employment hubs, medical establishments, supermarkets, communal facilities, and both passive and active recreational reserves and parks. This means that a significant portion of the essential services and amenities necessary for any intensive residential development are already conveniently situated within the vicinity.¹

2.2 Mr Heath makes similar references to those locational advantages at paragraphs 12.8 and 13.9.

¹ Tim Heath evidence, paragraphs 9.3 and 9.4

- 2.3 In forming that conclusion, Mr Heath has mapped 1km and 2km straight-line distance circles around the PPC area, to show how close nearby facilities and features are to the PPC area.
- 2.4 Mr Heath's use of 2km is in my opinion unhelpful to establish whether a THAB zone would be well serviced by or in close proximity to existing facilities. The study on which Mr Heath bases his statement that "Auckland residents are willing to walk up to 2km to access quality public transportation"² was a study to test whether the incumbent 800m walkable distance then being applied by Council for proximity to train and bus stations was reasonable. The study found that:
- While the results to date are not conclusive in terms of an 800-metre walking distance being representative of a walkable catchment area for a train or busway station in Auckland, the findings from the surveys do show that those currently using these train and busway stations are in some cases prepared to walk further than 800 metres to get to a station.³*
- 2.5 While some people walk more than 2km to access public transport, it was not a finding of the study that 2km was a typical or generally acceptable distance to travel, certainly not for most of the population.
- 2.6 In any case, willingness to walk to public transport is different to willingness to walk to shops, and carry home shopping, or walk to facilities with children, or make return trips rather than two one-way trips at either end of a day. The usefulness of the Council study is therefore, in my opinion, limited.
- 2.7 Further, Mr Heath's straight-line approach does not reflect true accessibility, which in practice is very much constrained by the presence of the Tāmaki River and Ōtara Creek, and the configuration of the roading/pedestrian path network in the area. Those things limit the places that can be reached on a 1km or 2km trip from the PPC area to an area much less than that which Mr Heath presents in his Figure 3. The limitation of using straight-line distances is recognised in the Council study Mr Heath refers to.⁴
- 2.8 To show the area actually accessible on 1km and 2km trips from the PPC area, I have used GIS to map 1km and 2km isolines (lines of equal distance from a starting point) from the PPC area. I have overlain those isolines on Mr Heath's Figure 3 (in my Figure 2.1 below), to show that contrary to Mr Heath's conclusions, and consistent with my contribution to the s42A report, there is very limited presence of commercial, community, or recreation facilities within 2km of the PPC area.
- 2.9 I note that in December 2022 the applicant provided a response to Council's Request for Further Information, which included as Attachment 2 a Walking Isochrone, which shows very similar patterns to my Figure 2.1, albeit based on walking time rather than distance. Mr Evans' evidence is consistent with my assessment and that Attachment 2.
- 2.10 The Ōtāhuhu, Ōtara and Hunters Corner centres, which are all just inside or just outside Mr Heath's 2km circle are in fact 2.2-3.2km from the PPC area, and indicated in Google Maps to take 30-44 minutes to walk to from the PPC area. That places those centres, and the facilities

² Tim Heath evidence, paragraph 13.9

³ Wilson, L (2013). Walkable catchments analysis at Auckland train and Northern Busway stations – 2013. Auckland Council technical report, TR2013/014, page 45

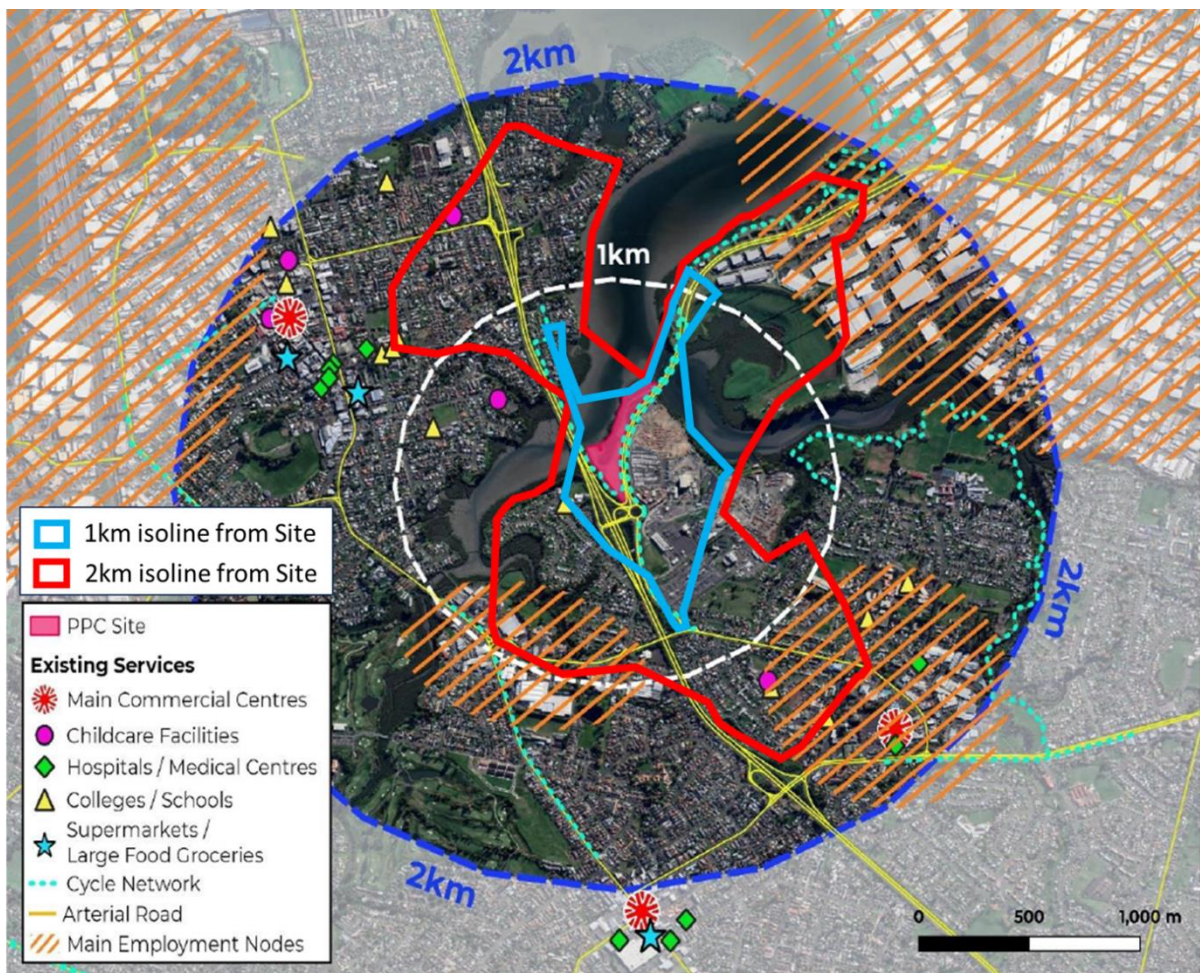
⁴ Ibid, page 4

and businesses that are located around their peripheries, well outside what is considered to be a convenient walking distance from the PPC area.

2.11 To place that proximity in context, it is useful to consider Council’s most recent position on walkable catchments. Council notified Plan Change 78 to give effect to the National Policy Statement on Urban Development 2020 (“NPS-UD”). Policy 3D of the NPS-UD requires regional policy statements and district plans in tier 1 urban environments to enable building heights of at least six storeys within at least a walkable catchment of rapid transit stops, and City and Metropolitan centre zones. The walkable catchments proposed in PC78 are 1,200m from the edge of the City Centre Zone, and 800m from both the edge of Metropolitan Centre Zones and access points to existing or planned rapid transit stops.⁵ Because PC78 remains on hold, those walking catchments have not yet been finalised, but even the largest catchments proposed by submitters (Kāinga Ora) are only 1,200m², and hence much smaller than those applied by Mr Heath.

2.12 Both of those definitions are less than half of the distance between the PPC area and the nearest town centres, which confirms my understanding that an 800m distance is more typically used to reflect walkable catchments for centre proximity.

Figure 2.1: Proximity to Plan Change area



⁵

<https://www.aucklandcouncil.govt.nz/UnitaryPlanDocuments/PC%2078%20Information%20Sheet%201%20Walkable%20Catchments.pdf>

2.13 All that is located within 1km of the PPC area is:

- East of the motorway: the Ōtāhuhu Power Station and planned industrial development to the east of the PPC area (as detailed in the evidence of Mr Doughney), and the reserve area either side of Highbrook Drive immediately north of the Ōtara Creek Bridge.
- West of the motorway and south of the Tāmaki River: Wymondley Road School, about 30 houses on Wymondley Road and Stirling Street, and a Cook Islands Faith fellowship church.
- West of the motorway and north of the Tāmaki River: About 15 houses along McManus Place and Curlew Bay Road.

2.14 There is no presence of any retail or household services businesses, medical facilities, or supermarkets within 1km of the PPC area.

2.15 Between 1km and 2km of the PPC area is:

- The western part of the Highbrook Industrial area
- North of the Tāmaki River: Part of the Ōtāhuhu residential area, including Murphy Park, McAuley High School, an ECE centre, three dairies, a temple and several small parks.
- South of the Tāmaki River: Part of the Ōtāra residential area, the Auckland Spinal Unit, the Bairds Road neighbourhood centre, four churches/temples, part of the Manukau Institute of Technology, two primary schools, two dairies and several small parks.

2.16 This relative isolation of the PPC area makes it, in my opinion, a spot zone located away from the services and other facilities that are envisaged to support a THAB zone. While Mr Evans has identified some precedent for such spot zones in the wider area and Auckland more generally, in my opinion just because there have been THAB spot zones approved elsewhere does not mean that they are generally appropriate, or appropriate in the PPC area.

3.0 Potential for industrial use

3.1 Mr Doughney's corporate evidence notes that low value industrial uses of the PPC area could be feasible,⁶ but that residential use enables "maximisation of its value".

3.2 That is a similar perspective to Mr Heath, although more open to the viability of industrial use of the PPC area.

3.3 My understanding is that maximising returns to a land owner is not a matter to be taken into account when establishing the most appropriate zoning for a Site. The appropriate zoning should instead be undertaken from a district or regional perspective, and because feasibility can change over time it is necessary to take a longer term view of when it may be appropriate for development to occur. A recent Environment Court decision concluded that:

If highest and best use is a key factor during zoning decisions there would be a broad distribution of high land value, retail-enabled zones across Auckland and limited provision of lower land value zones such as industrial, rural or open space.⁷

⁶ Paragraph 2.5

⁷ Middle Hill Limited v Auckland Council [2022] NZEnvC 162 (26 August 2022)

3.4 I agree with that decision, and it is for that reason that is appropriate to minimise the extent to which industrial zones are converted to non-industrial uses.

4.0 PPC area dwelling capacity

4.1 In my technical memo dated 19 July 2023 I referred to the indicative capacity of the PPC area, which was at that stage 200 dwellings. At paragraph 4.53 of that report I stated an opinion that “the Site is a poor candidate to accommodate residential activity, particularly high density residential activity that will yield 200 dwellings. The proposed limit of 200 dwellings on the 4.38ha Site (46 dwellings/ha) is much lower than I would expect would typically be achieved in new developments in Auckland’s THABZ”.

4.2 I understand that since I wrote that memo, the applicant has proposed a condition of the PPC that would limit vehicle movements to a maximum of 130 per hour, rather than a maximum number of dwellings.

4.3 I have been informed by Mr Temperley that 200 dwellings would be broadly equivalent to 130 vehicles an hour in the context of the type of development anticipated on the PPC area and the geographic location of the area.

4.4 For those reasons I maintain the conclusion I presented in my July report that the likely maximum dwelling yield of the PPC area is much lower than I would expect would typically be achieved in new developments in Auckland’s THABZ.

5.0 Conclusions and recommendations

5.1 My assessment shows that there is very limited presence of any established commercial infrastructure, services and amenities within walking distance of the PPC area, and even within 2km of the PPC area. The amount and range of businesses and facilities that are present within 1km and even 2km of the PPC area is in my opinion much less than is required to support higher density housing such as would be expected in a new THAB zone development.

5.2 That limited presence means that in my opinion the PPC area is not well suited to accommodating a THAB zone, because it would not, as Mr Heath quotes:

make efficient use of land and infrastructure, increase the capacity of housing and ensure that residents have convenient access to services, employment, education facilities, retail and entertainment opportunities, public open space and public transport.⁸

5.3 My opinion remains that the PPC area is not an appropriate location in which to enable THABZ.

5.4 I have not seen any evidence that supports a position that residential use of the PPC area is a preferable outcome to industrial use, or that the latter is not, or will not be viable in some form on the PPC area.

⁸ Chapter H6 – H6.1. Zone Description

Addendum Memo to Section 42A Transportation Report

To: Tania Richmond, Consultant Planner, OBO Central / South, Plans and Places, Auckland Council

From: Andrew Temperley, Traffic Planning Consultants

Date: 02 February 2024

Subject: **Proposed Plan Change, 8 Sparky Road, Ōtara – Transportation Assessment**

1.0 Scope of This Addendum

1.1 Further to reviewing evidence submitted on behalf of Highbrook Living Limited in respect of the Proposed Plan Change 90 (PC90) at 8 Sparky Road in Otara, I have prepared the following statement of rebuttal in response to new matters which have been raised. In this reply, I respond to matters raised in the following statements of evidence:

- (a) Don McKenzie, Director of Don McKenzie Consulting Limited
- (b) Andrew Carr, Director of Carriageway Consulting Limited
- (c) Sukhdeep Kaur Singh, Technical Director, Babbage Consultants

1.2 I respond in addition to matters raised in the Memorandum of Counsel for Highbrook Living Limited, including the Revised Precinct Provisions attached to this Memorandum.

1.3 While I note the provision of new information in the above statements in relation to new transport provisions to mitigate the operational effects of PC90 on the adjoining transport network, I remain concerned in relation to the ability of the PC90 site to effectively fulfil the functional transportation requirements associated with the Auckland Unitary Plan Terrace Housing and Apartment Buildings (THAB) zone. Its location and geographical constraints serve to limit its ability to provide convenient access to services, employment, education facilities, retail and entertainment opportunities and public transport, as outlined in the zone description of the Unitary Plan's THAB zone policy.

2.0 Evidence of Don McKenzie

2.1 At paragraph 5.3 of his evidence, Mr McKenzie acknowledges the importance of the shuttle bus service in increasing the connectivity of the development to the wider public transport network. He also acknowledges that Highbrook cannot dictate or determine that additional bus services be established along Highbrook Drive [by Auckland Transport]. However, this statement appears to be contradicted by the subsequent

statement that residents and visitors will be able to access from the new bus stops on Highbrook Drive, namely Ōtāhuhu town centre, Ōtāhuhu Train Station, Highbrook Business Park, and Botany town centre. While the latter statement may have intended to refer to the proposed private shuttle bus service, I do not consider that Mr McKenzie's statement provides certainty that public transport linkages to the destinations listed will be provided in a manner that would enable appropriate levels of connectivity to be achieved.

- 2.2 At paragraph 5.7 of his evidence, Mr McKenzie draws upon a comparison with Plan Change 59 or the Albany 10 Precinct as a case study of a development for which the developer was similarly required to provide a private shuttle bus service to connect the site with the nearest local centre and public transport interchange at Albany. While there may be some parallels to be drawn with the PC90 proposal, I consider that insufficient information has been provided to establish an appropriate degree of comparability, as I discuss below.
- 2.3 Mr McKenzie's evidence does not confirm the dwelling yield for Albany 10 Precinct and hence its comparative ability to fund and sustain a commercially viable shuttle bus service. Based on a cursory review of the Albany 10 Precinct Plan, it is significantly larger than the PC90 site, which I consider would allow it to support such a commercially viable shuttle bus service more easily. It is not possible, based on the level of information provided, to confirm the ability of the proposed 200-unit residential development on the PC90 site to similarly sustain such a service, nor confirm the scope of the transport function that it could provide, in terms of destinations served or an expected operating frequency. I would consider an understanding of this level of detail to be appropriate, in order to understand the ability of PC90 to fulfil the functional requirements associated with the THAB zone, as noted in paragraph 1.2 of this memo.
- 2.4 By comparison to the subject site, the Albany 10 Precinct benefits from closer proximity and more direct travel routes to the nearest local centre and in turn, overall better walkability to nearby services and amenities. As noted in my earlier comments, these characteristics align more closely with the functional transport requirements for the THAB zone as outlined in the Auckland Unitary Plan, which refer to promoting walkable neighbourhoods to increase the vitality of centres. As an example, the Albany 10 Precinct lies within a 25 to 30 minute walking distance of Albany town centre, while the location of the PC90 site would necessitate a corresponding walking travel time of 35 to 45 minutes to the nearest town centres of Otara or Otahuhu, which is more likely to be perceived as a prohibitively unattractive journey time for a walking trip.

3.0 Evidence of Andrew Carr

- 3.1 At paragraph 9.2 of his evidence, Mr Carr agrees that there are comparatively few destinations within a viable walking distance of the PC90 site. I would consider that this does not align with the functional transport requirements for the THAB zone as outlined in the Auckland Unitary Plan, which specifically refer to promoting walkable neighbourhoods to increase the vitality of centres.
- 3.2 Mr Carr goes on to highlights the opportunities available within a viable cycling distance of the site. While the number of destinations within a viable cycling distance is greater

than those within a viable walking distance, many route choices for cyclists require them to share roads space with heavy volumes of through traffic, which I would consider is likely to reduce attractiveness of travel by this mode.

- 3.3 At paragraph 9.5 of his evidence, Mr Carr states that it is unclear as to whether, within my assessment, I have taken account of the off-road routes available that connect the Plan Change area to the town centres of Ōtara and Ōtāhuhu by cycle (and micromobility). While I do note the availability of some off-road routes for walking and cycling which provide connections to the PC90 site, the attractiveness of these routes is reduced by their proximity to heavily trafficked arterial roads and the southern motorway. In addition, most journeys using these routes between the PC90 site and key nearby destinations also require pedestrians and cyclists to follow parts of these arterial roads and do not provide the most direct route.

4.0 Evidence of Sukhdeep Kaur Singh

- 4.1 At paragraph 3.1 of her evidence, Ms Singh confirms the proposed replacement of the Precinct's maximum permitted development threshold of 200 dwellings with an upper traffic generation threshold of 130 vehicles per hour.
- 4.2 While this may allow for some flexibility in land use activity, I am concerned that such a threshold is likely to be harder to enforce in practice. I would also consider that this approach presents uncertainty over long-term development outcomes for the site, in the event of trip generation exceeding expectations during early phases of development. In such a scenario, potential outcomes could include the site not being developed to its full potential or consideration of alternative land-use activities permitted within the Terrace Housing and Apartment Buildings zone, based on a lower expected trip generation potential.
- 4.3 Some such scenarios could result in future pressure to increase the trip generation threshold at a later date, thus resulting in more development and higher adverse impacts on the adjoining transport network.

5.0 Memorandum of Counsel for Highbrook Living Limited

- 5.1 Paragraphs 7 to 9 of the memorandum confirm the rationale for adopting a maximum traffic generation threshold for the precinct of 130 vehicles in an hour, to address concerns raised in the submission by Goodman. These paragraphs further confirm non-compliance with the 130 vehicle movements per hour threshold as a prohibited activity.
- 5.2 The Memorandum goes on to confirm the inclusion of monitoring of trip generation to demonstrate compliance with the proposed new Standard I4.6.1 as a matter of discretion and assessment criterion for restricted discretionary activities. The proposed refinements to the precinct provisions are included in Attachment A of the Memorandum.

- 5.3 The proposed refinements to the precinct provisions in Attachment A refer to the need for council to consider the extent to which monitoring is required to demonstrate compliance with Standard I4.6.1(1).
- 5.4 In response, I reaffirm my concerns noted in paragraph 4.2 of this addendum, in response to Ms Singh's evidence, in relation to the ability to effectively enforce the upper trip generation threshold in practice over time and the uncertainty of long-term development outcomes for the site.

6.0 Conclusions and Recommendations

- 6.1 Further to my review of evidence submitted on behalf of Highbrook Living Limited in respect of the Proposed Plan Change 90 (PC90) at 8 Sparky Road in Otara, my conclusions as presented in my Section 42A Report remain unchanged.
- 6.2 My salient concern remains that I consider that the proposed PC90 does not appropriately fulfil the transport objectives associated with the Unitary Plan THAB zone, due to its location in the context of the adjoining urban environment, its transport context and associated constraints which adversely affect transport connectivity.
- 6.3 While transport mitigatory measures proposed by the applicant may provide some improvement to transport connectivity and attractiveness of access by sustainable modes of travel, I do not consider that the degree of benefit which these measures provide aligns sufficiently with the intended characteristics and purpose for the THAB Zone. Specifically, the Auckland Unitary Plan THAB zone policy identifies the need to *ensure that residents have convenient access to services, employment, education facilities, retail and entertainment opportunities, public open space and public transport, [and also that] This will promote walkable neighbourhoods and increase the vitality of centres.*
- 6.4 In my opinion, PC90 fails to adequately fulfil these objectives. Essentially, the site is located too far from local services and amenities, and constraints within the adjoining built environment prevent appropriate direct and efficient transport linkages from being achieved. For that reason, my opinion remains unchanged, namely that the transport context of the PC90 site is inconsistent with the requirements for a THAB zone and that the PC90 application should not be supported.

10.10.2023

Introduction

1. My full name is Gabrielle Katarina Howdle. I am a Principal Landscape Architect and work for Auckland Council in the Tāmaki Makaurau Design Ope.
- 1.1. My experience and qualifications are as set out in my hearing memo dated 17th of July 2023.
- 1.2. I was engaged by Auckland Council to review the private plan change request to determine whether the information provided was sufficiently detailed and accurate to understand the landscape effects of the proposal. I prepared a Landscape effects technical specialist report memo (dated 17.07.2023) to inform the s42A Officer’s Report.
- 1.3. The following memo is an addendum memo in response to the following aspects of the applicant’s evidence.
 - a. Indicative open space / esplanade reserve area
 - b. Coastal protection Yard standard
 - c. New buildings site layout and configuration as a matter of discretion / assessment criteria
 - d. Impact of PC90 on the values of Pukewairiki / Highbrook Park

Indicative Open Space / Esplanade Reserve area

2. As part of the applicant’s evidence, in response to concerns raised by submitters and Council, an indicative open space / esplanade reserve area has been added to the proposed ‘Highbrook Precinct Plan 1’ (I4.10.1 – Precinct Plans – See Appendix A). The twenty-metre width of the reserve is consistent with the requirements for esplanade reserves under the RMA and any vegetation removal greater than 25m² of contiguous vegetation over 3m high within 20m of mean high-water springs is a restricted discretionary activity under the AUP (OP). However, it is noted that the existing vegetated area along the site varies in width, in some locations being greater than 20m wide. Therefore, removal of vegetation may still occur, reducing the natural character values of the area.
3. It is recognised that the vegetation on the coastal edge is a mix of establishing native species (such as flax, karo, pōhutukawa) and pests and exotic species (gorse, pampas, poplar). From an ecological (Ornithology) perspective I understand that Mr. Anderson also considers that provided a 10m vegetated coastal yard was provided, that the impact on adjacent habitat value for coastal birds would not be significantly impacted. From a landscape perspective, the provision of a 20m esplanade reserve, 20m coastal yards setback and the revegetation / infill planting of the coastal edge can work together to manage the impacts on the coastal environment and values. Pest removal and revegetation (infill planting) as part of future subdivision and / or development of the 20m area could improve the quality of the planted coastal edge.
4. It is recommended that a standard is included to ensure that future master planning or

subdivision or development of the site requires the esplanade, noting it is currently noted as ‘indicative’. For example: *“Require a vegetated esplanade reserve within the site along the Tāmaki River as identified on the Highbrook Precinct Plan 1 and where provided for by the Resource Management Act 1991 and Unitary Plan.”*

Coastal Protection Yard

5. My original memo noted that the change from Business – Light Industrial (B-LI) to Residential - Terrace Housing and Apartment Buildings zone (R-THAB), while likely to result in visually smaller footprints, that the setback from the coastal yard for buildings would reduce from 25m to 10m. The introduction of the Coastal Protection Yard as a standard within the precinct plan requires that new buildings or parts of buildings must not be located within 20m of the coastal protection yard to ensure built form is adequately setback from the Tāmaki River. This supports the inclusion of an esplanade reserve / open space area, in ensuring the natural landscape features of the site (vegetation) are maintained.
6. The inclusion of the 20m setback is also provided for the purpose of ensuring public access along the esplanade reserve / open space. This encourages future master planning / development of the site to support the outcomes of the Otara-Papatoetoe Greenways Plan, such as access to the coastal edge and pedestrian / cyclist connectivity within the area.
7. The inclusion of a twenty-metre-wide esplanade reserve and coastal protection yard, in my opinion, will help to ensure that the natural character values of the Tāmaki River edge are maintained¹. These changes to the precinct plan also encourage some of the urban and landscape outcomes expressed within the masterplan (Proposed concept masterplan within the Urban Design Statement, ET Urban Design, dated 25.07.2022) to be achieved.

Matters of Discretion within the Proposed Highbrook Precinct Plan

8. As part of the response to both Council and submitter comments, the applicant has included new matters of discretion and assessment criteria as part of the proposal Highbrook Precinct Plan, in addition to those outlined within the R-THAB zone. The matters require consideration of site layout and configuration in relation to new buildings. To encourage and ensure a suitable layout of the entire site, it is recommended that consideration of the site layout / configuration in regard to the esplanade reserve / open space area and public access also be a matter of discretion / assessment criteria for development of the site.
9. The applicant has noted that a graduation of height and a planted buffer (recommendations outlined within my original memo paragraph 46) are not required and can be achieved as part of the design and consent of future development through the objectives, policies, controls and matters of discretion of the R-THAB zone. Mr. Pryor (Landscape and Visual Evidence dated 02.10.2023) in their evidence doesn’t consider that a provision managing the graduation of height is necessary as the *“indicative Development Concept plan envisions a hierarchy of built form with larger apartment buildings in the southern portion of the plan change area, and*

¹ RMA 1991 s6(a) - The preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development.

smaller scale buildings in the northern portion...” (paragraph 9.7). Mr. Evans in their evidence (Urban Design dated 02.10.2023) also notes that the graduation of height outcome is “*reflected in the concept master plan for the Plan Change Area in recognition of the more sensitive aspects of the northern part of the Plan Change Area*” (paragraph 11.7). As noted within my original memo, while I agree that the Concept plan illustrates several positive design outcomes that respond to the site opportunities and constraints (coastal edge, narrowing northern end, single access, bordered by motorways) which could be achieved through good design, they are not required by the R-THAB zone or the proposed precinct provisions.

10. The introduced matters of discretion / assessment criteria provide some ability for development to be considered as part of future consents. However, from a landscape perspective it is still considered that the landscape and design outcomes relied upon within the Development Concept Plan and evidence would be better expressed and provided for through specific provisions in the precinct plan, where they can act as design guidelines for future master planning and / or subdivision and development.

The impact of PC90 on Pukewairiki / Highbrook Park

11. In response to concerns raised by submitters, including those outlined within the cultural values assessments, Mr. Pryor has provided two additional viewpoints taken from Pukewairiki (Highbrook Park) and undertaken an assessment of the potential effects of the plan change from these locations.
12. I understand and recognise the cultural importance that Pukewairiki has and recognise that the natural contours and form of the volcanic tuff ring are visually discernible and noteworthy within the local landscape. Pukewairiki is considered to contribute strongly to the physical and visual amenity values and associative values of the landscape (including natural character), alongside the areas of Significant ecological areas, the rivers and network of open spaces.
13. It is recognised that the coastal environment has been modified as a result of the previous Power Station infrastructure and the construction of Highbrook Drive.
14. The existing zoning B-LI requires at 25m coastal protection yard compared to a 10m yard under the R-THAB zone, with buildings 20m high compared to 16m height control under the R-THAB zone.
15. As part of their evidence, the plan change has introduced the inclusion of an open space / esplanade reserve and a 20m coastal yard as part of the precinct provisions. This will help to manage the relationship between built form and the coastal edge. While built form can be developed closer to the coastal edge under the proposed plan change, the R-THAB zoning will manage building coverage (50% permitted) and could result in smaller building footprints along the coastal edge if designed to respond to the site constraints / opportunities. The provision of a control or assessment criteria that the height of built form on site was graduated (lower to the north and coastal edge), could help to achieve this.

Conclusion

16. Overall, the changes made to the proposed precinct provisions and applicant’s evidence has addressed the concerns and recommendations raised within my original memo as they relate to the coastal environment and natural character values². The change from B-LI to R-THAB with

² B8 Toitū te taiwhenua - Coastal environment. B8.3.1 (2) Subdivision, use and development in the coastal environment are designed and located and managed to preserve the characteristic and qualities that contribute to the natural character of the coastal environment², and the

the provision of an esplanade reserve / open space area will maintain much of the vegetation on site which contributes positively to the natural character values. The proposed plan change (as revised through evidence) is considered to result in low natural character values and be generally consistent with the provisions of the New Zealand Coastal Policy Statement (Policy 13, 14, 18 and 19) and the RPS - B8 Toitū te taiwhenua - Coastal environment (B8.2.1 (2) & B8.3.1 (2)).

- 17. Regarding future outcomes of residential development on the site, the applicant relies on the provisions of the R-THAB zoning, and the new policies, standards, matters of discretion and assessment criteria within the proposed Highbrook Precinct Plan to manage built form (including responding to the site opportunities and constraints), minimise visual amenity effects for future residents to arterial roads and provision of amenities (open space, café, dairy). While these aren't precluded by the R-THAB zoning, the location and context of the site, is considered to require master planning and good design to ensure these outcomes are achieved.
- 18. Four recommendations were outlined within my original memo, two of these (a & b) have been addressed or the effects reduced (as reviewed in the body of this memorandum). Two recommendations, as repeated below for clarity, are considered to be outstanding and are still recommended to be addressed within PC90 / precinct plan from a landscape perspective.
 - c. Introduce a provision which identifies the scale of development anticipated across the site (e.g., zones, lower density at the northern end to respond to the narrow form of the site and coastal edge).
 - d. Introduce provisions which requires a physical planted buffer with a minimum depth of 3m, with trees and shrubs, along the boundaries to SH1 and Highbrook drive to provide for a softer interface between future development and the road system.

Kind Regards,

Gabrielle Howdle

Principal Landscape Architect

Appendix A: Proposed Revised Precinct Plan 1



adverse effects of subdivision, use and development on the values of the coastal environment are avoided, remedied, or mitigated. And NZCPS Policies 13 & 14.